

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

**Maple Height Senior Center**

**April 17, 2024**

**MEETING CAUCUS**

Council President Jackson called the meeting to order at 6:30 p.m. with the following Council Members present: Jackson, Shenett, Anderson, Madden and Agee. Councilman Tatum arrived at 6:37 p.m. Councilwoman Stafford Marbury arrived at 6:40 p.m. Councilwoman Jones was absent and excused. Also present were Police Chief Todd Hansen, City Engineer Ed Hren and Council Clerk Leonette Cicirella Johnson. Law Director Frank Consolo arrived at 6:35 p.m. Mayor Annette M. Blackwell arrived at 6:51 p.m. Fire Chief Dan Syphen, Human Services Director Linda Vopat, Finance Director Tinita Tillman, Service Director Tony Ciresi and Planning and Development Director Joe Duffy were absent and excused.

Mr. Jackson said Council would begin the Caucus Meeting since there was a quorum present. He said Councilman Shenett would have the Invocation and lead the Pledge of Allegiance for tonight's meeting. Mr. Jackson said there was one (1) set of minutes to be approved at tonight's meeting, one (1) Communication which was a Notice of Appeal regarding Planning and Zoning **Case No. 2024-PZ-04** and one (1) Department Report from Police Chief Hansen.

Mr. Jackson asked if there were any questions regarding the Planning and Zoning Appeal in **Case No. 2024-PZ-04**.

Councilwoman Anderson said she had talked with the Applicant, Ms. Katherine James, and was told that the Applicant was proposing an adult assisted living facility to help individuals with mental disorders. Ms. Anderson said the Applicant would have someone on site at all times and said she did not know why this application had not been approved by the Planning and Zoning Commission. Ms. Anderson said the Applicant would have someone with her at tonight's meeting.

Councilwoman Agee asked if Council could go back to the minutes on the Agenda for tonight's meeting and said since the minutes were twenty (20) pages long she had not had enough time to read the minutes after receiving them this morning. Ms. Agee said the Clerk did a good job on the minutes, she just needed time to read them.

Councilman Shenett said he concurred with Ms. Agee. He said the Clerk did a good job on the minutes, but that was a long meeting and a lot of information was presented so he also wanted additional time to review the minutes.

Returning to the discussion regarding the Planning and Zoning Appeal in **Case No. 2024-PZ-04**, Mr. Shenett said that as a courtesy to his Council colleagues he generally deferred to them in matters regarding their respective districts. Mr. Shenett said he had attended the April 8, 2024 Planning and Zoning Commission Meeting and stated that it was rough for the Applicant and that he understood why the Commission had not approved this application. He said part of the

problem was confusion as to the residents who would be living there. Mr. Shenett said he was glad the Applicant will be present at tonight's meeting so Council will hear from her.

In response, Ms. Anderson said if the concern was that the residents had mental issues, that would be discrimination.

Mr. Shenett said it was not an issue as to the residents who would be living there, but the Commission had questions regarding the employees and whether the employees had the appropriate skill sets for this facility.

Councilwoman Madden said she also attended the April 8, 2024 Planning and Zoning Commission Meeting and that another issue for the Commission was the number of rooms to be used in the home. Ms. Madden said the application indicated eight (8) rooms, but the Applicant said there were five (5) rooms and there would be five (5) residents.

Ms. Agee said she has a group home in her district and the one issue was that the residents there were always disturbing the other neighbors. Ms. Agee said she would like to ask the Police Chief if the Police Department had been receiving any calls regarding this issue.

Mr. Consolo advised Council that the City needed to take a hands-off approach if this was a group home. He said the City cannot regulate these facilities as long as the facility met the State licensing and other Building Code requirements.

Ms. Anderson said so if this was the wrong wording on the application, the Applicant would need to resubmit the application, to which Mr. Consolo responded in the negative. Mr. Consolo said if this was truly a group home, then nothing would need to be submitted to the Planning and Zoning Commission. He said the Applicant would only need the license from the State. Mr. Consolo stressed to Council that it was a federal offense if the City tried to regulate group homes. Mr. Consolo said one (1) regulation that may be possible however would be establishing limitations, such as buffer zones, with regards to the number of group homes in an area, similar to the buffer that was included in the Central Business District (CBD) Zoning District regarding similar uses.

Ms. Anderson said she had three (3) other group homes in her district and she has had no problems with them.

With regards to this Appeal, Mr. Consolo said Council would need to get on the record what the Applicants considered their facility to be. He said if it will be assisted living, Council will need to get the information to see if this use falls within the Code definition of an "assisted living facility." Mr. Consolo said if the Applicants' facility will be a group home, then the City can only ask if they have their State license. Mr. Consolo said if it will be a group home, then he will contact the Applicant and let her know that there will be no Appeal and the Planning and Zoning application will need to be withdrawn.

Mr. Shenett said there were two (2) applications at the April PZC Meeting that said the same thing as an assisted living facility. Mr. Shenett said one (1) of these applications was in his district and the proposed use did fall within that definition.

Mr. Jackson asked if there were any other questions regarding the Planning and Zoning Appeal. There were no other questions or comments from Council.

Moving to the legislation on tonight's meeting Agenda, Mr. Jackson said **Resolution No. 2024-34** would approve the Change in the Regular Meeting Schedule of Council for the Months of June, July and August 2024. Mr. Jackson said Council did this legislation every year to go to only one (1) regular meeting the first Wednesday of each month for June, July and August. Mr. Jackson said there if were no objections, he would like to pass this Resolution by unanimous consent. There were no objections from Council.

Mr. Jackson said **Resolution No. 2024-35** authorizing a Purchasing Participation Agreement with the Ohio Department of Transportation (ODOT) for the Purchase of Rock Salt for Contracts Awarded in 2024 was another item of legislation that was done every year. He asked if there were any questions on this legislation. There being no questions, Mr. Jackson asked Council to pass **Resolution No. 2024-35** on emergency at tonight's meeting so the Service Director would be able to submit a copy of the legislation to ODOT before the May 3, 2024 deadline.

Mr. Jackson said **Resolution No. 2024-36** would authorize Acceptance of the Quotation by Valley Freightliner, Inc. for the Purchase of a Freightliner 108SD Cab and Chassis in the Amount of \$109,819.00 through the Ohio Department of Transportation Cooperative Purchasing Program, and to Accept the Quote by Henderson Products, Inc. for Upfitting the Truck with Snow and Ice Control Equipment Package in the Amount of \$120,824.00, through National Purchasing Partners Government Cooperative Purchasing Program. He said Service Director Ciresi had sent a reminder e-mail to Council that this vehicle purchase had been discussed at the March 7, 2024 Finance Committee Meeting. Mr. Jackson said this vehicle needed to be ordered now to lock-in the quotes, but would not be delivered until 2025.

Mr. Jackson asked if there were any questions on **Resolution No. 2024-36**. There being no questions, Mr. Jackson asked Council to vote on this Resolution at tonight's meeting.

Moving to **Resolution No. 2024-37** accepting and approving Cuyahoga County's 911 Plan, Mr. Jackson asked Mr. Consolo to discuss this Resolution.

In response, Mr. Consolo said under State law every 911 service area was required to have a 911 Plan that must be accepted by the cities in this service area. Mr. Consolo said Cuyahoga County had submitted a copy of this Plan to the City and under **Resolution No. 2024-37** Council was being asked to accept and approve it.

Mr. Jackson asked if there were any questions on **Resolution No. 2024-37**. There were no questions on this legislation.

Mr. Consolo said **Resolution No. 2024-38** selecting Euclid Mayor Gail as a Member of the Cuyahoga County 911 Program Review Committee was associated with the prior piece of legislation. Mr. Consolo said part of the 911 Plan included the creation of a 911 Program Review Committee tasked with the review of the 911 services in the County. Mr. Consolo said this Program Review Committee was comprised of five (5) Members, including the 1) Chief Executive Officer of the County; 2) Chief Executive of the county's most populous municipal corporation; 3) Chief Executive of the county's second most populous municipal corporation; 4) Chief Executive Officer of a municipal corporation in the county selected by a majority of the legislative authorities of the county's municipal corporations; and 5) a member of a Board of Township Trustees selected by the majority of Boards of Township Trustees in the County. He said there was a vacancy in the position of Chief Executive Officer of a Municipal Corporation in the County so **Resolution No. 2024-38** was the City's selection for this Member and it was being requested that Euclid Mayor Gail be selected by Council.

Mr. Consolo asked if Police Chief Hansen had any comment regarding **Resolution Nos. 2024-37 and 2024-38**.

In response, Police Chief Hansen said under Ohio law any County with a 911 system was required to have a 911 Plan if the County received state funding. He said the plan would include information such as the telephone companies servicing the County, the services provided, the PSAPs (Public Safety Answering Points), etc. The Police Chief said PSAPs were the dispatch centers in the County and can be either land line or wireless. He said Maple Heights was under Chagrin Valley Dispatch (CVD) which was a wireless system.

Police Chief Hansen said the member cities needed to approve the County's 911 Plan and that he had discussed it with the head of Chagrin Valley Dispatch. He said CVD recommended that Council approve **Resolution No. 2024-37**.

With regards to **Resolution No. 2024-38**, Police Chief Hansen said this legislation concerned the selection of a Chief Executive Officer of a Municipal Corporation to fill this vacancy on the County 911 Program Review Committee. He said historically this position was filled by the County Mayors and City Managers Association, but the State Code said this position on the Review Board was to be selected by a percentage of legislative authorities. The Police Chief said there were differing opinions around the State regarding how this Section of the Code was to be interpreted. He said in one area of Ohio this position would be appointed by the County, in another area it would be appointed by the Mayors and City Managers Association and the new method being used in Cuyahoga County which would have all municipal corporations in Cuyahoga County vote for this person.

Mr. Consolo said it was his legal opinion that the third interpretation would be the most accurate. He said Mayor Gail was currently sitting on the Review Board on an interim basis for Mayor Hruby who had retired in December. Mr. Consolo said it was his recommendation that Council approve the selection of Mayor Gail since she had been training to succeed Mayor Hruby for this position.

Mr. Jackson asked if there were any questions on this legislation.

Ms. Agee asked what other Mayors were selected for this position.

In response, Mr. Consolo said he did not know since each Council had been asked to approve Mayor Gail.

In response, Mayor Blackwell said historically this position had been appointed by the Members of the Cuyahoga County Mayors and City Managers Association, but that this procedure had been changed by County Executive Chris Ronayne. She said the Mayors and City Managers Association had selected Mayor Gail to succeed Brecksville Mayor Hruby who had retired in December. The Mayor said now they have a new method to fill this position, but no one else was currently trained to fill it.

Ms. Agee asked if Mayor Gail was the only one who was interested in this position.

Mayor Blackwell said Mayor Gail was the only one who had been trained for it.

Mr. Jackson asked if there were any other questions.

Mr. Shenett asked if this legislation will be on First Reading at tonight's meeting.

Mr. Jackson asked Mr. Consolo if there was a deadline for Council to act regarding this legislation.

In response, Mr. Consolo said it was respectfully requested that Council act as soon as possible on this legislation, since the appointment to this position will need to be made by early May.

Mayor Blackwell reiterated that no one else was prepared to fill this position. She said Mayor Gail had been the interim Mayor in this position since Mayor Hruby retired in December and had been training for this position.

Mr. Jackson asked if there were any other questions on either **Resolution Nos. 2024-37 or 2024-38**. There were no other questions.

Mr. Jackson said **Resolution No. 2024-39** would authorize the contract for the Hillgrove Avenue Watermain Replacement Project and asked City Engineer Ed Hren to discuss this legislation.

In response, Mr. Hren said this resolution would authorize the contract with Fabrizi Trucking and Paving Company for the Hillgrove Avenue Watermain Replacement Project in the City of Maple Heights. Mr. Hren said this project was very similar to the work done on Franklin Avenue and would work on the same section of Hillgrove Avenue as had been done on Franklin Avenue, from Warrensville Center Road to Northfield Road. He said it would be the same type of project to replace the watermain and then resurface the road.

Mr. Hren said the bids for this Project were opened on April 4, 2024 with the lowest and best bid being submitted by Fabrizi Trucking and Paving Company, a company that has done several other projects in the City.

He said the Company submitted a total bid amount of \$1,683,692.40 but due to a math error in tabulating the line item totals the actual bid was \$1,687,692.40 which was still below the estimated project cost of \$1.8 million dollars.

Mr. Hren said the Cleveland Water Department will provide approximately \$800,000.00 for this project and the City will also use Cuyahoga County funding and Ohio Public Works Commission (OPWC) funding.

Mr. Hren respectfully requested that this Resolution be passed on emergency at tonight's meeting so the project will be completed during this construction season. Mr. Hren said he would like to start this project no later than mid-May.

Mr. Jackson asked if there were any questions on **Resolution No. 2024-39**.

Mr. Shenett said this will be similar to other projects for sewer/watermain repairs with funding to include street resurfacing, 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 legislation at tonight's meeting.

Mr. Jackson said Council had one (1) Motion to consider at tonight's meeting regarding the Planning and Zoning Appeal in **Case No. 2023-PZ-47** and asked Councilwoman Stafford Marbury if she had any comments on this motion.

In response, Ms. Stafford Marbury said it had been a frustrating process to get the Applicant before Council for this appeal and hoped this would move the process along.

Mr. Consolo advised Council that the notice of appeal in this Case was timely made by the Applicants. He said the Applicants appeared before the Planning and Zoning Commission at the January 8, 2024 meeting and sent their appeal the evening of January 8, 2024. Mr. Consolo said however, since that time, the Applicants have failed to make themselves available to Council. Mr. Consolo said the Applicants have had a problem accommodating the Council schedule.

Mr. Consolo said it was the recommendation of the Law Department that Council deny the Appeal for failure to prosecute. He said Council will not reach the merits of this Case. Mr. Consolo said Chief Building Official Decker has a letter prepared that will explain the next steps for the Applicants to come into compliance regarding the size of the murals. He said this will not have anything to do with the content of the murals, only the size.

Mr. Jackson asked if there were any other questions on the motion. There were no other questions or comments from Council on this matter.

Mr. Jackson said there were no Expenditures over \$25,000.00 only one (1) Disclosure of Purchase Orders over \$10,000.00 for review at tonight's meeting.

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 7:03 p.m.

**REGULAR MEETING OF COUNCIL**

Council President Jackson called the meeting to order at 7:11 p.m. with the following Council Members present: Jackson, Shenett, Tatum, Anderson, Madden, Stafford Marbury 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 Dan Sypen, 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.

Councilman Stafford Shenett 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. Jackson said the Minutes of the April 3, 2024 Council Meeting will be held in abeyance until the May 1, 2024 Council Meeting.

**COMMUNICATIONS:** There was one (1) Communication for tonight’s meeting.

***Planning and Zoning Appeal regarding Case No. 2024-PZ-04***

Ms. Anderson said the Applicants for this Appeal were on their way and that she wanted to advocate for the Applicants in this Case. Ms. Anderson said she had three (3) other group homes in her district with no issues and that this actually was a group home for older adults with mental issues. She said they will have someone there 24/7 and they will make sure the residents were taking their medications and making sure they were being watched.

Mr. Jackson said Council will continue with the meeting agenda and return to the Planning and Zoning Appeal when the Applicants arrived.

**COMMITTEE REPORTS:** There were No Council Committee Reports for tonight’s meeting:

**DEPARTMENT REPORTS:** There was one (1) Department Report for tonight’s meeting.

**Police Department** – Police Chief Todd Hansen reported that the sentencing in the trial of Jason Iverson, the defendant in the case regarding the shooting at Stafford Park which was a horrible tragedy last Labor Day was held today. The Police Chief said Det. Daly went down to the sentencing. He said Iverson received three (3) life sentences without parole, plus an additional twelve (12) years for felonious assault for shooting his own 13-year old son. He said the three (3) life sentences were for the death of the defendant’s pregnant sister, the baby and the brother-in-law.

Police Chief Hansen said some family members thanked the Police Department for the good work and how quickly the case went. He said it was a good outcome for a very tragic situation.

*Planning and Zoning Appeal regarding Case No. 2024-PZ-04*

Ms. Jamir Barkley appeared before Council on behalf of Appellant Katherine James to present their appeal regarding **Case No. 2024-PZ-04**, requesting Approval of a Conditional Use Permit under Sect. 1272.04(A) of the MH Codified Ordinances to operate an Adult Assisted Living Facility in a Residential Single Family-Medium Density (RSF-M) Zoning District at 5255 Arch Street, Maple Heights, Ohio, 44137.

Ms. Barkley said the Appellant was trying to open a residential facility in Maple Heights with the goal to help residents become as independent as possible and to achieve the objectives they choose for themselves. She said residents would receive help with bathing, meals and their medications. The Appellants said there would be 24-hour care and that the residents would never be alone without help or staff available. The Appellants said care would be provided within the guidelines to include visits from a nurse practitioner once a month and also visits from a medical doctor and podiatrist. The Appellants said they would be assisting the residents with their daily activities and would accompany the residents when out in the community.

Mr. Jackson asked if there were any questions from Council on this Appeal.

Mr. Shenett said he would defer to Mr. Consolo with respect to what was discussed at the Caucus Meeting.

In response, Mr. Consolo said there was a distinction between group homes and assisted living facilities, and that cities cannot regulate group homes. Mr. Consolo said in the State of Ohio, if it is a group home that was done through the State of Ohio with a certain certification and the City cannot regulate it. He asked the Appellants if they had that certification, to which the Appellants responded in the affirmative. The Appellants said they had the certification, but would not be licensed until approved by the City.

Mr. Consolo said it sounded like this was something a little different than a group home. He asked the Appellants if they were a medical care provider or administered medication to which the Appellants responded in the negative. The Appellants said the residents took their own medications.

Mr. Consolo said the facility may be considered assisted living if it met the definition of an Assisted Living Facility found in Section 1261.03 of the MH Codified Ordinances. Mr. Consolo proceeded to read the definition of an Assisted Living Facility as “An Assisted living facility shall mean a residence for older adults that provides rooms, meals, personal care, and supervision of self-administered medication. They may also provide other services such as recreational activities, financial services and transportation for the residents.” He said if the Appellants’ facility fell within the definition of assisted living, then it would not be a group home.



Mr. Consolo said he would just recommend that Council hear the appeal based on the facility being an assisted living facility. Mr. Consolo said he will work with the Appellants to clarify this matter after the meeting. He said if it will be an assisted living facility, Council can act, but if it will be a group home, the Appellants will not need to come to the City for approval.

Mr. Jackson advised the Appellants that after this issue had been clarified they will be contacted by the Clerk.

Mr. Shenett said Council also needed clarification on the number of bedrooms and the number of residents being five (5) individuals.

Ms. Anderson said either way Planning and Zoning had approved an assisted living facility in District 1 so hopefully it will not be a problem approving this once the Appellants worked with Mr. Consolo and myself.

Mr. Consolo asked the Appellants to get whatever documents from the State of Ohio regarding this facility to their Councilperson so she could give them to Mr. Consolo.

The Appellants said that what Ms. James was doing was not new and that she had been doing it for fifteen (15) years.

Mr. Jackson thanked the Appellants for presenting their Appeal before Council.

The Appellants asked Mr. Jackson when they will be notified regarding this Appeal.

In response, Mr. Jackson said Council would be discussing the appeal at their next meeting. He said part of the issue was not knowing whether it will be a group home or an assisted living facility.

**COMMENTS FROM CITY RESIDENTS:** Started at 7:26 p.m.

There were No Comments from City Residents for tonight's meeting.

**LEGISLATION:**

**RESOLUTION NO. 2024-34**

**A RESOLUTION CHANGING THE REGULAR MEETING SCHEDULE OF COUNCIL FOR THE MONTHS OF JUNE, JULY AND AUGUST 2024, AND DECLARING AN EMERGENCY.**

This Resolution was Passed by Unanimous Consent of Council.

**RESOLUTION NO. 2024-35**

**A RESOLUTION AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ENTER INTO A PURCHASING PARTICIPATION AGREEMENT WITH THE OHIO**

**DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT) FOR CONTRACTS AWARDED IN 2024, AND DECLARING AN EMERGENCY.**

Mr. Shenett 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 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: Shenett: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Stafford Marbury: Yes; Agee: 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. 2024-36**

**A RESOLUTION AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ACCEPT THE DECEMBER 28, 2023 QUOTATION BY VALLEY FREIGHTLINER, INC., FOR THE PURCHASE OF A FREIGHTLINER 108SD CAB AND CHASSIS IN THE AMOUNT OF \$109,819.00 THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM, AND ACCEPT QUOTE NO. 178627 BY HENDERSON PRODUCTS, INC. FOR UPFITTING THE TRUCK WITH SNOW AND ICE CONTROL EQUIPMENT PACKAGE IN THE AMOUNT OF \$120,824.00, THROUGH NATIONAL PURCHASING PARTNERS GOVERNMENT COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.**

Mr. Tatum 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.

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 for passage on emergency.

ROLL CALL on the vote for passage on emergency: Shenett: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Stafford Marbury: Yes; Agee: 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.

Mr. Jackson said the expected delivery for this vehicle would be for the 2025 winter season.

#### **RESOLUTION NO. 2024-37**

#### **A RESOLUTION ACCEPTING AND APPROVING CUYAHOGA COUNTY'S 9-1-1 PLAN, AND DECLARING AN EMERGENCY**

Ms. Anderson 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 Mr. Consolo about the relationship between this Resolution and **Resolution No. 2024-38**. Mr. Consolo said both Resolutions concerned the Cuyahoga County 911 Plan, but dealt with different aspects of it. He said **Resolution No. 2024-37** concerned the City's approval of the County's 911 Plan as required under State law and **Resolution No. 2024-38** was concerned with the selection of a Member of the County's 911 Program Review Board.

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 for passage on emergency.

ROLL CALL on the vote for passage on emergency: Shenett: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Stafford Marbury: Yes; Agee: 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. 2024-38**

#### **A RESOLUTION SELECTING EUCLID MAYOR KIRSTEN HOLZHEIMER GAIL, PURSUANT TO OHIO REVISED CODE SECTION 128.06(B)(4), AS THE CHIEF EXECUTIVE OF A MUNICIPAL CORPORATION WITHIN CUYAHOGA COUNTY, TO BE THE CITY OF MAPLE HEIGHTS' CHOICE TO BECOME A MEMBER OF**

**THE CUYAHOGA COUNTY 9-1-1 PROGRAM REVIEW COMMITTEE, AND DECLARING AN EMERGENCY.**

Mr. Tatum, 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.

Mr. Shenett thanked the Mayor and Law Director for explaining this appointment process. Mr. Shenett said he embraced efforts to fix procedures to follow protocol and order. He thanked the Mayor and Mr. Consolo for taking the time to educate Council regarding this process.

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 for passage on emergency.

ROLL CALL on the vote for passage on emergency: Shenett: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Stafford Marbury: Yes; Agee: 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. 2024-39**

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

Mr. Shenett 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: Shenett: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Stafford Marbury: Yes; Agee: 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.

Mr. Jackson said the last item for Council review was the following Motion and asked for a Motion to approve:

***MOTION: A Motion to deny the January 8, 2024 appeal of Vibe City from the January 8, 2024 Planning and Zoning Commission decision in Case No. 2023-PZ-47, which decision denied Vibe City's request for a variance to the wall sign size requirements of the Maple Heights' Zoning Code, for the reason that Vibe City has failed to appear to present and prosecute its appeal before Council.***

So moved by Ms. Stafford Marbury, seconded by Mr. Tatum.

Mr. Jackson asked if there was any discussion on this Motion. There being no additional discussion, Mr. Jackson asked for the vote on this motion:

ROLL CALL on the vote to deny the appeal: Shenett: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Stafford Marbury: Yes; Agee: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays. The appeal of Vibe City from the January 8, 2024 Planning and Zoning decision in **Case No. 2023-PZ-47** has been denied; therefore, the decision of the Planning and Zoning Commission in **Case No. 2023-PZ-47** will stand.

**EXPENDITURES OVER \$25,000.00:**

Mr. Jackson said there were No Expenditures over \$25,000.00, only One (1) Disclosure of Purchase Orders over \$10,000.00 for review at tonight's meeting.

**MAYOR'S REPORT:** Mayor Blackwell thanked the Police Chief for his report and said this was a very difficult day and that the family had a long healing process ahead of them.

The Mayor announced that the first Community Shred Day will be held this Saturday, April 20, 2024 from 9:00 a.m. to Noon at Stafford Park. She said this event was free to residents since it was funded from a grant from the Cuyahoga County Solid Waste District. Mayor Blackwell said the City tried to do two (2) Community Shred Days a year. She said residents just needed to pull up at the shredding truck, volunteers will take the items and the documents will be shredded in front of the residents. The Mayor reminded everyone that only paper shred items will be accepted.

Mayor Blackwell said this year will be the state ordered sexennial or 6-year reappraisal of all properties within the County to re-evaluate property values. She said these appraisals were based on sales information for the area and that property values often changed substantially with the 6-year reappraisal. The Mayor said it was being estimated that there will be a significant increase in property values of perhaps 30% which will increase property taxes.

Mayor Blackwell said property owners who were concerned about the increase in their property values will be able to meet with a County Auditor at one of the Informational Sessions to be presented by the County. She said one of these presentations will be held on Thursday, May 9, 2024 at the Warrensville Heights Civic Center on Green Road from 6:00 p.m. to 8:00 p.m. The Mayor said another of these meetings will be held in our area on Thursday, June 20, 2024 at the Garfield Heights High School Performing Arts Center on Turney Road from 6:00 p.m. to 8:00 p.m.

Mayor Blackwell said appraisers in County cars will be driving throughout the City looking for visible improvements to properties such as new roofs, driveways, porches, etc. She said information from building permits was also sent to the County by the Building Department.

The Mayor said the property value notices will come out in September and will be paid in 2025.

Mayor Blackwell said the City recognized the challenges facing many residents so there will be a Community and Housing Resource Fair on Tuesday, April 30, 2024 from 5:30 p.m. to 7:30 p.m. at Maple Heights High School, 1 Mustang Way, Maple Heights, Ohio. The Mayor said a number of professionals and local organizations will be available to offer information regarding the following: assistance with delinquent property taxes; the tax foreclosure process; funding available for home repairs; renters' rights; down payment assistance for home buyers; financial literacy; health and pregnancy to fight infant mortality; insurance programs and educational opportunities to be presented by several colleges.

### **COUNCIL REPORTS:**

**Councilman Stafford L. Shenett, District 1** deferred to Ms. Stafford Marbury so she could present her Council Report first.

**Councilwoman Tina Stafford Marbury, District 6** presented Proclamations to honor two (2) exemplary residents of District 6, Mr. Joe Connor of Raymond Street and Mr. Dale Shott of Nitra Avenue.

Ms. Stafford Marbury said Mr. Connor had showed an unwavering commitment to his community with his continuing efforts to keep the wooded area of Maple Heights Boulevard between Warrensville Center Road and Raymond Street free of trash and debris and by helping several of his neighbors by returning their trash containers to their backyards after the weekly trash collection. Ms. Stafford Marbury said Mr. Connor also helped a new resident by calling Waste Management to order the trash containers for this neighbor.

Mr. Connor thanked Ms. Stafford Marbury for this Proclamation and for the bouquet of flowers for his wife, Rina Connor, who was not able to be at tonight's meeting.

Ms. Stafford Marbury said that Mr. Shott had been caring for several of his neighbors' yards on Nitra Avenue for many years and had also been taking out their trash containers for the weekly trash collection and returning their trash containers to their backyards after the trash was collected. Ms. Stafford Marbury said Mr. Shott had also helped many of his neighbors during

the winter months by clearing their driveways of snow and cleared the snow off the sidewalks on both sides of Nitra Avenue and around the corner of Maple Heights Boulevard and Raymond Street.

Ms. Stafford Marbury introduced Mr. Michael Irving, a neighbor of Mr. Shott, who said he moved to Maple Heights in December 2023 and was a first-time homeowner. Mr. Irving said he appreciated Mr. Shott and all that he did for his neighbors by cutting the grass and taking care of the trash containers.

Ms. Stafford Marbury read a letter from Mr. Kevin James, another neighbor of Mr. Shott, who stated that Mr. Shott continued to be a good neighbor by cutting the neighbors' grass, picking up trash in the area and bringing out the trash containers. He said Mr. Shott was a model of kindness and service in the community.

Mrs. Shott thanked Ms. Stafford Marbury for the bouquet of flowers presented to her and Mr. Shott thanked Ms. Stafford Marbury for the Proclamation.

**Councilman Timothy Tatum, District 3** said three (3) new businesses will be opening up in District 3 and that he was looking forward to supporting them. Mr. Tatum said the new businesses included S-Line Tire & Auto at the corner of Granger Road and Pease Avenue, The Breakfast Factory on Granger Road and a Shell Gas Station at the corner of Broadway Avenue and Libby Road. Mr. Tatum said he was excited about the new gas station and thanked the Mayor and Mr. Duffy for bringing new businesses to the City.

Mr. Tatum announced that on May 20, 2024 there will be a Neighbors on Duty Meeting at St. Andrew Eastern Orthodox Church presented by himself and his colleagues Ms. Anderson and Ms. Jones.

Mr. Tatum said the Dominion Gas Line Replacement Program will be taking place in some areas of District 3 and said he wanted to notify residents that this work will be taking place from 7:00 a.m. to 4:30 p.m. Monday through Friday and 7:00 a.m. to 3:30 p.m. on Saturdays. He said some residents will get new sidewalks with this project.

Mr. Tatum said he was happy Council passed the legislation on tonight's agenda, especially the new truck for the Service Department.

**Councilwoman Dana D. Anderson, District 4** said the District 4 Newsletter will be forthcoming shortly.

Ms. Anderson said the Neighbors on Duty meeting scheduled for May 20, 2024 will be along the lines of "if you see something, say something." Ms. Anderson said residents can also register their ring cameras with the Police Department but it will still be private. Ms. Anderson said at the last Council Meeting she commented on the two (2) young men who were seen on her street checking for unlocked vehicles.

Ms. Anderson said the Neighbors on Duty will also help if residents have a family member suffering from a mental illness or dementia by checking on them.

Ms. Anderson said the Neighbors on Duty meeting last year was well-attended. She said it was good to work together and not take matters into our own hands.

**Councilwoman Tanglyn Madden, District 5** said she did not have a report but wished everyone a wonderful week.

**Councilman Stafford L. Shenett, District 1** said since he had deferred his report to Ms. Stafford Marbury he did not have a report but did want to announce that there would be a Public Works and Safety Committee Meeting on Thursday, April 25, 2024 at 6:00 p.m. in Room 7.

**Councilwoman Edwina Agee, District 7** – No report.

**Council President Ron Jackson** thanked everyone for attending tonight's meeting, even with the threat of bad weather. He said this showed their concern for their City.

There being no further business to come before this Council, Council President Jackson thanked everyone for attending and adjourned the meeting at 8:04 p.m.

Dated: May 1, 2024

ATTEST:

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