

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

Maple Height Senior Center

March 6, 2024

MEETING CAUCUS

Council President Jackson called the meeting to order at 6:33 p.m. with the following Council Members present: Jackson, Shenett, Jones, Tatum, Madden, Stafford Marbury and Agee. Councilwoman Anderson was absent and excused. Also present were Law Director Frank Consolo, Fire Chief Dan Syphen, Police Chief Todd Hansen, Finance Director Tinita Tillman, Service Director Tony Ciresi, Planning and Development Director Joe Duffy and Council Clerk Leonette Cicirella Johnson. Mayor Annette M. Blackwell, Human Services Director Linda Vopat and City Engineer Ed Hren were absent and excused.

Mr. Jackson said Councilwoman Madden would have the Invocation and lead the Pledge of Allegiance for tonight's meeting. He also said there was an Addendum for tonight's meeting and one (1) set of minutes to approve.

Moving to the legislation on tonight's meeting Agenda, Mr. Jackson said **Ordinance No. 2024-13, As Amended** fixing the Salary and Wage Schedule for Non-Bargaining Unit City Employees for 2024 was on Third Reading at tonight's meeting, but the vote on it will be held in abeyance since Council will be discussing this legislation at the March 7, 2024 Finance Committee Meeting. Mr. Jackson said **Ordinance No. 2024-13, As Amended** will be on the agenda for the March 20, 2024 Council Meeting.

Mr. Jackson said **Ordinance No. 2024-15, As Amended** would amend Council's Rules of Order concerning Standing Committees as set forth in Section 220.01(e)(3) of the City's Codified Ordinances. He said this legislation was also on Third Reading at tonight's meeting and asked Councilwoman Agee if she wanted to discuss this legislation in Caucus, to which Ms. Agee responded in the negative.

With regards to this legislation, Mr. Consolo advised Council that back in 2022 when Council amended the 220 Rules Section (f) was changed to require that the 220 Rules could only be amended by the approval of five (5) members of Council (i.e. 2/3 of the Members).

Mr. Consolo also advised Council that since this legislation was on Third Reading there would be no motion to suspend the rules. He said there will only be the vote on a motion to adopt **Ordinance No. 2024-15, Amended**.

Mr. Jackson said **Resolution No. 2024-23** authorizing Change Oder No. 6 (Final) for Metis Construction Services, Increasing the contract by \$3,220.00 for the City Hall New Vestibule & Elevator Addition Project was discussed by City Engineer Ed Hren at Monday's Committee of the Whole Meeting. He asked if there were any questions from Council on this legislation.

There being no questions or comments, Mr. Jackson said if there were no objections, he would ask Council to vote on this legislation at tonight's meeting. There were no objections from Council.

Mr. Jackson said **Resolution No. 2024-24** had been added to the Agenda for tonight's meeting by Addendum. He said this Resolution would authorize a Contract with Cummins Sales and Service to purchase an emergency generator for installation at the Senior Center for the Maple Heights Senior Center Emergency Generator Project. Mr. Jackson said Mr. Hren also discussed this legislation at Monday's Committee of the Whole Meeting. He asked if there were any questions from Council on **Resolution No. 2024-24**.

There being no questions or comments, Mr. Jackson said if there were no objections, he would ask Council to vote on this legislation at tonight's meeting. There were no objections from Council.

Mr. Jackson said the next item on the Agenda was the Appeal by Councilwoman Stafford Marbury. Mr. Jackson asked Ms. Stafford Marbury if she wanted to make any statement at this time regarding her Appeal, to which Ms. Stafford Marbury responded in the negative.

Mr. Jackson said there were No Expenditures over \$25,000.00 for review at tonight's meeting, only two (2) Disclosures of Purchase Orders over \$10,000.00. He asked if there were any questions on the Lists of Expenditures. There were no questions on the List of Expenditures.

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 6:38 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, Madden, Stafford Marbury and Agee. Councilwoman Anderson was absent and excused. Also present were Mayor Annette M. Blackwell, Law Director Frank Consolo, Fire Chief Dan Syden, Police Chief Todd Hansen, Finance Director Tinita Tillman, Service Director Tony Ciresi, Planning and Development Director Joe Duffy and Council Clerk Leonette Cicirella Johnson. Human Services Director Linda Vopat and City Engineer Ed Hren were absent and excused.

Councilwoman Tanglyn Madden 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: Mr. Jackson said Council had one (1) set of minutes for review and asked if there were any changes or correction to the Minutes of the February 21, 2024 Regular Meeting of Council.

Ms. Madden asked if the minutes could be held to the next meeting and Ms. Agee said she had not been able to review the minutes.

Mr. Shenett said there was a lot of information in these meeting minutes so it would be reasonable to give Council time to review them.

Mr. Jackson asked for a motion to approve the Regular Meeting Minutes of February 21, 2024 which was so moved by Councilman Tatum. As there was no second on this motion, Mr. Jackson said the Minutes of the February 21, 2024 Regular Meeting of Council will be held until the March 20, 2024 Council Meeting.

COMMUNICATIONS: There were no Communication for tonight's meeting:

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

DEPARTMENT REPORTS:

Fire Department – Fire Chief Dan Sypen reported that the total Fire Department calls to the end of February 2024 were 976 and that total calls for the month of February 2024 were 481.

The Fire Chief announced that two (2) Firefighters were sworn in on February 15, 2024. He said Andrew McBride and Derel Comer were both on the road with their respective shifts. Fire Chief Sypen said there was also one (1) candidate who had a conditional offer from the Fire Department pending completion of a physical.

Fire Chief Sypen announced that Severe Weather Awareness Week will be March 17th to March 23rd. He said MHFD social media including Facebook, Instagram and X will feature information throughout the week and that the statewide tornado drill/alert will be held on Wednesday, March 20th at 9:50 a.m.

The Fire Chief reported that on Sunday, March 3rd Firefighters with the Maple Heights Firefighters Association Local 1184 climbed the 52 floors of stairs at Key Bank Tower in Downtown Cleveland for the American Lung Association Fight for Air Climb. Fire Chief Sypen said the MH Firefighters raised over \$3,000.00 for this event that will go towards lung cancer research, treatments and health education. He said this was the 3rd year MHFD participated in this event and that the \$3,000.00 was the most money raised by them.

Mayor Blackwell asked the Fire Chief to explain the emergency alert system available to residents.

In response, Fire Chief Sypen said the ReadyNotify system was a Code Red Reverse 911 Notification System offered to residents by the County Office of Emergency Management (OEM). He said residents can sign up for ReadyNotify on the OEM Ready Cuyahoga website to receive alerts by telephone, text or e-mail whenever there is an emergency. The Fire Chief said the tornado alert will be on the ReadyNotify system.

Mayor Blackwell also asked Fire Chief Sypen to talk about the ‘thank-you’ e-mail he received from a resident’s family.

In response, the Fire Chief said it was not often that the Fire Department was able to assist residents in non-emergency situations. Fire Chief Sypen said the Fire Department was asked to transport a resident to Hillcrest Hospital who needed assistance to get to the hospital for treatment. He said two (2) Fire Department personnel assisted by taking the resident/patient not only to the hospital but also to the room for treatment. Fire Chief Sypen said he received a very nice e-mail from the family thanking the Fire Department for this service and said he wished the Fire Department could help more residents like this.

Ms. Jones asked the Fire Chief about the MHFD Facebook post concerning the 52-floor climb at Key Bank Tower and the MHFD coming in second in raising funds for this event.

In response, Fire Chief Sypen said the MHFD came in second in raising funds among the northeast Ohio communities that participated. He said this event was very challenging since the Firefighters were outfitted with all their gear and air packs.

Law Department – Law Director Mr. Frank Consolo said as an update to his report last month that he attended a meeting on February 28, 2024 with representatives of the Cuyahoga County Board of Health and other municipalities regarding tobacco regulations in their communities since the Ohio Legislature had passed legislation giving the State control to regulate these products. He said the meeting attendees discussed ways that cities may still be able to regulate tobacco. Mr. Consolo said the City of Columbus may possibly be going forward with a lawsuit challenging the new law under the “Home Rule” provisions of the Ohio Charter. He said there may also be the possibility of local regulation through expansion of the definition of “public nuisance” proposed in House Bill 258.

Mr. Consolo said since Planning and Development Director Duffy has been working with developers regarding various vacant lots in the City the Law Department has retained outside Counsel to work on these development agreements. Mr. Consolo said this was an area of law that he was not experienced in so he has contacted the Benesch Law Firm to do this work.

Mr. Consolo said the Maple Heights Mayor’s Court had a record number of traffic ticket cases pending with seventy (70) cases on the docket yesterday. He said fifty (50) to fifty-five (55) of these cases were resolved yesterday with thirty (30) defendants appearing in Mayor’s Court and about twenty (20) to twenty-five (25) who paid their tickets on line. Mr. Consolo said the on-line payment option has been very helpful.

Police Department – Police Chief Todd Hansen said the increased docket in Mayor’s Court was an indication that police officers were writing more tickets and that more payments would mean more revenue to the City.

The Police Chief reported that for the month of February the Police Department averaged about fifteen (15) tickets per day including tickets for moving violations, parking and minor

misdeemeanors. He said the Police Department has been averaging about eighty (80) calls per day and that the total of calls for service to date were 5,000 calls.

Police Chief Hansen announced that the new Chevy Tahoe vehicles that were ordered in 2023 were delivered to the Police Department and will be on the road within the next two (2) weeks. He thanked the Mayor, the Finance Director and Council for helping the Police Department to purchase these new vehicles.

The Police Chief also announced that the Raven gunshot detection system just went up online. He said this system was trained to listen for noises and will learn to determine which sounds may be gunshots. Police Chief Hansen said this system was direct-wired to Police Officers' phones and computers and will help the Police Department to get a more immediate response rather than waiting for calls from dispatch. The Police Chief said people will still need to call the Police Department if they hear shots fired though since the Raven system did not give any other information besides detecting the sound of gunshots. He said this system will not replace the public's help to solve crimes, but was an additional tool for the Police Department.

Police Chief Hansen reported that since the Police Department has been using a national testing system to find new candidates, a new list of thirty-four (34) candidates has been approved by the Civil Service Commission. He said usually there will be three (3) to four (4) good candidates from a list. The Police Chief said another lateral transfer notice has been posted with the new pay schedule information.

Mayor Blackwell asked Police Chief Hansen to share the cost of the Raven gunshot detection system.

In response, Police Chief Hansen said this system will cost nothing this year.

Human Services Department – No Report since Human Services Director Vopat was absent and excused.

Finance Department – Finance Director Ms. Tinita Tillman said the Finance Department closed the month of February 2024 on March 1, 2024 and reported that as of February 29, 2024 the Unexpended Balance in the General Fund was \$9,258,337.89 and that the Unexpended Balance for All Funds was \$18,570,547.40.

Service Department – Service Director Mr. Tony Ciresi said the Service Department was in the middle of both seasons. He said the Service Department was still using the winter weather equipment and was getting the summer equipment ready including the lawn mowers, etc.

Mr. Ciresi said the Service Department had two (2) trucks out with cold patch to repair pot holes on City streets. He said four (4) years ago the Service Department was using approximately eight (8) to twelve (12) tons of cold patch. Mr. Ciresi said the Service Department has used about two (2) tons.

Mr. Ciresi said the Service Department has also been concentrating on trash, especially on the main streets. He said Service Department staff check for trash after the trash collection days.

Mr. Ciresi announced that the Service Department has hired a new employee to work in the Parks section and hoped to hire new employees as laborers in the next few weeks.

Mr. Ciresi concluded his report by reminding residents that all of the information regarding trash collection was on the City website. He said any item that was made with cloth material such as mattresses, couches and chairs needed to be wrapped in plastic. Mr. Ciresi said the Service Department has been doing two (2) to three (3) clean-ups a week and that when there were move-outs, that trash was being cleaned up by the Service Department. Mr. Ciresi also reminded residents that if they planned to do spring cleaning, the Service Department collected household hazardous waste products and computer equipment year-round

Mayor Blackwell asked Mr. Ciresi why the Service Department was using less cold patch.

In response, Mr. Ciresi said this was due to the fact that the City has been resurfacing at least seven (7) streets per year.

Planning and Development Director -- Planning and Development Director Mr. Joe Duffy presented the following report attached hereto and incorporated herein by reference.

Mayor Blackwell asked Mr. Duffy to tell Council what was the average dollar amount of the Exterior Home Repair Grants awarded by the City last year.

In response, Mr. Duffy said last year the City funded forty-four (44) repair projects ranging in award amounts of \$500.00 to the maximum award amount of \$2,500.00. Mr. Duffy said a large percentage of these awards were made to senior citizens. He said the Housing Department maintained applicant information for those who had not received a grant and will contact applicants between years so they may be able to apply for the next year.

Mr. Shenett asked about the amount of the grant award being capped at \$2,500.00 and said he thought in past years the amount was \$3,000.00.

In response, Mr. Duffy said the maximum grant award was \$3,000.00 the first year but was capped at \$2,500.00 the second year to allow more grants to be awarded.

Mayor Blackwell asked Mr. Duffy what types of repairs were made under the grant program.

In response, Mr. Duffy said the Exterior Home Repair Grant Program was designed to address repairs that the City may cite for under the Building and Housing Code. He said common projects were roof repairs, windows, doors, porches, tuck-pointing and driveway repairs.

COMMENTS FROM CITY RESIDENTS: Started at 7:32 p.m.

Ms. Diane Giersz residing at 19244 Stafford Avenue, Maple Heights, Ohio, said she wanted to again address the issue of the responsible care of animals by pet owner to get their dogs and cats spayed and neutered. Ms. Giersz said she received a letter from Ms. Sharon Harvey of the Animal Protective League that discussed the problem of overcrowding at the animal shelters. She read a portion of the letter that questioned how was it possible to claim pets were truly members of the family when we do not have supportive public policy and community support to keep families together. Ms. Giersz said Ms. Harvey had stated that animal welfare organizations, human services organizations, public officials and the public must come together to work collaboratively and that when people were in need, often their pets were in need and when pets were in need, often their owners were in need. Ms. Giersz said we needed to work together to make Maple Heights better for both families and their pets.

Ms. Giersz said she also had a school comment regarding a young girl she had met on her street who was just walking around instead of being in school. She said the young girl told her she had been suspended for two (2) days because she had been with a group of girls who had been shouting and cursing. Ms. Giersz said the girl did not seem upset but the girl told her that she missed being in school.

Ms. Giersz asked if an in-school suspension would be a better form of correction and that she had talked with the Mayor who suggested that she talk with the School Board to consider rethinking their policies.

Ms. Linda Sekura of 20508 Watson Road, Maple Heights, Ohio, said she had e-mailed District 6 Councilwoman Stafford Marbury asking that she answer two (2) questions, to which Ms. Stafford Marbury replied back that they would be answered at tonight's Council Meeting. She said the first question was why had Ms. Stafford Marbury declined to serve on the Community Life and Education Committee and the second concerned the purpose of Ms. Agee's ordinance.

Ms. Sekura said Ms. Agee had said this legislation was duplicated from Shaker Heights but Ms. Sekura said that was not true and that she was confused by this ordinance.

In response, Ms. Agee said this legislation had been duplicated from Shaker Heights and that it was true.

In response, Ms. Stafford Marbury said Ms. Agee's ordinance had come from Shaker Heights and said Shaker Heights had an Administration Committee. Ms. Stafford Marbury said Shaker Heights also had a Diversity, Equity and Inclusion Committee that reviewed administrative departments and a Neighborhood and Economic Development Committee. Ms. Stafford Marbury said she attended a recent Shaker Heights Council Meeting and talked with Council Members on those committees.

Ms. Venetta Thomas residing on Arch Street, Maple Heights, Ohio, said she was concerned about a group home on her street. Ms. Thomas said she was not being discriminatory, but was

concerned who will be living next to her. Ms. Thomas said she was not happy with Council, even the Council President, that no one will tell her whether these people have a license, etc.

In response, Mr. Jackson said it was not that he did not care about Ms. Thomas's concerns, but when he talked with her he read her the information from the State law regarding group homes.

In response, Ms. Agee asked where was this house located to which Mr. Jackson said on Arch Street in District 4.

In response, Mr. Shenett said he understood the resident's concern regarding group homes and that he had received a telephone call from a gentleman who inquired about operating a group home for released prisoners. Mr. Shenett said the gentleman had tried to do it as a business and as a business the City could regulate it. Mr. Shenett said group homes were difficult for the City to regulate.

Elder Robert Thomas of Arch Street, Maple Heights, Ohio, asked if Arch Street was zoned for business and said if this was a business it needed to file with the State and needed to be bonded. Elder Thomas said he has been a resident for twenty-two (22) years and that he had his ministry in the neighborhood in the old St. Wenceslas Building. Elder Thomas said he was being contacted by other residents about this group home. He said he was 70 years old and that this home was not set up for a drug rehab place.

In response, Mr. Jackson asked Mr. Consolo to address the residents' concerns.

In response, Mr. Consolo said he could only present general information regarding this issue and that group homes generally cannot be regulated by the City. Mr. Consolo said group homes were a Federal and State issue. He said the residents they could talk with him after the meeting tonight.

Mr. David Moss and his brother residing at 5456 Grasmere Avenue, Maple Heights, Ohio said they had started the Maple Heights Boys League to help 4 to 16-year-old children. He said this will be their third season trying to bring the community and families together. Mr. Moss said their focus was on the youth of our community and to be a role model for these youth. He said young people do not look up to businessmen.

Mr. Moss said he and his brother started the Maple Heights Boys League in June 2021 which was their first season. He said this year will be their third season and that they came to ask for help from Council to sponsor a team. Mr. Moss said they also needed support to maintain the playing fields and also needed volunteers to work with the youth. He said not everyone was good or honest so they would need some type of security at the games.

Mr. Moss said they have started making a difference with regards to young people, but needed help from the City to continue this change.

In response, Ms. Agee asked how much was it to support a team to which Mr. Moss responded approximately \$900.00.

In response, Ms. Stafford Marbury said she would not be able to support a whole team but would donate to the Maple Heights Boys League.

Comments by City Residents closed at 7: 50 p.m.

LEGISLATION:

ORDINANCE NO. 2024-13, As Amended

AN ORDINANCE FIXING THE SALARY AND WAGE SCHEDULE FOR NON-BARGAINING UNIT CITY EMPLOYEES FOR 2024, AND DECLARING AN EMERGENCY.

Mr. Jackson said this legislation will be held in abeyance to allow Council to discuss it at the Finance Committee Meeting to be held on March 7, 2024.

Mr. Jackson asked for a Motion to postpone discussion of **ORDINANCE NO. 2024-13, As Amended** until the March 20, 2024 Council Meeting.

So moved by Mr. Shenett and seconded by Ms. Jones.

ROLL CALL on the Motion to postpone discussion: Madden: Yes; Stafford Marbury: Yes; Agee: Yes; Shenett: Yes. Jones: Yes; Tatum: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays.

ORDINANCE NO. 2024-15, As Amended

AN ORDINANCE AMENDING COUNCIL'S RULES OF ORDER CONCERNING STANDING COMMITTEES SET FORTH IN SECTION 220.01(e)(3) OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Mr. Jackson said this Ordinance was on Third Reading and asked if there were any questions or discussion on this legislation. He asked Ms. Agee if she wanted to make any comments on this legislation, to which Ms. Agee responded in the negative.

Mayor Blackwell said she would still continue to share her comments on this legislation. The Mayor said this legislation has been changed but that what was being proposed was already being done by Council. She said Council already contacted departments directly for residents. Mayor Blackwell said she was perplexed why this legislation was being purposed now by a Council Member who refused to serve on a Committee last year. She said now this Council Member wanted to create a committee this year.

In response, Ms. Agee thanked the Mayor for being so concerned about this Ordinance and in response to the Mayor's Comment about refusing to serve on a Committee, Ms. Agee said she

had not refused to serve on Council Committees. Ms. Agee said when appointments were being made, by the time it came to District 7 there were no committee appointments available.

Mr. Shenett said he had looked at the 220 Rules and reviewed the proposed amended legislation that included additional information regarding the proposed new standing committee. Mr. Shenett said language was added for example, regarding the Planning and Zoning Commission that would assist the Building Department. He said the proposed changes would also assist the Service Department. Mr. Shenett said many of the issues included were what Council Members heard from their residents. Mr. Shenett said with regards to the Law Department the proposed Committee would assist to streamline the mediation process.

Mr. Shenett said he appreciated the Mayor's comments and that his interpretation was from a legislative standpoint.

Mayor Blackwell said this legislation was not needed and that its intent was repetitive, redundant and unnecessary. She said Council were able to contact departments directly.

In response, Mr. Shenett said the same argument may be made about all committees.

Mr. Tatum said he wanted to address this ridiculous piece of legislation and said there was the Executive Branch and the Legislative Branch and now this individual who did not serve on any authorized Committees was attempting to create another committee to oversee departments. He said this committee was being created for personal reasons and that this legislation should be withdrawn. Mr. Tatum said the people have spoken the way the City was going and we should respect the Mayor. Mr. Tatum said this was a problem of grandstanding by Council and that the Mayor and Council had jobs to do.

In response to clapping from the residents, Ms. Agee said residents were not out at Council Meetings when there were shootings or pot hole problems. She said whether the legislation passed or if it did not pass she was not concerned.

Ms. Stafford Marbury said she was not the author of this legislation but that it was proposing a proactive, not a reactive, approach to things in the City. Ms. Stafford Marbury said the department reviews would allow Council to have input into City processes.

Ms. Stafford Marbury said she had been a Member of the Planning and Zoning Commission and that process was done administratively. She said there were instances when the Commission thought suggestions could maybe be made to make the process more effective. Ms. Stafford Marbury said this Ordinance was progressive legislation that could streamline some of the City processes.

Ms. Jones said she received the revision to this legislation and said that the proposed changes were councilmanic duties that Members of Council should do anyway. Ms. Jones said there were Committees already formed that could handle what was being proposed. She said the Building Department section should be in the Housing and Economic Development Committee and the section regarding the Service Department could be done by the Public Works and Safety

Committee. Ms. Jones said the proposed legislation was kind of redundant and was what Council should be doing every day.

At this time Mr. Jackson concluded discussion on **ORDINANCE NO. 2024-15, As Amended** and asked for a Motion for adoption.

So moved by Mr. Shenett and seconded by Ms. Madden.

ROLL CALL on the motion for adoption: Madden: Yes; Stafford Marbury: Yes; Agee: Yes; Shenett: Yes. Jones: No; Tatum: No. The motion for adoption requiring five (5) affirmative votes (2/3 of the Members of Council) per Section 220.01(f) of the MH Codified Ordinances failed by the vote of four (4) ayes to two (2) nays. **Ordinance No. 2024-15, As Amended** failed.

RESOLUTION NO. 2024-23

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 6 (FINAL) FOR METIS CONSTRUCTION SERVICES, INCREASING THE CONTRACT BY \$3,220.00 FOR THE CITY HALL NEW VESTIBULE & ELEVATOR ADDITION PROJECT IN THE CITY OF MAPLE HEIGHTS, 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.

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 other discussion on this Resolution. There being no additional discussion, Mr. Jackson asked for the vote passage on emergency.

ROLL CALL on the vote for passage on emergency: Madden: Yes; Stafford Marbury: Yes; Agee: Yes; Shenett: Yes. Jones: 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. 2024-24

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CUMMINS SALES AND SERVICE TO PURCHASE AN EMERGENCY GENERATOR FOR INSTALLATION AT THE MAPLE HEIGHTS SENIOR CENTER, FOR THE MAPLE HEIGHTS SENIOR CENTER EMERGENCY

GENERATOR PROJECT 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.

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 other 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: Madden: Yes; Stafford Marbury: Yes; Agee: Yes; Shenett: Yes. Jones: 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.

APPEAL BY COUNCILWOMAN STAFFORD MARBURY

Appeal by Councilwoman Stafford Marbury pursuant to Cod. Ord. Sec. 220.01(c)(5), of the decision of the Council President to not accept her request to decline appointment to the Community Life and Education Committee.

Mr. Jackson asked Ms. Stafford Marbury if she wanted to make a statement regarding her appeal, to which Ms. Stafford Marbury responded in the affirmative.

Ms. Stafford Marbury said at the January 24, 2024 Special Meeting of Council she was assigned to and accepted the position of Chair of the Housing and Economic Development Committee. She said Councilwoman Madden was assigned to the Community Life and Education Committee along with Councilman Tatum and Councilwoman Anderson. Ms. Stafford Marbury said that at some point Ms. Madden had requested to be taken off of the Community Life and Education Committee.

Ms. Stafford Marbury said at the February 7, 2024 Council Meeting there was discussion of a Special Meeting of Council to be scheduled for February 12, 2024 that was to take place after the Planning and Zoning Commission Meeting for the purpose of filling the open position on the Community Life and Education Committee. She said this meeting did not go forward.

Ms. Stafford Marbury said she was surprised to hear at the February 21, 2024 Council Meeting that she had been assigned to the open position on the Community Life and Education Committee, as which time she declined this appointment. Ms. Stafford Marbury said she was not aware whether or not a conversation was had between the Council President and Pro-Temp regarding this. She said on February 27, 2024 she received an e-mail from the Council President refusing to accept her request to decline this Committee appointment and informing her that she would be fined.

Ms. Stafford Marbury said there have been a number of attempts to address why her colleagues were declining to work on the Community Life and Education Committee. Ms. Stafford Marbury said she did not have a problem working at the table with her Council colleagues, but that she would not work in a close area with Councilman Tatum. Ms. Stafford Marbury said she had been the subject of his verbal postures and abuse and unprovoked intimidating behaviors. Ms. Stafford Marbury said after a previous Council Meeting, she had spoken to Mr. Tatum just to say hello. She said he stopped, turned around and approached her angrily, loud and calling out her name. Ms. Stafford Marbury said he did apologize afterwards.

Ms. Stafford Marbury said another time Mr. Tatum waited in his car after a Council Meeting for an extended period of time as she and others stood outside. She said he very slowly started to drive towards them. Ms. Stafford Marbury said as he drove by he slowly rolled down his darkly tinted windows, stopped for a few seconds, then brought up his window and drove away.

Ms. Stafford Marbury said she has been in public places where Mr. Tatum will make loud, rude comments and laugh with those who were with him. She said she was certainly not the only one who has noticed that he will get angry during meetings and will lash out. Ms. Stafford Marbury said the level to which he did this to females was alarming and not to be taken lightly in today's society. Ms. Stafford Marbury stated that the first thing Mr. Tatum will say when other Council Members do not agree with him was that they should be fined. She said he generally speaks to everyone about being respectful, yet he gives none.

Ms. Stafford Marbury said to dismiss these concerns and to attempt to financially penalize others only perpetuated this behavior. She said there were laws that protected employees from having to endure this behavior. Ms. Stafford Marbury said Mr. Tatum says that this is a business. She said this behavior would not be permitted in a traditional workplace.

Ms. Stafford Marbury stated that she would again say that she declined this appointment and said she would defer to Ms. Madden to address this issue also.

Mr. Jackson asked Mr. Consolo if it would be appropriate for Mr. Tatum to address these things or not at this time.

In response, Mr. Consolo said the issue would be whether discussion of the Appeal was limited to only the Appellant. Mr. Consolo said any member of Council could speak on this matter. He said Council will be voting on it and that the Appeal was no different than any other motion. He said all of Council would be permitted to discuss it.

Mr. Jackson asked if there was any other discussion.

Ms. Madden said she also had been in situations in which Mr. Tatum has been verbally abusive and said she had also been a witness to and been a punching bag for Mr. Tatum. Ms. Madden said last November Mr. Tatum was very loud while she was speaking with residents and that he walked up behind her saying things so she would move. Ms. Maddens said he would then come back around to be in her face so she would see him.

Ms. Maddens said another time last year she approached Mr. Tatum in a respectful way after a Council Meeting to give his business card back that he had given to one of her residents when Mr. Tatum had reached out to the resident after the meeting. Ms. Madden said the resident told her he did not need Mr. Tatum's help so Ms. Madden told the resident she would give Mr. Tatum back his business card. Ms. Madden said Mr. Tatum turned around and said he did not talk to the hired help and walked away from her.

Ms. Madden asked why would she work or be on a committee with someone who will not even give me the respect to talk to her.

Mr. Tatum said the date in question was October 18, 2023 and that he had sponsored a Neighbors on Duty Meeting on October 16, 2023 where neighbors from all over the City came to this particular meeting. Mr. Tatum said one of Ms. Madden's residents had some questions about the cameras they were trying to get so he gave her his business card. Mr. Tatum said Ms. Madden told him her residents did not need anything from him and gave him back his card.

Mr. Tatum said unless it had to do with City business or Council business, please do not speak to me and stated that he did not talk to the help.

Mr. Tatum said it was getting to a situation to where they were very disrespectful to everybody around them.

Mr. Tatum said he did not have a meeting before the meeting and will leave when the meeting has been adjourned. He said he can wait and sit in a parking lot and have business calls or personal calls for fifty (50) minutes or an hour.

Mr. Tatum said he was a father, a businessman, an elected official. He said he was not here to intimidate anyone. Mr. Tatum said he will not allow any one of these individuals to disrespect him at any time. He said liking him was optional, but respecting him was mandatory. Mr. Tatum said he might be angry, he might be upset about it but that he was not going to disrespect anybody. Mr. Tatum said he did not play games, so others should not play games with him and that he will let others know that they will not be going to disrespect him. Mr. Tatum said at the polls when he was running for his first election he got in a dispute with Ms. Agee and said at that time he stated that he would go to his vehicle at 7:30 p.m. to change his clothes and come back to fight her husband.

Mr. Tatum stated he was a leader not a follower. He said humans were just like animals and will not let the dumbest animals lead the pack.

Mr. Jackson said he would not entertain comments back and forth from Council but said he would recognize Ms. Jones since she had not made a comment yet.

Ms. Jones said she thought it was time for us to get out of the playground and get back in our seats and work things out for the City as adults.

Mr. Jackson said he wanted to address the comment about a meeting scheduled for February 12, 2024. Mr. Jackson said this meeting had not been scheduled. He said Council had talked about scheduling the meeting, but then realized it was Planning and Zoning that evening so it was decided to not schedule it. Mr. Jackson said this meeting was never officially scheduled.

At this time . Mr. Jackson said Council would now vote on Ms. Stafford Marbury’s Appeal.

Shall the decision by the Council President to not accept Councilwoman Stafford Marbury’s request to decline appointment to the Community Life and Education Committee be SUSTAINED?

Four or more members must vote “YES” to SUSTAIN the decision; Four or more members must vote “NO” to OVERRULE the decision

ROLL CALL: Shenett: No; Jones: Yes; Tatum: Yes; Madden: No; Stafford Marbury: No; Agee: No. The decision of the Council President to not accept Councilwoman Stafford Marbury’s request to decline appointment to the Community Life and Education Committee has been overruled by the vote of four (4) nays to two (2) ayes.

EXPENDITURES OVER \$25,000.00:

Mr. Jackson said there were No Expenditures over \$25,000.00 for review at tonight’s meeting, only two (2) Disclosures of Purchase Orders over \$10,000.00. He asked if there were any questions on the List of Expenditures. There were no questions.

MAYOR’S REPORT: Mayor Blackwell announced that the City will be hosting the Easter Fest on Saturday, March 23, 2024 from 12:30 p.m. to 3:00 p.m. in the MH High School Cafetorium. The Mayor said there will be photos with the Easter Bunny, Easter Cookie Decorating, a Bounce House, a Home Depot craft kit giveaway, Bike Raffle and much more. The Mayor said the sponsors for the Easter Fest included My Com, Remington College, Home Depot, State Farm Insurance, Mr. Chicken, Canestraro Co., LPA and Council President Jackson.

The Mayor welcomed the Moss Brothers to attend the Easter Fest and said the City would help to support the Maple Heights Boys League.

Mayor Blackwell said she received a book from a resident entitled The Parent Fix – When Parents Change, Kids Change and that since there was a separation of powers between the City and the School District she would be reaching out to the School Board to see if their members or the School Superintendent were familiar with this publication. The Mayor said this book would be more appropriate with their responsibilities.

COUNCIL REPORTS:

Councilwoman Tanglyn Madden, District 5 said she had received a disturbing call that she referred to the Police Department. Ms. Madden said there were scams taking place in which a phone call comes up on the caller ID with a legitimate company’s name and phone number that

was really an individual not from that company trying to get personal information. Ms. Madden advised residents, especially senior citizens, not to answer these types of phone calls.

Councilwoman Tina Stafford Marbury, District 6 thanked everyone for attending tonight's meeting.

Ms. Stafford Marbury reported that a Housing and Economic Development Committee Meeting was held on Thursday, February 29, 2024 with Committee Chairwoman Stafford Marbury and Committee Members Jones and Madden in attendance. She said Planning and Development Director Duffy, Housing Administrator Thomas, Community Development Manager Hansberry and Council President Jackson were also in attendance. Ms. Stafford Marbury said the Committee discussed the Exterior Home Repair Grant Program, Rental Properties and Group Homes. She said the Committee also discussed the scheduling of quarterly Committee Meetings but the next Committee Meeting has been tentatively scheduled for Thursday, March 21, 2024 at 6:30 p.m. in Room 7.

Ms. Stafford Marbury said the first District 6 Community/Block Watch Meeting went well and that she wanted to thank Police Chief Hansen for attending. Ms. Stafford Marbury said she would be working to get residents better engaged.

Councilwoman Edwina Agee, District 7 said she wanted to extend her gratitude to all of the parents who brought their children to the First Family Board Game Day that she sponsored with The Lutheran Church of the Covenant, Equipoise Corporation and The James Kick for Success Foundation. Ms. Agee announced that the next Family Board Game Day will be scheduled in April.

Ms. Agee announced that the next Fresh Fruits and Vegetables Distribution will be held on Friday, March 8, 2024 from 5:00 p.m. to 6:30 p.m. at 5345 Warrensville Center Road, Maple Heights, Ohio.

Councilman Stafford L. Shenett, District 1 said he wanted to extend a "thank-you" to the Moss Brothers for their work with the youth to help bridge the gap between young people, the safety forces and City officials. Mr. Shenett said he would like to invite the Moss Brothers to sit down with the Public Works and Safety Committee to discuss support for a team. He said there was a protocol Council was required to follow.

Mr. Shenett announced that the annual Combined District 1 and District 7 Block Watch/Fellowship Meeting will be held on Tuesday, March 26, 2024 with more information to follow,

Mr. Shenett concluded his report by stating that many families have a history here in Maple Heights spanning a number of generations. At this time Mr. Shenett presented a Proclamation to the family of Alice M. Chesnick who had been a resident of Schreiber Road in Maple Heights for over seventy (70) years and had died in January 2024.

Mrs. Chesnick's daughter Karen was present on behalf of the Chesnick family to accept the Proclamation and thanked Mr. Shenett and the City for honoring their mother.

Councilwoman Toni Jones, District 2 said that on March 12, 2024 there will be a joint Town Hall Meeting with Garfield Heights Mayor Matthew Burke and Maple Heights Mayor Annette M. Blackwell who will be sponsoring members of the Cuyahoga County Scam Squad. Ms. Jones said the Cuyahoga County Scam Squad helped to protect residents from all types of scams, especially financial scams. She said this meeting will be at 6:30 p.m. at the Garfield Heights Civic Center.

Ms. Jones announced that on March 13, 2024 there will be a Cuyahoga County Lead Grant Clinic sponsored by Environmental Health Watch at the Maple Heights Library from 3:00 p.m. to 7:00 p.m. Ms. Jones said the Cuyahoga County Lead Grant Program helped Cuyahoga County residents to do home repairs to help reduce lead exposure and lead poisoning. She said to receive a grant, residents may need to have a child under the age of 6 living in the home.

Councilman Timothy Tatum, District 3 thanked Mr. Carrington from the Building Department for handling a situation on E. 141st in his District and announced that there will be a Neighbors on Duty Meeting scheduled soon.

Mr. Tatum concluded his report by wishing everyone a Blessed Evening.

Council President Ron Jackson said he did not know what to call this evening's meeting. Mr. Jackson said he heard a lot of anger come out in an effort to let everyone say their piece. He said this will end tonight and will be cut off with tonight's meeting. Mr. Jackson said he hoped everyone will try to find some way to work for the benefit of the City.

Regarding the Maple Heights Boys League, Mr. Jackson told the Moss brothers that he will support them again this year. Mr. Jackson said he hoped the other Council Members will help the Moss brothers also.

There being no further business to come before this Council, Council President Jackson thanked everyone for attending and adjourned the meeting at 9:00 p.m.

Dated: March 20, 2024

ATTEST:

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