

MINUTES OF A REGULAR MEETING OF COUNCIL
CITY OF GARFIELD HEIGHTS, OHIO

Monday, May 14, 2012

MEETING CALLED TO ORDER AT 7:00 p.m. by Council President Nancy Marincic.

INVOCATION BY: Council President Nancy Marincic

ROLL CALL: **PRESENT:** Council Members Dudley, Marincic,
Nenadovich, Glenn, Suster, Mahoney, Vaughn

READING AND DISPOSAL OF MINUTES:

PRESIDENT MARINCIC: Reading and disposal of the minutes from the Regular Council Meeting from April 23rd and from the Special Council Meeting from May 7th.

CLMN SUSTER: Mme. Chairman, I'd like to make a motion that we accept the Minutes of the Regular Meeting of Garfield Heights City Council of Monday, April 23, 2012 and also from the Special Meeting of Council of May 7, 2012.

PRESIDENT MARINCIC: All in favor say Yea. All opposed say Nay? The Yeas have it.
AYES: Suster, Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Glenn

WRITTEN COMMUNICATIONS TO COUNCIL: None.

LEGISLATION OUT OF COMMITTEE: None.

COMMITTEE REPORTS:

PRESIDENT MARINCIC: The only committee report I have is to let the residents know that Council did have a Committee of the Whole Meeting a few weeks ago. On the table for discussion was changing the borders of the Wards after the 2010 Census figures came in and hence the legislation on Council floor tonight to change the borders and it's an emergency piece so once it passes tonight the borders will be changed in the Wards. I think that Ward 2's is going to be changed the most.

REPORTS OF THE MAYOR AND DIRECTORS:

PRESIDENT MARINCIC: Just to let everybody know tonight our Mayor is not going to be here. Our Police Chief will not be here. Our Recreation Director will not be here and our Building Commissioner will not be here. So I'm going to start our reports with our Law Director, Tim Riley, do you have a report this evening?

MAYOR VIC COLLOVA: Absent

LAW DIRECTOR TIM RILEY: Thank you, Mme. President. Yes, I do and I guess I could take extra time since there's only going to be so many reports tonight, huh? The Mayor wanted me to go over all the legislation tonight. Ordinance 25-2012 is just sort of a

housekeeping matter to change the part of the Building Code to conform with the Ohio Residential Code and the Ohio Building Code. Ordinance 26-2012. This is what the Council President was talking about. We have to change the Ward boundaries to conform with the population so all the Wards are evenly divided. That's in our Charter and we have to do that after every Census. So that's what that ordinance is about tonight. Ordinance 27-2012 has to do with the purchase of salt for next year's winter and Ordinances 28 and 29 have to do with the Average Pay Fund. That's also in our Charter. Every year we have to do the Average Pay Fund based on the average of other police and fire departments with the same population of us and that is how the police and fire are paid.

Resolution 21 has to do with the Office of Emergency Management. We have the County administer that for us as they have been doing for years. Resolution 22. We're just updating the mitigation plan which has to do with if there's ever any kind of disaster in the city like a flood problem or something of that nature and the County would help us administer or get grants for that. Finally the last resolution is honoring former State Representative Michael De Bose. He was a State Representative that did a lot of good for the community, had a lot of great ideas when he was down in the State Legislature and he recently passed away. With that you have my report.

PRESIDENT MARINCIC: Thank you. Any questions for our Law Director's report? There being none we'll move on. We have someone standing in for our Police Chief. Gary Wolske. Do you have a report this evening?

LT. GARY WOLSKE: Thank you, Mme. Chairman. No, I do not but I will be happy to answer any questions if anybody has any.

PRESIDENT MARINCIC: Thank you. Any questions for Mr. Wolske?

PRESIDENT MARINCIC: Nothing? OK. You're off the hook. We will move on to Service Director, Tim McLaughlin. Do you have a report tonight?

SERVICE DIRECTOR TIM McLAUGHLIN: Yes, I do. Thank you, Mme. President. The patch crews are out on the main roads. We are working on McCracken and Granger. There's a crew that was on Broadway. I'm trying to divide it up. I have two crews that are working on McCracken from Broadway to 88th Street. Hopefully I think they should be done by tomorrow with those and then they will go on to Granger Road. The other crew will start street by street in Ward 1. And two are done with the mains I will put everyone in one Ward and move Ward to Ward like I usually do. If you start running people all over the place you miss things and you get complaints and it's better if we just go Ward by Ward.

The Hazardous Waste Roundup is completed. There was 19.4 tons brought in totally countywide and ourselves we brought in 1.75 tons that we collected down at the garage so that was a good showing. We have another one that we're going to do in September that's already on the books. I'm trying to work in a third one too. We're in a conversation with the Solid Waste District about getting a third one put in so it's worked out pretty good. We're also in the process of having a shredding day on Saturday. I started getting prices on that. Probably by the next meeting I'll have it all firmed up with information so that the residents can bring their papers, etc. they want to have shredded down to the garage and you stand there and they shred it in front of you so you know everything is gone and it's pretty popular. The County just ran one up on 131st. They had a good turnout. I decided that maybe because it was such a good turnout and not everybody could get there we would hold our own so I'll have more information on that next meeting. That's the

end of my report.

PRESIDENT MARINCIC: Thank you. Any questions for the Service Director? I have one. What do they have? Like a great big shredder or what?

SERVICE DIRECTOR TIM McLAUGHLIN: It's like a semi and the shredder's attached to it. What you can do is you stand there and as they pour it in you watch a camera. The camera shows it going in the hopper, into the shredder and it shreds it; blows it into the truck.

PRESIDENT MARINCIC: Like our leaf chipper?

SERVICE DIRECTOR TIM McLAUGHLIN: Yeah. It's very similar. We did it once before about five years ago and there was a lot of people that came. There was cars lined up everywhere and it's something that we just decided that maybe there's a need for it and we'll try it again.

PRESIDENT MARINCIC: I have an attic full. Thank you. Any other questions for the Service Director? We'll move on to our City Engineer Mr. Krock. Do you have a report this evening?

PARKS AND RECREATION DIRECTOR BOB DOBIES: Absent.

CITY ENGINEER DAVID KROCK: I do, thank you, Council President. As was mentioned the Ward map has been updated. There is legislation this evening. If there's any questions I'd be happy to answer them. I know we had our work session and we got most of those things worked out.

Update on Thraves and Grannis. The sewer project is going on. Mainly the sewer is now in and in the coming weeks we'll be doing pavement repair and sidewalks and yards, those type of things, so we'll start to put the pieces back together.

I also wanted to mention that the contract was awarded tonight for the Overdrive construction project which will be the new Overdrive Way street name that comes off of Granger Road to provide the access to the new headquarters for Overdrive so that's an exciting thing. It will be going on this summer. That's my report.

PRESIDENT MARINCIC: Thank you. Any questions for our City Engineer? We're moving right along. Mr. Tomola, Finance Director, do you have a report?

FINANCE DIRECTOR RON TOMOLA: Just a very short one. I mentioned it to Council in Caucus the contract that's attached to Ordinance 27 (the salt purchase) in that agreement I had pre-typed it so you'd see that we were going on ordering up to 4,000 ton but after talking with Mr. McLaughlin today we decided that we could do with reducing that down to about 3,500 so I'm going to make that change before I have the Mayor sign that contract so if you'd like to scratch out the 4,000 and put 3,500 ton in the contract attached to that legislation. It will save us a little bit of money next year. That was because of the light winter we had and the stockpile of salt that we have on hand now. That's my report.

PRESIDENT MARINCIC: You know by doing this we're going to have the worst winter we've ever had?

FINANCE DIRECTOR RON TOMOLA: Even after 3,500 ton we can go 20% over that

so we can go to about 4,200 in what we can buy with what we have in stock. It should be right around the most we've used in I think about the last 10 years. Am I pretty close on that?

SERVICE DIRECTOR TIM McLAUGHLIN: In the last five years. We've averaged probably around 3,500 or 4,000. We still have 2,500 leftover this year in the bin right now.

CLMN SUSTER: When we go ahead with this salt contract and we tell them we're going to buy so much salt do we have to buy that much?

FINANCE DIRECTOR RON TOMOLA: You have to buy 80% of it. That's why I've reduced that down from 4,000 to 3,500. We'll actually have to buy approximately 2,700 ton for the next winter season.

CLMN SUSTER: OK. Also last year if I recall correctly that whoever we were getting our salt from there were two companies that were involved and they felt that they were charging more than what they should have and they were going to refund cities. Are we going to get any money out of that?

FINANCE DIRECTOR RON TOMOLA: I have not heard of anything about that. That's going through the State right now I believe. We do participate in ODOT's contract on this. It's not our own State bid. We go through the ODOT bid and it's the State's bid actually. I had heard something similar to what you're talking about but I've not heard any specifics.

CLMN SUSTER: OK. Thank you.

PRESIDENT MARINCIC: Any other questions for the Finance Director?

CLMN NENADOVICH: Mme. Chairman, changing that from 4,000 to 3,500. Does that require an amendment? Because we are making a change in the language?

PRESIDENT MARINCIC: It said in the legislation.

FINANCE DIRECTOR RON TOMOLA: It's not in the legislation. It's in the contract that I attached as an exhibit.

CLMN NENADOVICH: OK. Just want to cross the t's, that's all.

PRESIDENT MARINCIC: Good job. Any other questions? There being none we will move on to last Economic Development Noreen Kuban. Do you have a report?

BUILDING COMMISSIONER BILL WERVEY: Absent.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Yes, thank you, Mme. Chairman. I just want to note that International Days the event that was held this past Saturday with the Chamber of Commerce and the Garfield Heights City Schools was a really nice event. I don't know how many people were able to attend. They had a really good crowd and about 60 runners. It was a good event and next year we'd like to participate again and we'd like to thank the schools and the Chamber.

Also the Community Gardens schedule is as follows: This Saturday 5/19 we'll be working at Hy Court and getting that ready and opening up. We'll be working there Saturday at 9 in the morning and at Crudele at the end of East 97th we'll be on Saturday the 26th also at 9

o'clock. If anyone wants to join us? That concludes my report.

PRESIDENT MARINCIC: Thank you. Any questions for our Economic Development Director?

CLMN GLENN: How many signed up for the gardens in Crudele?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: We have about probably eight or ten, but if you know of anyone else in your Ward that is interested please tell them to join us.

CLMN GLENN: OK. Thank you.

PRESIDENT MARINCIC: Any other questions? That concludes the reports of the Mayor and his Directors and now we will move on to Comments by Citizens on tonight's agenda. I'm going to have our Clerk graciously read the rules for us.

COMMENTS BY CITIZENS ON TONIGHT'S AGENDA:

CLERK: Comments are strictly limited to brief statements not to exceed five minutes with comments limited to the legislation on the current evening's agenda.

PRESIDENT MARINCIC: No citizen may be heard more than once and everybody's limited to five minutes. If you have a comment you would like to make regarding the agenda just raise your hand?

Bob Halan, 12416 Oak Park Blvd. I may be a little facetious what I'm going to ask. About 28 and 29 on the agenda. Did they make provisions for the increase to the salary of the Police and Fire Department? If not, do we have a money tree growing somewhere in Garfield Heights? Or do we have a pipeline to the Casino? I'm being facetious because we don't have any money. I know we have to abide by the Charter but when you're strapped with money where are you going to get it to make these increases? No answer?

PRESIDENT MARINCIC: Mr. Halan, it's in the budget. Right, Mr. Tomola?

FINANCE DIRECTOR RON TOMOLA: I can address that. Sections 41 a and b of the Charter address not just the increases that the police and fire get but it's also the funding mechanism of a millage increase to pay for any increase in their wages.

MR. HALAN: Now there's going to be something in November on the docket for an increase in taxes?

FINANCE DIRECTOR RON TOMOLA: When this section was put in it was built into this Charter amendment.

MR. HALAN: Thank you.

PRESIDENT MARINCIC: Thank you. Anyone else wishing to speak tonight?

CLMN GLENN: I'd like to address the last speaker. Bob, this is a form of a tax increase that the homeowners will have to bear. Bear in mind the homeowners are going to pay for this through taxes.

PRESIDENT MARINCIC: Anyone else wishing to speak?

ORDINANCES AND RESOLUTIONS:

PRESIDENT MARINCIC: There being none we will move onto ordinances and begin with Ordinance 25-2012. I will have the Clerk read the title.

ORDINANCE NO. 25-2012

AN ORDINANCE REPEALING SECTION 1357.19 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS RELATIVE TO POTABLE WATER SUPPLY PIPING

MOVED BY NENADOVICH TO CONSIDER BY TITLE:

AYES: Nenadovich, Glenn, Suster, Mahoney, Vaughn, Dudley, Marincic

Motion to SUSPEND THREE READING RULE:

AYES: Nenadovich, Glenn, Suster, Mahoney, Vaughn, Dudley, Marincic,

PRESIDENT MARINCIC: Roll call on the adoption beginning with Clmn Nenadovich.

VOTE ON ADOPTION:

CLMN GLENN: I'm thinking about it, Mme. Chairman. I'd like to have the three reading rule included.

CLWN MAHONEY: Point of order. That's already been voted on and tally set so we can't go back.

PRESIDENT MARINCIC: Thank you, Clwn Mahoney. The motion right before this was to suspend the three reading rule and you voted Yes so we have already suspended the three reading rule. So now we're voting on the adoption for Ordinance 25 regarding potable water supply.

CLMN GLENN: I vote Yes.

PRESIDENT MARINCIC: Thank you.

AYES: Nenadovich, Glenn, Suster, Mahoney, Vaughn, Dudley, Marincic

PRESIDENT MARINCIC: Ordinance 25-2012 stands adopted with 7 Yes votes.

ORDINANCE NO. 26-2012

AN EMERGENCY ORDINANCE AMENDING CHAPTER 103, SECTIONS 103.01 THROUGH 103.08 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS BY MAKING ADJUSTMENTS TO THE WARDS SO THAT THE POPULATION OF THE RESPECTIVE WARDS IS AS NEARLY EQUAL IN POPULATION AS IS POSSIBLE.

MOVED BY MARINCIC TO CONSIDER BY TITLE:

AYES: Marincic, Nenadovich, Glenn, Suster, Mahoney, Vaughn, Dudley

Motion to SUSPEND THREE READING RULE:

AYES: Marincic, Nenadovich, Glenn, Suster, Mahoney, Vaughn, Dudley

PRESIDENT MARINCIC: Roll call on the adoption beginning with Marincic.

VOTE ON ADOPTION:

AYES: Marincic, Nenadovich, Glenn, Suster, Mahoney, Vaughn, Dudley

PRESIDENT MARINCIC: Ordinance 26-2012 stands adopted with 7 Yes votes.

ORDINANCE NO. 27-2012

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A PURCHASING PARTICIPATION AGREEMENT, ATTACHED HERETO AS EXHIBIT A, WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT) FOR THE 2012-2013 SEASON.

MOVED BY VAUGHN TO CONSIDER BY TITLE:

AYES: Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster, Mahoney

Motion to WAIVE RULE 24:

AYES: Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster, Mahoney

Motion to SUSPEND THREE READING RULE:

AYES: Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster, Mahoney

PRESIDENT MARINCIC: Roll call on the adoption beginning with Clmn Vaughn.

VOTE ON ADOPTION:

AYES: Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster, Mahoney

PRESIDENT MARINCIC: Ordinance 27-2012 stands adopted with 7 Yes votes.

ORDINANCE NO. 28-2012

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 27-2011 TO REFLECT INCREASED SALARIES OF THE POLICE DEPARTMENT IN ACCORDANCE WITH THE CHARTER AMENDMENT TO SECTION 41.

MOVED BY MAHONEY TO CONSIDER BY TITLE:

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster

Motion to WAIVE RULE 24:

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Suster

NAYS: Glenn

Motion to SUSPEND THREE READING RULE:

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Suster

NAYS: Glenn

PRESIDENT MARINCIC: Roll call on the adoption beginning with Clwn Mahoney.

VOTE ON ADOPTION:

CLMN GLENN: Before I give my vote, I'd like to premise my vote going back to one year prior to November there was a commission by Mayor Collova. It was the Charter Review Commission. I was Chairperson of that Commission. At that time we worked hard on the Commission and the end result we suggested to the Council that we recommend that we change the Charter. We made the recommendation to Council and they did not go by our recommendations. They kept the Charter in place. Come November I was elected into office, I took the Democratic oath to abide by the Charter. I took an oath. That means something to me. I also have a fiduciary responsibility to the City of Garfield. A fiduciary responsibility—keeper of the books, keeper of the checkbook. I take both responsibilities seriously. They contradict each other. One's saying you got to abide by the Charter because you took a Democratic oath, which I did not vote for. On the other hand you have a fiduciary responsibility. When the city does not have the money for these pay increases, what is one to do? My word is my bond and I abide by the Democratic oath. I don't agree with it. I did not vote for it. But my oath is my word. And with that I would like to have an amendment at a future date. With that I am going to vote Yes even though I don't agree with the Charter. Mme. Chairman, I vote Yes.

PRESIDENT MARINCIC: Thank you.

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster

PRESIDENT MARINCIC: Ordinance 28-2012 stands adopted with 7 Yes votes.

ORDINANCE NO. 29-2012

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 28-2011 TO REFLECT INCREASED SALARIES OF THE FIRE DEPARTMENT IN ACCORDANCE WITH THE CHARTER AMENDMENT TO SECTION 41.

MOVED BY MAHONEY TO CONSIDER BY TITLE:

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Suster

NAYS: Glenn

Motion to WAIVE RULE 24:

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Suster

NAYS: Glenn

Motion to SUSPEND THREE READING RULE:

CLMN GLENN: Before I give my recommendation on this and my vote, the same applies for both the fire and the police. I am going to vote for this in the same manner that I voted for the other ordinance. I'm going to vote for it even though I don't agree with it. I did not vote for the Charter. I worked against the Charter to change the Charter. On that, Madame, I vote Yes.

PRESIDENT MARINCIC: To suspend the three reading rule?

CLMN GLENN: No. I do not vote for that.

PRESIDENT MARINCIC: OK. So you're changing your vote to No because that's what we're doing.

CLMN GLENN: On the three reading rule.

PRESIDENT MARINCIC: Yes. So you're voting No on the three reading rule?

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Suster

NAYS: Glenn

PRESIDENT MARINCIC: OK, now roll call on the adoption beginning with Clwn Mahoney.

VOTE ON ADOPTION:

CLMN GLENN: This is on the three reading?

PRESIDENT MARINCIC: No, this is on the adoption.

CLMN GLENN: On the adoption I vote Yes.

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster

PRESIDENT MARINCIC: Ordinance 29-2012 stands adopted with 7 Yes votes.

RESOLUTION NO. 21-2012

AN EMERGENCY RESOLUTION APPROVING THE ADOPTION OF THE OFFICE OF EMERGENCY MANAGEMENT FOR CUYAHOGA COUNTY, 2012.

MOVED BY MAHONEY TO CONSIDER BY TITLE:

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster

Motion to SUSPEND THREE READING RULE:

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster

PRESIDENT MARINCIC: Roll call on the adoption beginning with Clwn Mahoney.

VOTE ON ADOPTION:

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster

PRESIDENT MARINCIC: Resolution 21-2012 stands adopted with 7 Yes votes.

RESOLUTION NO. 22-2012

AN EMERGENCY RESOLUTION APPROVING THE ADOPTION OF THE COUNTYWIDE ALL NATURAL HAZARDS MITIGATION PLAN FOR CUYAHOGA COUNTY, 2011 UPDATE.

MOVED BY NENADOVICH TO CONSIDER BY TITLE:

AYES: Nenadovich, Glenn, Suster, Mahoney, Vaughn, Dudley, Marincic

Motion to SUSPEND THREE READING RULE:

AYES: Nenadovich, Glenn, Suster, Mahoney, Vaughn, Dudley, Marincic

PRESIDENT MARINCIC: Roll call on the adoption beginning with Clmn Nenadovich.

VOTE ON ADOPTION:

AYES: Nenadovich, Glenn, Suster, Mahoney, Vaughn, Dudley, Marincic

PRESIDENT MARINCIC: Resolution 22-2012 stands adopted with 7 Yes votes.

RESOLUTION NO. 23-2012

A RESOLUTION ON BEHALF OF THE MAYOR AND COUNCIL HONORING FORMER STATE REPRESENTATIVE REV. MICHAEL DEBOSE.

MOVED BY DUDLEY TO CONSIDER BY TITLE:

AYES: Dudley, Marincic, Nenadovich, Glenn, Suster, Mahoney, Vaughn

Motion to SUSPEND THREE READING RULE:

AYES: Dudley, Marincic, Nenadovich, Glenn, Suster, Mahoney, Vaughn

PRESIDENT MARINCIC: Roll call on the adoption beginning with Clmn Dudley.

VOTE ON ADOPTION:

CLMN DUDLEY: Before I vote, I'd like to say that (I'll make it quick.) But I remember the first time I met Michael DeBose. He was down at the corner of my street. It was in a gas station. I saw a man giving out some leaflets and I went down the street and I started talking to him and I had never met him before then. It was toward the early part of the 2000 era. We talked like everybody on a normal conversation. You could not dream that he was a State Representative. Struck up a great conversation. The key thing about Michael though, was if he said he was going to do something he did it. He was never too busy for anybody who had a problem or issue. You could always count on him. He was probably one of the best State Representatives that I have known even up till this current date. We got another powerhouse working there. Mike was a great guy and he's surely going to be missed at the State level as well as the local government for the things he helped with the city and the issues around here. With that I vote Yes.

PRESIDENT MARINCIC: I'm going to echo Mr. Dudley's comments. Mr. DeBose was so visible and active in our community. State Representatives don't come around like that that much and I really appreciate everything he did for us and I want to personally send

my thanks to him and I happily vote Yes.

CLMN NENADOVICH: Anytime you lose anybody that works as hard as they do he was a great man and the whole country suffers. He'll be missed. I vote Yes.

CLWN MAHONEY: I, too, would like to echo the sentiments of my colleagues and give my condolences to the family. With that I vote Yes.

CLMN VAUGHN: My condolences to the family and I vote Yes.

AYES: Dudley, Marincic, Nenadovich, Glenn, Suster, Mahoney, Vaughn

PRESIDENT MARINCIC: Resolution 23-2012 stands adopted with 7 Yes votes.

COMMENTS BY CITIZENS:

PRESIDENT MARINCIC: That concludes Ordinances and Resolutions for this evening. Now we will move on to Miscellaneous Comments by Citizens and I know our Clerk will read the rules for me again. Thank you, Barb.

CLERK: Comments shall be restricted to any problem a citizen has which has previously been submitted to their City Councilperson or to the city hall department directly involved. If submission of a problem to a department or a Councilperson has been made and there is a lack of service rendered in this regard, then the problem may be presented during comments from citizens at this meeting. It is the intention of this rule that no request of a first nature be presented on the floor at this time.

PRESIDENT MARINCIC: Comments are limited to five minutes. If you wish to speak come on, take the microphone, give your name and address for the Clerk and spell your last name.

Kim Sanducci, 4762 Rockwood Road. Garfield Heights Historical Society is having their Annual Plant Sale on Saturday, May 19th from 9 a.m. to 3 p.m. We are located at 5405 Turney Road. Please come as we are having perennials, annuals, herbs, vegetables, nearly new items and special bargains on featured items. There is gardening advice available. Unfortunately our phone is out because somebody took our telephone line down on Friday but our phone number there is (216) 475-3050 and we're waiting for somebody to fix it so please come.

PRESIDENT MARINCIC: Are they reasonably priced?

MRS. SANDUCCI: Yes, they are. Everything is low priced. Better than what you're going to get at Marc's or anybody else. They are all donated or we have had purchases from somebody and I also want to thank Petitti's. They did donate us a large number of seeds from Oakwood Village on Broadway there so I want to thank Petitti's Garden Center because they did donate it. Thank you.

PRESIDENT MARINCIC: Even I don't get applause. Anyone else wishing to speak tonight?

Mildred Whitmore, 13154 Forestdale Drive. I'd like to ask Ms. Kuban something. You weren't here at the last Council Meeting, but I'd like to ask you a question pertaining to the playground grant. You said you make your decision you might as well say where the money is spent according to a parent's income. The parents in the Forestdale area are they supposed to be richer than any other area?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Let me respond. The eligibility requirement is that the funds need to be used in low and moderate income areas so it's not based on individual houses but as a group as a whole. We have actually gotten grant funding for Forestdale Park. We got that several years ago. We took out the basketball courts. We put in new equipment. We added equipment. I believe it was two years ago, wasn't it, Mike? We added some equipment. This year we upgraded Hy Court Park. So every year we try to do a little bit of improvements at different parks so we can apply in the future for more upgrades. I know Forestdale I believe did need some more ground cover, but that's something we can do in the future.

MRS. WHITMORE: Well I just thought I know you said something about the income and I thought the playgrounds were for the children, not for the parents. To me it seems like we are always the lowest on the totem pole when it comes across the railroad tracks across Broadway. Now you got one dilapidated bench over there for the parents to sit with their children. Just one. I know you should have more over there.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: With the grant, Mrs. Whitmore, we are not allowed to purchase benches; not allowed to purchase trash containers. The only thing we can apply for and use the funding for is playground equipment or ground cover for the park. Like I say we did remove all the basketball courts there several years ago and put in the park with grant funding.

MRS. WHITMORE: I was instrumental in getting the basketball courts out, me and Ms. Patterson and the Mayor.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: I recall that. Like I say we put in a brand new park there and we are trying to purchase more equipment but you know there are size and limitations on it. How close you can put equipment; how large the park is.

MRS. WHITMORE: In other words, the other two playgrounds that you chose has less equipment or anything in it than Forestdale?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: It was older equipment because Forestdale has the newest equipment of any of the parks.

MRS. WHITMORE: Really?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: It was a brand new park after we applied for grant funding.

MRS. WHITMORE: OK. I just wanted to say don't exclude us all the time. We are across the tracks across Broadway and we're always the last to get anything. Our children needs things just like any other children. Only thing you have over there is that little playground and that's for the small children. There's nothing over there for anyone else. Those children are human beings just like everybody else's children. I want you all to think about us.

PRESIDENT MARINCIC: Mrs. Whitmore, I couldn't agree with you more. I just want you to know that I have Hy Court in my Ward and it really didn't have any decent equipment in it, but having said that, I'm wondering, Noreen, could you get together with Mr. Dobies and see if we can get them a couple more benches over here? I bet you we have some?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Unless we can pay for it with city funds?

PRESIDENT MARINCIC: Can't we move one from another park over there?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: I think we are very short on extra benches. I haven't seen any floating around.

PRESIDENT MARINCIC: I'm going to look for them.

CLMN DUDLEY: Thank you, Ms. Whitmore. I wanted to mention I have, in fact, complained on those benches and I'm hoping that we can see some benches this year because the complaint to the Recreation Department I made previously that you can't just have no one bench. I do understand the fact about the funding can't be used for the bench and the waste container. That was explained to me, but not just there. We need to have places for the parents to sit no matter which one of the parks it is. It should have adequate seats for the parents to sit no matter which playground it is. Not just one dilapidated bench.

PRESIDENT MARINCIC: I know what you mean because I remember going to the park years ago and having to take my own lawn chair with me because there wasn't any benches there. Anyone else wishing to speak?

Alvin Cassel, 4706 East 142nd Street. I came about two things. First I'm going to give thanks to the Police Department for helping control my street and for the last couple of years we've been having a lot of problems with new neighbors. Whenever I would call the police they would come out and deal with it in a professional manner. Problems have decreased thanks to the Good Lord and the Police Department. Thank you.

LT. GARY WOLSKE: Thank you. I will pass it on to the Chief.

MR. CASSEL: Please. The second thing I talked to Clmn Dudley last year or the year before last, talked to the Building Department, Mr. Wervey, I talked to the Service Department and I called the Mayor's office and I got a machine and I left a message but I never did get a return. What I'm here for is the area on Lawrence to 142nd Street on the South side of Dressler that has grown up. It has trees and people are dumping trash over there but mainly the trees need to be cut down and the area needs to be surfaced because from what I understand the city has an obligation to take part of that area off the road. For the last couple of years nothing positive has been done. They came out there this year, it appeared to me, with a front end loader, pushed some of the trash, etc. down the hill but by having that big heavy piece of equipment in there it made deep ruts in the ground and now when it rains it holds water. In the summer you going to have a problem with mosquitoes. I'm here to suggest that they come out there and do the job the right way and cut those trees down and make it a right of way that's proper just like the one that's on McCracken from over the railroad tracks headed West on McCracken up before you get to the hospital. There's a right of way there that's manicured. A right of way on Dressler will be in the same condition. And to prove my point I brought some pictures. Could I distribute these? Also there's a dilapidated house on Dressler too and garage that needs to be torn down.

CLMN DUDLEY: Mme. Chairman, I want to mention on the house it belongs to Mrs. Kennedy. That's the house which I been battling now for several years and it's a fact that Mrs. Kennedy has several liens on her home. We've been trying to work something out to

get the house taken down. The garage is about to collapse. Mrs. Kennedy wants to give the house but nobody can take the house because the County has not given up on their back tax and the main issue with the County is the LLCs have not forgiven to say that we will not let our money go so it's not been easy on her. I've been to quite a few homes but that house is terrible. The garage goes farther down every day.

My question to you, you actually saw, because I really want to know. I wasn't there when they cleaned up and you probably were not at the last meeting when I complained about how it looked along that Dressler strip, how that garbage and that rubbish was sitting out there. It looked nasty and I expressed my thoughts on that. But you say somebody came out and actually pushed that trash down the hill?

MR. CASSEL Yes, pushed part of the trash and a couple of trees with it.

SERVICE DIRECTOR TIM McLAUGHLIN: Mme. President, I was there. We spent a day and a half picking up there. They weren't pushing it down the hill. I was there the day after Clmn Dudley complained about it. We put up signs. We actually had a resident that came across the street which I understood. People are not dumping there. People who live across the street from there are hauling their leaves, grass, retaining walls. There is no dumping going on. There's no way to back into there. One of the residents came over and said if you'd like to complain about who's dumping take a look and it wasn't hard to figure out where the debris is coming from. But I checked it after and first of all that property doesn't belong to us all the way down the hill so I mean I don't know why the city should have to keep having the Service Department share the responsibility to clean it. We could follow that up with Mr. Wervey and maybe make whoever owns that property take care of it? But we did spend about 14 hours there with eight guys cleaning it up the day after Clmn Dudley had brought it up on the floor. I approved the way it was cleaned up. There wasn't a front end loader there. There was the tree truck and a couple other a little back hoe; a little bobcat but that was to load stuff up into the trucks. I will go back there and check it but again. It was cleaned up and the signs were posted for dumping.

If there is a problem as far as widening the street, etc. I don't know anything about it. That would have to be engineering. It would have to reconstruct the whole street and we haven't repaved a street here in four years now. I doubt if that will be happening because of the money problems. I will go back out there tomorrow to check it. When I checked it I approved it the way they cleaned it up.

PRESIDENT MARINCIC: Would you respond to Clmn Dudley when you find out?

SERVICE DIRECTOR TIM McLAUGHLIN: I called Clmn Dudley the day after and left him a message. That was two meetings ago they brought it up. Last meeting I brought it up that I had cleaned it up.

PRESIDENT MARINCIC: Thank you.

CLMN DUDLEY: I went out and I saw the trash and they got the trash up. Problem was when you mentioned the fact that it was pushed down the hill.

MR. CASSEL It has been pushed down the hill. Trees and things have been pushed down the hill. If anybody want to go look at it, look at it. That's why I brought those pictures because it's still a mess over there. I don't know all about it but I just want to make a point. I didn't come up here to talk about widening the road. Those trees need to be removed that there's a right of way where you can pull off of the road if you have to. That's something that needs to be done. It's done in other areas and it should be done

there. It can be done. You need somebody out there with a saw and some backbone cut them down and move it out of the way.

CLMN DUDLEY: Because I had a concern about the dry brush that somebody mentioned that at the last meeting. You can toss a match over there and it probably would turn into a forest fire because there's a lot dry brush and broken bushes, etc. there.

PRESIDENT MARINCIC: Your time is up.

MR. CASSEL OK. I will be pursuing this because I'm not going to let four or five years go again and it still look worse and it's growing up already. Thank you. And you can give those pictures to the Mayor, please. Let him see that.

PRESIDENT MARINCIC: Thank you, Mr. Cassel. Anyone else wishing to speak tonight?

Rick Barone, 11027 Granger Road. My question is for Mr. Riley. Last year I was knocked down by Vice Mayor Geraci when we were talking about school levies after Linda Reid and Alan Sluka were here and I was reading the Minutes from I believe a meeting ago and a gentleman by the name of Joe Lamalfa was also knocked down by Vice Mayor Marincic. My correspondence with the ACLU they tell me that that just doesn't sound right. They can't give no legal advice but their opinion was that either both have the right to speak on those issues or nobody has the right to speak on those issues and I was just wondering what the case is is that you let the school board come here to talk. I've been to school boards meeting to go ahead and discuss poor economics of the city and I was knocked down there telling me that it was school business; don't bring up city business and we get the same issues from our Council reps of saying that it's city business not school business but we let school business come here to speak. Do you have an answer for that?

LAW DIRECTOR TIM RILEY: I'm not really sure what your question is?

MR. BARONE: My question is that Joe Lamalfa he brought up a school levy and Vice Mayor (in the Minutes) Vice Mayor Marincic said that is not to be brought up at a City Council Meeting.

PRESIDENT MARINCIC: That wasn't it. He brought up something about a particular school board employee.

MR. BARONE: I understand. But we're still going back to Vice Mayor Geraci when Linda Reid and Alan Sluka were here just before the final failure of a levy and Vice Mayor Geraci did the same thing with me. I don't understand why it's a mixed feeling here. City residents can't go to school board meetings and talk about economics of the city at a school board meeting. We can't talk about school business here at a City Council meeting when it's already been brought up. I don't understand where the balance is at?

LAW DIRECTOR TIM RILEY: I would have to review exactly what Council President Geraci said at that time. I don't recall at that meeting exactly what was said so I'd have to take a look at that but any governing body has a right to control their meeting reasonably as long as the opportunity for free speech is there. Each person is given five minutes to come up there and speak. So I'd have to see exactly what you're talking about. I don't know what year or when that meeting was that you are speaking of.

MR. BARONE: Mr. Lamalfa's meeting was I think April 24th. It was the meeting before

last.

LAW DIRECTOR TIM RILEY: Council President, correct me if I'm wrong but wasn't that a specific comment about the superintendent?

MR. BARONE: Yeah, it was a specific comment.

PRESIDENT MARINCIC: Regarding an employee.

LAW DIRECTOR TIM RILEY: And I think it was more on the lines of whether the comment was appropriate or not for a public meeting as opposed to whether it was school business or city business.

MR. BARONE: OK. You'll go ahead and take a look at the Minutes of Vice Mayor Geraci, then right?

LAW DIRECTOR TIM RILEY: If you could tell me what meeting it was?

MR. BARONE: I don't know. I just wanted to go ahead and get it to your attention. All right?

PRESIDENT MARINCIC: Thank you, Sir. Anyone else wishing to speak tonight?

Joe Lamalfa, 13205 Silver Road. To answer his question they brought that upon themselves, OK? You keep school issues separate and you keep city issues separate. You're bringing in people from the school because of the bus driver here and then you refuse to let me speak on school issues but you are letting other people speak on school issues. It is against the law. You're right on that one. They do it all the time and they're not going to change, probably because of the bus driver. Where's Vic at tonight and the bus driver by the way?

LAW DIRECTOR TIM RILEY: Vic had a family emergency.

MR. LAMALFA: OK. Because most of my questions were concerning him. But I got one for him over here. A couple meetings ago your employee Judge Weiler's husband, he made a statement that the AG's office is allowing the gambling casinos in Garfield Heights. That was what he said and he stands by it. At the Ward club meeting, I forgot which one it was. I went to a couple of them this past week. I found out that the AG didn't OK the gambling casino, but I don't want to take their word for it because at Ward club meetings everybody's lying. I called up the AG's office myself and Ms. King put me through to a lawyer that works for the AG. She said that the AG did not OK the charity casinos in the suburbs. What I want to know is if she's lying or the Judge's husband is lying? Somebody's lying because it can't be the two. Do you have any reply to that?

LAW DIRECTOR TIM RILEY: My reply to that would be that first of all we don't have casinos here in Garfield Heights. They're charity poker. We checked the Ohio Revised Code and determined whether what they were planning on doing complies with the Ohio Revised Code. Our determination was that what they were doing complied to the Ohio Revised Code.

MR. LAMALFA: But the AG didn't personally OK this then? Because that's what he said to me.

LAW DIRECTOR TIM RILEY: I don't believe that's what he said. I would have to check

the Minutes. I wasn't at the meeting and I'd be willing to check with him on that and check the Minutes.

MR. LAMALFA: You know which meeting it is? He only shows up once a year, so.

LAW DIRECTOR TIM RILEY: Joe, I'm willing to talk to you about this but if you're up here to throw comments and insults out I'm not going to debate you on that. You haven't even called the man by his correct name, OK? I mean be professional. If you're going to be professional I'll listen to you and answer your question.

MR. LAMALFA: Somebody's lying.

PRESIDENT MARINCIC: One talk at a time please.

MR. LAMALFA: OK. Sorry. I'm trying to get the point somebody's lying here.

LAW DIRECTOR TIM RILEY: You are basing that on a phone call that you made to the Attorney General's office? You made a phone call to the Attorney General's office?

MR. LAMALFA: Ms. King, that was at the Block Watch meeting put me through to an attorney inside the Attorney General's office.

LAW DIRECTOR TIM RILEY: Who was that?

MR. LAMALFA: I don't know.

LAW DIRECTOR TIM RILEY: OK. Then I'm not going to discuss it any further because I'm not going to talk about somebody that we don't know if they exist.

MR. LAMALFA: OK. So if I get her name and call you up?

LAW DIRECTOR TIM RILEY: Sure. Call me up. Have him call me. Have her call me.

MR. LAMALFA: I'll have her call you and you'll produce the letter that they sent to you.

LAW DIRECTOR TIM RILEY: I don't believe that we ever got a letter from them.

MR. LAMALFA: OK. So you just read it how you wanted to read it?

LAW DIRECTOR TIM RILEY: Like I said, Joe, I'll have to repeat myself again. We looked at the Ohio Revised Code, we compared it to what they were proposing, we determined that under Ohio Revised Code what they were doing was proper. OK?

MR. LAMALFA: OK.

LAW DIRECTOR TIM RILEY: I know you don't agree with me but I make decisions based on the law and because you don't agree with them doesn't make it wrong.

MR. LAMALFA: OK. There's one other thing that was brought up about that. I don't know if it was him or Vic, but one of the two of them said we followed Nautica the charity gambling in Nautica and that's not true either because the charity gambling in Nautica is a non-profit organization runs that. Here in Garfield a for-profit organization runs that.

CLWN MAHONEY: Mr. Lamalfa, 30 seconds.

LAW DIRECTOR TIM RILEY: I believe they are running the charity gambling here in the exact same way as Nautica is running it.

MR. LAMALFA: But they can't because they are for-profit and Nautica is non-profit.

LAW DIRECTOR TIM RILEY: What are you basing that on?

MR. LAMALFA: I looked it up. I found out what they were.

LAW DIRECTOR TIM RILEY: Who is the non-profit running Nautica?

MR. LAMALFA: I don't know.

PRESIDENT MARINCIC: Your time is up, Mr. Lamalfa.

MR. LAMALFA: If I get that information are you going to follow up on that too?

LAW DIRECTOR TIM RILEY: Joe, don't I always return your phone calls?

MR. LAMALFA: Yes, you have. It's on the Internet. You can look it up yourself.

PRESIDENT MARINCIC: Your time is up, Joe. You can give him a call. Thank you. Anyone else wishing to speak tonight? There being none that concludes Miscellaneous comments by citizens and we will move on to Miscellaneous Comments from Council people and I'm going to begin tonight.

MISCELLANEOUS BUSINESS:

PRESIDENT MARINCIC: What I want to do is remind everybody that Memorial Day is coming up in two weeks. Our city has a wonderful parade. The Veterans are in charge of it and they put it on and it begins at 10 a.m. It's beautiful. It's a wonderful memorial to those who gave their lives for us and I encourage everybody to attend this year's Memorial Day parade. It starts at Maple Leaf School and it makes its way all the way down to Memorial Island on Garfield Boulevard. It starts at 10 a.m. and it makes one stop at the Civic Center at the Veterans' Memorial over there. Having said that I will move on to Mr. Glenn.

CLMN GLENN: I do have a comment to make about the Ohio Charity Poker. In this community we have a great need for charities. There's a lot of charities that need money go directly to this community. This Council voted 7 – 0 in favor of the Charity Poker. This Council should stand behind their convictions about their voting. I feel that the city needs this charity—a good moneymaker for the city, for the charities and it is a profit for the organization. They've taken the profit out of the business. Two-thirds of the "profit" goes to charity. They've taken the profit out of the business. What business does the legislators have telling any business how to run their business? For example, if you had a trucking company could you tell the trucking companies they cannot hire drivers? I don't think so. But in this case the Ohio Charity Pokers are told they cannot hire dealers to run it in a business-like manner. I am not a Judge. I'm not a jury. I do not make condemnations. The policemen can do their jobs. The Judges can do their jobs. This Council has their obligation for the city and that I say to you I'm in favor of Ohio Charity Pokers. That is my comment, ma'am.

PRESIDENT MARINCIC: I want to add something. I forgot to mention I have a few Grapevines here in case anybody wants one after the meeting. We might as well move

on to Clmn Nenadovich.

CLMN NENADOVICH: Yes, thank you. As always remember the Vets. What I'd like to ask everybody this year is let's line the streets on this Memorial Day parade like they did years ago. Let's not have any open spots. Memorial Day more and more of our young men and women are dying and they need to know that we appreciate them. Who it means a lot to is the parents that have men and women; boys and girls overseas right now. Being out there lining those streets showing that you support it makes them feel good. Also the ones that lost children. I could not fathom seeing my daughter or my grandson die. I did my time in the service. Fortunately I didn't see any action. For the people that did, let's go out there and show them that we're really behind them this time and let's line the streets. Tell your neighbors when the parade is at. Let's get them flags out there. Let's wave the flags because that's what made this country great. With that have a great Memorial Day.

PRESIDENT MARINCIC: Thank you, Clmn. Clmn Dudley?

CLMN DUDLEY: All right. First of all I thank Mr. Cassel for coming and the one house that he did mention that everybody's aware of. It's on Lawrence. It's one of the worst houses in the city. I sit on the Board of Directors with ESOP organization and me and Mr. Siefert have met and we went over some things and our suggestion we came up with that we should take some of the houses in the city that is in real bad shape and the lending company that owned the houses we should put their name and their telephone numbers right in the front yard and go ahead and advertise so people could know and people can call and say hey I'm looking at your house on such and such East 98th, East 131st and you need to come and take a look at it. But the problem is that a lot of these homes that you see that is really in bad shape they foreclose on a home but they never take the house out of the owner's name. So when you advertise and you put an ad saying this belong to this bank it really don't belong to the bank; it still belongs to the person and the person even though the home was foreclosed on the home they still own that home until they get a tax bill from two and three years back and then it becomes an issue. The ones that the banks own we really should put signs in the yard and let people know who own that nasty property. I ain't going to mention banks up here, OK? No matter which one of the banks we should give them some free advertising by putting those signs in the yard because it's sad the way some of these properties are. I guarantee some of these CEOs and I talk about them here. They would not live next to some of the properties but they will leave a property like that for us to live next door to.

Second of all I got to thank the grass crew because I drove around the other day and it was probably Wednesday of last week and about 67 I was riding with my sons we were writing down addresses and got up to 67 properties and I said whoa that's enough riding for today that the grass was. And that was just about half of my Ward. But they came through the next day and they hit it like a tornado. I mean they knocked a lot of these houses out. They was working real hard. I really thank them for that because we got a couple more but they got a lot of them out of the way and I appreciate the grass crew for what they done there.

Also I would say like on Veterans' Day, like my colleagues said, you need to come out and support the Veterans, etc. It really means a lot when they see you in the street and they know you are giving a tribute whether the person has passed or whether the Veterans are alive or retired we got to give our support.

Another thing I want to mention I saw the two gentlemen talk on the school issue and I got

to say this from my point. I don't really believe there's a separation between the school and the city. I'm not speaking for nobody else. I don't believe that there's a separation. I believe that me as an elected official, as a Councilman, I am just as much responsible for them kids more so than what the school is because I am responsible for their parents. I am responsible for them 24 hours a day. I don't have an issue with anybody having an issue to voice their thoughts on that. I have no problem with that. As you know I was a supporter of open enrollment and not raising the taxes and I spoke real firmly on that.

I wanted to mention, too, on the same note that somebody had mentioned rather my feeling that I don't support. No I support my schools. I support two school systems: Cleveland as well as Garfield. So I wanted to echo that up front there. I have no issue with that. You are entitled to your opinion, your thoughts gracefully where you make mention, etc.

And last thing I'd like to say is I thank Ms. Whitmore for getting up here with her comments too. It was good to see her. She has not spoken in years since I've been here. She is so quiet, etc. I was glad to see her up there.

Also I want to mention the reason why I spoke on it too is because it's not a Ward issue to me. I spoke that all kids in the city of Garfield Heights is entitled to the same education. You notice that I mention Ward 3 as well as Ward 1. It's no boundary. Everybody deserves the same fair market value opportunity in their home as well as the children deserve the best education that we can provide for the kids. It's not a Black and White issue, people. I don't care what color the children are. All children to me are the same color. All people are the same individuals. That's why I say we have to and I want to mention it would be the same if you take a thousand people and you say that because you live here you won't spend your money in the city. You take a thousand people who spends maybe \$100.00 a week or so and in a month it becomes a couple hundred thousand. In a year that's \$4.something million dollars and they say I don't spend it because my kids don't go. That would be wrong. You got to support kids. The kids didn't make the choice where they want to be whether in Garfield or whether in Cleveland. Just give them the same opportunity that you gave everybody else years ago that we did.

And I thank everybody for their comments tonight and that's all I have, Mme. Chairman.

PRESIDENT MARINCIC: Thank you. Clmn Vaughn?

CLMN VAUGHN: I would just like to remind everybody the end of this month we'll be having our annual Block Watch up at St. Monica's in the pavilion. The sheriff will be coming out and be our guest speaker. I'd like to thank the street crews, etc. that have been out cleaning up the streets. Things are looking better. Thank you, Mr. McLaughlin.

And it's nice outside. I hope to see everybody outside working in their yards and making the place look better because that's what's going to make our city look better. If we all take a little time to clean up our own little area. Clean those curbs ourselves. Clean the gutters out. It helps and it makes our neighborhood much nicer. I wish everybody a good week. Thank you.

PRESIDENT MARINCIC: Clwn Mahoney?

CLWN MAHONEY: I don't know if I misunderstood Mr. Glenn or not but the city of Garfield Heights does have an obligation to make sure that the businesses in this community are being run according to the letter of the law. I don't know if I misunderstood what you said or not?

I want to wish everybody a Happy Memorial Day and Mr. Suster a Happy Birthday and Mr. Dudley your birthday will be after another meeting so I'll wish you then. And I'd like to make a motion to adjourn.

PRESIDENT MARINCIC: Wait a minute. Mr. Suster.

CLWN MAHONEY: I'm sorry. I'll take it back.

PRESIDENT MARINCIC: OK. Clmn Suster.

CLMN SUSTER: First of all I'd like to wish everybody a Happy Memorial Day.

Mr. Riley, I'd like you to check. You know we charge people for going when we cut their grass on properties? As Mr. McLaughlin had said on this property he spent a day and a half. Will we put up legislation that in the future where we have vacant lots and they become eyesores and the city cleans them that we charge them?

LAW DIRECTOR TIM RILEY: We already do that. I would have to check with Mr. Wervey on that.

CLMN SUSTER: Just like they do for the grass?

LAW DIRECTOR TIM RILEY: Yeah.

CLMN SUSTER: Also I'd like to thank my colleagues and also the Members of he Administration that have signed my birthday card. I don't need another birthday but that's OK too. That's all I have this evening.

PRESIDENT MARINCIC: Want to make a motion to adjourn?

CLMN SUSTER: I'd like to make a motion to adjourn.

CLMN GLENN: Mme. Chairman, I'd like to respond to Council Lady Tracy Mahoney.

PRESIDENT MARINCIC: You're more than welcome to.

CLMN GLENN: I would like to say that the letter of the law.

CLMN SUSTER: Point of Order. I already made a motion.

PRESIDENT MARINCIC: Wait a moment. He already made a motion. I need him to withdraw his motion.

CLMN SUSTER: No. I'm not withdrawing it.

PRESIDENT MARINCIC: You're not withdrawing it?

CLMN SUSTER: No.

PRESIDENT MARINCIC: OK. Roll call on the motion to adjourn . All in favor say Yea. All opposed say Nay. The Ayes have it. The meeting stands adjourned. AYES: Suster, Mahoney, Vaughn, Dudley, Marincic, Nenadovich, NAYS: Glenn

MEETING ADJOURNED AT 8:08 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Nancy Marincic
President of Council

Barbara Molin
Clerk of Council