

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, January 12, 2009

MEETING CALLED TO ORDER AT 7:00 p.m. by President Frank J. Wagner.

INVOCATION BY: Councilman Vincent Liotta

ROLL CALL: **PRESENT:** President Frank J. Wagner
Council Members Dudley, Marincic, Liotta,
Sarnowski, Suster, Mahoney, Otero

READING AND DISPOSAL OF MINUTES:

Moved by Clmn SUSTER to accept the minutes of the Regular Meeting of City Council of December 15, 2008 as submitted. The minutes were adopted with seven YES votes.

WRITTEN COMMUNICATIONS TO COUNCIL: None.

LEGISLATION OUT OF COMMITTEE: None.

REPORTS OF THE MAYOR AND DIRECTORS:

MAYOR THOMAS LONGO: Happy New Year. Good evening, Mr. Wagner, Members of City Council. I understand that the Finance Committee meetings have been established. From some of the conversations I've had with Members of Council as to dealing with the fiscal matters of the City, there has been a whole range of opinions from no fees increased to adjust the tax credit to rubbish fees and several people want to see how things shake out. So to help put our budgetary options on the table we have prepared an Estimated Budget with three options: 1) No new tax money or fees. The net result is 35 employees would be laid off; 2) Charge for rubbish with some layoffs; 3) Change or reduce the tax credit with minor cuts in personnel. All options include give backs from all employees. The amount saved will depend on negotiations and discussions with Unions and various employees. I have heard several comments about placing money issues on the ballot. That will result in the maximum number of employees to be let go immediately. There are no easy choices. The options are flexible and they all depend on Council's input. *(At this time Mayor Longo distributed copies of the Estimated Budget to Council and the Directors.)* If anybody wants to look on page 99 there are the three options on the revenue flow. You could see what the impact is on personnel. This is an estimate that we've given you. Details can be worked out. So Dick Obert will be getting involved with you in the Finance Meetings in depth.

Ordinance 01-2009. The first ordinance up for tonight increases some fees and makes some adjustments on recreational fees. We need to move quickly on this because of publications for our residents. Jim Bukac will address this and of course if Council decides they don't want to do this, this is \$50,000.00. That's another employee gone. Ordinance 2. Under Resolution 60-2008 last year monies have been set aside for the purchase of some property on Broadway. It's \$25,000.00 plus some monies for back taxes. We need this to widen Broadway. We have a grant for almost \$3 million to widen Broadway. If we do not move on this and we have to go through eminent domain you're talking about engineering fees, legal fees, appraisal fees and when you go to Court in today's environment. You're not going to get this for \$25,000.00. That is a real crapshoot. The money's been set. It's been put into our budget; it's sitting there and all we need is Council's approval to move on this. We don't want to wait until we have to go with eminent domain. That is a nightmare and we've been through enough of that. If we have to go through with eminent domain the people

that own this property can ask for moving fees. Right now we have a very good deal. The property's way up on the sidewalks. We have to take it.

Resolution 1 has to do with a bill that's going to make its way through Congress on the employees' ability to organize for labor. Everyone should have a clear path to organize. Resolution 2. The Sisters of St. Joseph Third Order of St. Francis have consistently done and accomplished outstanding results in everything they've done here in Garfield Heights and especially at Marymount and Trinity High School and that whole complex over there. We'd like to congratulate the Sisters of the Third Order of St. Francis on their efforts for what they've done. Resolution 03-2009 provides for the CRIS System that is the heart and soul of our police department. This is a critical City service for the police, Courts and our community. I urge your approval. This concludes my report.

LAW DIRECTOR DAVID MACK: No report.

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: I'll give you the salt report. Last year at this time we had 12.2 inches. We used 1,565 tons of salt. So far this year we've had 22.4 inches and we've used 1,885 tons of salt. With this storm over the weekend we spent about 30 hours of plowing and salting; 24 hours of it was on overtime. The rest was finished up today. We went back over all the streets. We did have some problems with some parked cars, etc. with the snow ban in effect. I talked to the chiefs this morning and we'll see what's going to work out of that. We used 221 tons of salt during this storm, so it's like seven tons per hour. We spread it out. We try to place it where it worked instead of keeping on throwing it and plowing it back up. Also we're in the process of taking down all the Christmas decorations. We're hit and miss with that because we have to get back out in the snow. Tomorrow it's supposed to snow again. We're taking down the Christmas decorations. We'll clean them up and store them until next year. Also we have some cold patch crews going out on street to street. As long as it's not snowing we'll try to hit some of the bigger chuckholes. That's the end of my report.

PRESIDENT WAGNER: Any questions of the Service Director?

CLMN SUSTER: Tim, how's our supply of salt holding up?

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: We have 650 tons left. Hopefully that would get us through a few more storms. Then we'll have to reevaluate and get some more.

CLMN SUSTER: At this point in time we're in pretty good shape?

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: That's 650 tons, I mean with the whole storm over the weekend we used 221 so I'm hoping to get two or three more storms out of what I have.

CLMN SUSTER: OK. Thank you

PRESIDENT WAGNER: Any other questions?

CLWN MARINCIC: Tim, would you go over the latest way of salting once again this year?

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: What do you mean?

CLWN MARINCIC: I know they're doing the mains, but how are they doing the side streets?

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: The side streets all we're doing is we're plowing more and we're dropping salt every fifth house (every 200 feet) so the cars track it. During the night I'm hearing all these things that we don't salt between these hours and we don't come out. We adjust to whatever's going on out there. I was out six hours on Saturday. We just kept plowing and plowing and spot-salting. It started to break on the mains, etc. We adjust to each storm. I'm hearing that nobody salts between 11 and 4 o'clock. That's not true. Between 11 and four o'clock we try to plow more and then before the traffic starts, you know, at intervals again not solid salting. That's what we had set up with the Service Directors Sensible Salting Program. It was approved by Council. There's 30 cities involved in it. I just looked at a letter from 20 of them asking how everything was going and they're going to reevaluate what

they did. That was put together by a group of service directors that have been here for a long time from all the cities and you know we're trying. The cost of salt even the State there was 30 cities that did not get a salt contract. We got the State sale contract and so far we've been able to attain salt. There were 30 cities that did not get a bid. We pay \$10.00 per ton. Those cities that are not buying from the State pay \$75.00 a ton. So you know right now we don't know what's going to happen. The salt's been coming out so far but we don't know if all of a sudden –boom—the surplus is gone and we can only pull so much out of the mine that day. So then you're in trouble. So far I think it's been working out. We try and adjust in different areas where we saw problems or the police tell us there are problems and so far I think it's worked out pretty decent.

CLWN MARINCIC: I think that considering what we are faced with, with the salt shortage we're doing a tremendous job. I only have one suggestion and that's that we do the stop signs because that's where I get complaints is that they can't stop at the stop signs because there's not enough salt right there. If you think about it they'll track it—the cars.

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: That's where it's supposed to be. It's supposed to be at intersections, stop signs. I will check that.

CLWN MARINCIC: All right. Thank you very much.

PRESIDENT WAGNER: Any other questions of the Service Director? (*None.*)

PARKS AND RECREATION DIRECTOR JAMES BUKAC: I just want to urge Council to pass Ordinance 1 regarding the fees at the Dan Kostel Recreation Center and for all of our recreation programs. As Mayor Longo said this would generate about \$50,000.00 and even more based on last year's numbers of participants. It's our first increase of any type since 2005 and our first increase that would impact a resident of Garfield Heights since 2003. That concludes my report.

BUILDING COMMISSIONER WILLIAM WERVEY: No report.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: No report.

CITY ENGINEER DAVID NEUMEYER: No report.

FINANCE DIRECTOR RICHARD OBERT: I do not have an official report. I would like to add to Mr. McLaughlin's report because we ran payroll today. The little storm over the weekend cost us over \$28,000.00 in overtime. 705 hours. Thank you.

CITY ARCHITECT DAVID SPEHAR: No report.

COMMENTS BY CITIZENS:

PRESIDENT WAGNER: That concludes the reports of the Mayor and the Directors. Next we'll move on to Comments by Citizens on tonight's agenda. Comments shall be strictly limited to a brief statement not to exceed five minutes with comments limited to the legislation on the current evening's Council agenda and no citizen shall speak more than once. Is there anyone wishing to address Council on tonight's agenda?

Henry Warren, Jr. 4512 East 131st Street. I have several questions regarding Ordinance 02-2009. Is there already a signed agreement to purchase this property on Broadway?

PRESIDENT WAGNER: To my understanding, yes, from a couple meetings ago. Mayor, can you answer that?

MAYOR THOMAS LONGO: Yes.

MR. WARREN: Who authorized the signing of that agreement to purchase the property that now you're going to vote on that after the fact?

MAYOR THOMAS LONGO: I did.

MR. WARREN: You authorized that? Was that legal, Mayor?

MAYOR THOMAS LONGO: Of course it's legal. It was signed subject to approval.

MR. WARREN: It was signed subject to approval? OK. The other question I have is who was the broker on the property in question? Mr. Mack, maybe I should ask you that?

LAW DIRECTOR DAVID MACK: I think it was Rybka Realty.

MR. WARREN: Who was the agent?

LAW DIRECTOR DAVID MACK: The agent, somebody said, was Joe Feckanin.

MR. WARREN: It was Joe Feckanin?

LAW DIRECTOR DAVID MACK: That's what I was told.

MR. WARREN: Joe Feckanin did sit on the Planning Board, correct?

LAW DIRECTOR DAVID MACK: Used to, yes.

MR. WARREN: If he sat on the Planning Board and he was an agent on the property, that borders on being unethical if not illegal, doesn't it?

LAW DIRECTOR DAVID MACK: I think if that property would have come before the Planning Commission when he was on it he would not have been able to vote on it nor does he have a vote on whether or not Council approves it today. He is not the owner of the property nor is he an owner of the agency that is listing the property. He is merely a salesman so off the top of my head I wouldn't say that there was any improprieties since that was all disclosed at the time of the sale.

MR. WARREN: Under State law, any time that you sit on the Board of an agency anything that you do that you receive money for that's unethical, if you didn't know that?

LAW DIRECTOR DAVID MACK: I do know that but that's in connection with your position also.

MR. WARREN: Yes, but he's an agent for a real estate company. He didn't get paid? He did it free?

LAW DIRECTOR DAVID MACK: He hasn't got paid anything yet because it hasn't been approved by this Council.

MR. WARREN: I still say that I believe that was unethical again if not illegal. Mr. Obert, does the City have the money to pay for this house?

FINANCE DIRECTOR RICHARD OBERT: On January 23rd we'll have the money to pay for it.

MR. WARREN: January 23rd?

FINANCE DIRECTOR RICHARD OBERT: That's when we get our millions of dollars. They come in.

MR. WARREN: I read in the findings of an audit report--I think it was for 2006--that the City was fined for passing legislation that they didn't have the money for. So you don't have the money for it yet you're going to pass this legislation?

FINANCE DIRECTOR RICHARD OBERT: Mr. Warren, what you're asking is a very complex question. I made a comment today at our staff meeting. Our payrolls this month were almost \$2 million; we had pensions of over \$400,000.00. It's a timing thing when the City's monies arrive. There are times in March we'll have \$4.5 or \$5 million but then you don't see anything until July. I'm sorry. I apologize for answering it honestly. I take it back. We'll pay for it today or tomorrow. Thank you.

MAYOR THOMAS LONGO: You made a comment about the City was fined?

MR. WARREN: I said the findings of an audit report.

MAYOR THOMAS LONGO: Findings? I thought you said fined?

MR. WARREN: The City was cited for passing legislation that we did not have money for.

MAYOR THOMAS LONGO: I couldn't hear.

MR. WARREN: OK. Thank you. The last thing I have and I'll sit down. I heard it stated in the Caucus Chamber that the City had x amount of dollars for the widening of the project and the City's matching part is \$300,000.00 that was going to come through in 2010. Is that a correct statement?

CITY ENGINEER DAVID NEUMEYER: The City has a grant totaling \$2.3 million for the widening of Broadway.

MR. WARREN: OK, but wasn't it stated at Council Chambers that in 2010 the City was going to come up with \$300,000.00?

CITY ENGINEER DAVID NEUMEYER: Right now the estimate as it stands right now is \$2.6 million for the widening of Broadway. That includes widening Broadway; repave it and new storm sewers.

MR. WARREN: I don't think that answered my question. My question was will the City be responsible for \$300,000.00 for the Broadway project in 2010?

CITY ENGINEER DAVID NEUMEYER: Anything above the grant of \$2.3 million when it comes to construction the City will be responsible for.

PRESIDENT WAGNER: The \$300,000.00 was mentioned in Caucus.

CITY ENGINEER DAVID NEUMEYER: Yes.

MR. WARREN: I was going to say that it was mentioned and again here you're looking at \$300,000.00 that may be coming forth in 2010. I think it's kind of ludicrous to even be messing with this. That \$34,000.00 could pay for one storm overtime with the City employees. Thank you.

PRESIDENT WAGNER: Anyone else wishing to make a comment?

CLMN DUDLEY: I wanted to make a comment in reference to Mr. Warren saying what the vote was going to be tonight. We haven't even voted, Mr. Warren, on whether or not we would even go forth to authorize the purchase of the property. That's what I wanted to mention. You said we was going to purchase the property and it would be whatever the case may be. We have not voted and honestly nobody knows what we're going to vote on it until we do that. So you might want to reconsider that comment.

(Mr. Warren's reply from the audience was inaudible.)

PRESIDENT WAGNER: Anyone else wishing to address Council on tonight's agenda?

Kathryn Campbell, 4964 East 88th Street. I'm here to say that I strongly object to laying off members of our safety forces and the Building Department because if you do that, we're gone. Thank you.

PRESIDENT WAGNER: Thank you. Anyone else wishing to address Council on tonight's agenda?

Mike Nenadovich, 4625 Horton Avenue. To back up Kathy. The first thing that happens when the City runs into budget trouble is we're going to lay off police. We're going to lay off fire department. You talk about putting a negative impact on a city? That's how you lose residents. Losing police protection. Losing fire protection. What we have to do is find ways of cutting budgets by removing some of the programs that we have temporarily--just temporarily. If you're talking about garbage fees going up, charge me for my trash temporarily until you become solvent again. Till you're out of the budget crunch. We don't want to see taxes that become a permanent part of the fixture when we regain what we've lost and there's money there that's being used for something else. You're asking for money to help get you out of a fiscal emergency and return that money or stop this extra charge once you're out of the emergency. My opinion only—just me speaking—if I have to pay for my trash to get the City out I'll pay for it. But once we're out remove that. I don't want to see a continuous tax. For some programs in the City yes, some people won't know what to do. People will be hurt because they don't have their program; their special interest group after work, maybe a Senior program's cut. But once we become solvent again put that program back in but don't hold over our heads fire and police every time. If you remove our police department and you remove our fire department move the border from Grand Division to Rockside Road because I feel that the crime will take over. Our police department's doing a good job right now. Our response time is fantastic. Our police are on the street. They're visible. If you revoke that faction what you're going to see on corners is gangs, guys selling drugs, people parking all night, people breaking the law and nobody there to stop them, because they know the City's not going to be watching like they have been. Think long and hard Council Members, Mr. Mayor, Mr. Mack, department heads; think long and hard about budget cuts. I appreciate what the Mayor's talking about. All departments are going to have to open up their wallets. I think it's about time Garfield Heights has talked about (*inaudible*) their employees, right or wrong. Ask for something back. When we get solvent again. Rehire them, but once we become solvent please and Mr. Wervey (That's not on the budget. I'll talk to you later about that) I want you to consider that please on my behalf, my family's behalf and of course my City.

PRESIDENT WAGNER: Thank you. Anyone else wishing to address Council on tonight's agenda? Let's move on to Committee Reports.

COMMITTEE REPORTS:

CLMN SUSTER: Tonight Members of Council were given the agendas for the Finance Meetings which will start Tuesday January 20th. One thing I would like to add (I'll have to add to it later. It will have to wait.) They will start January 20th at 7 p.m. most likely in the Caucus Room. Then we'll have Thursday January 22, 2009 at 7 p.m., Tuesday, January 27, 2009 at 7 p.m. and the final one which is our wrap-up meeting will be held on Tuesday, February 3rd at 7 p.m. So anybody that would like to be there is more than welcome to come. It's open to the public. That's all I have, Mr. Chairman.

ORDINANCES AND RESOLUTIONS:

PRESIDENT WAGNER: Thank you. Are there any other Committee Reports? There being none, we'll move on to the legislation before Council. We'll begin with Ordinance 1-2009.

ORDINANCE NO. 01-2009

AN EMERGENCY ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 20-2005 RELATIVE TO THE GENERAL FEE SCHEDULE FOR THE DAN KOSTEL RECREATION CENTER.

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

CLWN MARINCIC: In an attempt to get more feedback from residents about this legislation because it does involve the fee increase for our Recreation Department I vote No to waive the three reading rule so it

would appear on Council floor again in two weeks and more residents would hear about it in newspapers and be able to talk with their opinions so I vote No on waiving the three reading rule.

NAYS: 7

PRESIDENT WAGNER: Ordinance 1-2009 is up for first reading today and it will be on the agenda at the next Council Meeting for a second reading.

MAYOR THOMAS LONGO: You have to call the roll.

LAW DIRECTOR DAVID MACK: You have to pass on first reading today.

PRESIDENT WAGNER: We pass on that today.

LAW DIRECTOR DAVID MACK: That will be next Council meeting. Then you vote the next time and the third time.

PRESIDENT WAGNER: Roll call on the first reading. Then it will be up for a second reading and a third reading. So this is the roll call on the first reading at this meeting.

VOTE ON FIRST READING AT THIS MEETING:

AYES: 7

PRESIDENT WAGNER: It passes on the first reading--seven Yes votes. It will be up for a second reading at the next Council meeting.

ORDINANCE NO. 02-2009

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE THE PROPERTY LOCATED AT 14103 BROADWAY AVENUE AND 14107 BROADWAY AVENUE, GARFIELD HEIGHTS, OHIO (PARCEL #546-16-037).

Moved by DUDLEY to CONSIDER BY TITLE:

AYES: 7

Motion to PLACE IN FINANCE COMMITTEE:

AYES: 7

PRESIDENT WAGNER: Ordinance 02-2009 is placed in the Finance Committee with 7 Yes votes. Members of the Finance Committee include all members of Council with the exception of Clmn Otero and Clwn Marincic who are not on the Finance Committee.

RESOLUTION NO. 01-2009

A RESOLUTION URGING THE UNITED STATES SENATE TO PASS THE EMPLOYEE FREE CHOICE ACT.

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

AYES: 7

RESOLUTION NO. 02-2009

A RESOLUTION HONORING CLARE HALL FOR BEING NAMED SECOND BEST OUT OF THE TOP TWENTY-FIVE NURSING HOMES IN OHIO BY THE OHIO DEPARTMENT OF AGING'S 2008 NURSING HOME RESIDENT SATISFACTION SURVEY.

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

CLWN MARINCIC: Before I vote, I would just like to take an opportunity to congratulate the Sisters on their wonderful work. There are over 600 nursing homes in the State of Ohio and they ranked second out of the top 25 and that's quite a feat and it's something that they should be proud of and I'm proud of them and I gladly and happily vote Yes.

CLWN SARNOWSKI: 99 out of 100 is pretty high ratings. I vote Yes. I'm very proud to have them in our community.

AYES: 7

RESOLUTION NO. 03-2009

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS BY AND BETWEEN THE BOARD OF COUNTY COMMISSIONERS, THE CUYAHOGA REGIONAL INFORMATION SYSTEM BOARD OF ADVISORS AND THE CITY OF GARFIELD HEIGHTS POLICE DEPARTMENT.

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 7

Motion to WAIVE RULE 24:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

AYES: 7

COMMENTS BY CITIZENS:

PRESIDENT WAGNER: That concludes the legislation before Council this evening. Next we'll move on to Comments by Citizens. Comments shall be restricted to any problem a citizen has which has previously been submitted to his or her Councilperson or to the City Hall department directly involved. If the submission of a problem to a City Hall department or a Councilperson is made and there is a lack of service rendered in this regard the problem may then be presented during Comments by Citizens at a future meeting. It is the intention of this rule that no request of a first nature is presented on the floor at this time. Comments shall be limited to five minutes and no citizen shall be heard more than once. Is there anyone wishing to address Council this evening?

Henry Warren, Jr. 4512 East 131st Street. I've been reading a lot in the newspapers about the closing of the Community Center there on Dressler Road and my question (maybe to you, Mr. Mack?) is did the City deed that building over to the Center?

LAW DIRECTOR DAVID MACK: I don't think we ever owned it.

MR. WARREN: Let me go back. About the controversy over at the Community Center. My question is the old fire station building; the Community Center right across from the fire station. I can't think of the address. It's next to the Baptist Church? The building.

LAW DIRECTOR DAVID MACK: Yes we deeded it to them.

MR. WARREN: Is the Community Center Board dissolving?

LAW DIRECTOR DAVID MACK: I don't know that.

MR. WARREN: I read it in the papers. I believe that the center Board was going to dissolve. The point I'm getting to is if the City deeded that property to that Board and that Board is going to dissolve couldn't they deed it back to the City? Should they deed it back to the city?

LAW DIRECTOR DAVID MACK: I can't recall what happened on that but I think there is some talk here. I thought we sold them that property. You were on Council at the time.

MR. WARREN: Yes I was on Council and I remember I was against giving that building to them No.1 or No 2. It's my recollection we donated that building. If any money changed hands I wasn't aware of it.

PARKS AND RECREATION DIRECTOR JAMES BUKAC: I thought we sold that property for a nominal token amount. I don't think we just gave it to them. I could not say for sure. I'd have to look back through the records. That had to be what? 15? 12? years ago?

MR. WARREN: I got more grey hair now so my mind.

PARKS AND RECREATION DIRECTOR JAMES BUKAC: You had black hair then Henry.

MR. WARREN: To my recollection we donated that building. The question is if the Board is going to dissolve what's going to happen to that property?

PARKS AND RECREATION DIRECTOR JAMES BUKAC: The title transferred, etc. At that point even if we--whether we gave it to them or whatever. The title transferred to them. That became completely out of the City's hands.

LAW DIRECTOR DAVID MACK: To answer that further, when a not-for-profit, I think Mr. Otero knows a lot about this, goes out of existence there are specific laws that govern what happens to that property. I'm not aware of those because I don't represent non-for-profit organizations but they can't just turn around and give it away to Joe Blow or John Smith. There are certain laws that regulate, both federal and State, as to what happens to a non-for-profit when they close their doors.

MR. WARREN: I hope that we can find out because I hate to see that building.

LAW DIRECTOR DAVID MACK: It's not going back to the City. Council deeded it to them so it's not going to come back to the City.

MR. WARREN: OK. We have a problem in terms of what's going to happen to the future of that building. We have enough of a relationship with that Board to get the property and saying that you're right. I'll submit to your recollection as opposed to mine but there is the fact that that if you gave that building for a nominal fee somehow or another the City should be trying to access that building back.

PRESIDENT WAGNER: Mr. Warren, do you want to relinquish the floor? Now you have it?

MR. WARREN: OK.

PARKS AND RECREATION DIRECTOR JAMES BUKAC: When we got rid of that building that building was loaded with problems. The utility costs were astronomical. There was lots of problems with that

building. The physical structure of the building—to repair it, etc. I can't see where the City wants that. There's enough to put in the basket now. It's just going to be more money out of our budget.

MR. WARREN: The truth of the matter is, the way I see it is it's going to be an albatross on our neck. As you said the building ain't worth squat. Either way it goes it's going to be an albatross so my hope was to try to narrow that albatross by trying to work out some deal. Maybe by land law, maybe Bible Baptist might be interested in something? The fact is it's still going to wind up being an albatross to the City.

The last thing I'll say and I'll sit down is Mayor, are there any other contracts you signed without the authorization of Council that I, we, the residents and the City isn't/aren't aware of? Are there any other contracts? You hear what I said?

MAYOR THOMAS LONGO: I heard what you said.

MR. WARREN: OK. I'm asking a question. If you may please answer me?

MAYOR THOMAS LONGO: Are you talking about maybe the elevator contract?

MR. WARREN: Let me restate the question so we don't have to play semantics. That's a big word semantics. Mayor, are there any other contracts you signed unauthorized by Council that are out there that we the residents or Council doesn't know about?

MAYOR THOMAS LONGO: Councilman, the only contracts that I sign without Council's approval are anything that's under \$25,000.00. So when I said the elevators there's a maintenance contract on these elevators that we have here and over at the Justice Center. There are a couple of other items too that I've been involved with police and some with the Service where they are all miscellaneous up to \$25,000.00. I have never signed a contract to obligate the City for anything more than \$25,000.00,

MR. WARREN: The comment that you said that I was playing political games with in one oration you gave here on the floor of Council said that I was politically motivated with the City View situation.

PRESIDENT WAGNER: Mr. Warren, you have one minute left.

MR. WARREN: OK. Yet and still you signed the contract to obligate the City for City View?

MAYOR THOMAS LONGO: No.

LAW DIRECTOR DAVE MACK: He never signed the contract.

MAYOR THOMAS LONGO: I never signed the contract. I never obligated the City to five cents and you are playing political games with it.

MR. WARREN: I'm not going to run for nothing. That's all I have, Mr. Chairman. Not yet.

PRESIDENT WAGNER: Anyone else wishing to address Council?

David Mays, 8250 Green Drive. I guess my question would be for the Finance Director. This money, that \$34,000.00 set aside to buy this property that is sitting in limbo right now? Could this money be moved to another area?

FINANCE DIRECTOR RICHARD OBERT: What normally happens is when we actually do find that there is a say under, we've actually let the contracts come in under--some time a couple hundred thousand (I've got one upstairs on a couple hundred thousand) when we go to roll the instrument that they're in—it's

usually a note-- we then reduce and pay back, pay down an extra \$200,000.00. In this case it would be \$33,000.00. It can be returned. That's all.

MR. MAYS: OK. Could this \$34,000.00? It can be moved? That's all I wanted to know. Thank you.

PRESIDENT WAGNER: Anyone else wishing to address Council?

Jeff Weisbarth, 13520 Thraves Road. Happy New Year, I guess. You all have a pretty onerous task ahead of you and I wish you all well in there and urge you to think outside the box. Some of the solutions are pretty simple and obvious but those of you on Council that are on the committee, good luck. To the Service Director, you did a great job with the snow; I have no problem with the salting. One problem I did notice is that at the intersections there seems to be no rounding at the curbs which could present perhaps a safety issue to the drivers and pedestrians so I understand Friday night through Saturday it was coming down pretty quick. Sunday and today driving around the City I did not notice where those curbs were cleaned up at all so I would ask that you consider moving the trucks out to round off so that people don't have to make 90 degree turns at the intersections. Thank you.

PRESIDENT WAGNER: Anyone else wishing to address Council this evening? There being none, we'll move on to Miscellaneous Business of the Council. We'll begin today with Ward 7. Clmn Otero, we'll go in reverse.

MISCELLANEOUS BUSINESS:

CLWN MARINCIC: Happy New Year, everybody.

CLMN DUDLEY: I want to mention one thing. You might have read in the paper about the Community Center over in Ward 1. It's a Community Center for the whole City of Garfield Heights. You know, when I say "community" I mean the whole City. Myself, I've been working pretty hard and I'm still trying to work something out that the center will be utilized in the same aspects as it is being used now because I don't want to see it lose the food pantry. I've also been trying to work--you have mentioned that little building--I'd like to have that little building be maintained and kind of fixed up so it could be used for a meeting hall for different organizations throughout the City should they choose to do so. Other than that I wish everybody a Happy New Year, seeing you the first time this year. We know we got some tough decisions ahead of us and I just say, hey, keep us in your prayers because I'm quite sure we're going to do what is best for everybody. That's what we was elected to do.

CLWN MAHONEY: I make a motion to adjourn.

PRESIDENT WAGNER: On the motion by Clwn Mahoney to adjourn?

AYES: 7

MEETING ADJOURNED AT 7:45 p.m.

APPROVED:

Frank J. Wagner
President of Council

RESPECTFULLY SUBMITTED:

Barbara Molin
Clerk of Council