

# MINUTES OF A REGULAR MEETING OF COUNCIL

## CITY OF GARFIELD HEIGHTS, OHIO

Monday, January 12, 2015

**MEETING CALLED TO ORDER AT 7:00 p.m.** by Council President Joseph Suster.

**INVOCATION BY:** Councilwoman Nancy Marincic

**PRESIDENT SUSTER:** Roll call please.

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

**EXCUSED:** Burke

**CLMN NENADOVICH:** Mr. Chairman, I'd like to make a motion to excuse Matt Burke from this session. He called. He's going to be late.

**PRESIDENT SUSTER:** All in favor of Mr. Nenadovich's motion to excuse Clmn Burke, all in favor signify by saying Yea. All opposed? That passes with 6 Yes votes.

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

ABSENT: Burke

### **READING AND DISPOSAL OF MINUTES:**

**CLWN MARINCIC:** Mr. President, I would like to make a motion that we accept the Minutes of the Regular Meeting of Council for Monday, December 22, 2014 as presented.

**PRESIDENT SUSTER:** All in favor of accepting the Minutes as submitted, signify by saying Yea. All opposed? That passes with 6 Yes votes.

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

ABSENT: Burke

**WRITTEN COMMUNICATIONS TO COUNCIL:** None.

**COMMITTEE REPORTS:** None.

**LEGISLATION OUT OF COMMITTEE:** None.

**PRESIDENT SUSTER:** There being none we will move on to the reports of the Mayor and his Directors. Mayor, do you have a report for us this evening?

### **REPORTS OF THE MAYOR AND DIRECTORS:**

**MAYOR VIC COLLOVA:** Thank you, Mr. Chairman, yes I do. Ordinance 1-2015 we enter into a contract with the Cuyahoga Soil and Water Conservation District and that's regarding our annual agreement. It's something we do each year. Ordinance 2-2015 authorizes us to

purchase supplies as needed throughout the year. It's also something we do annually at this time each year.

With that, I want to get into my report. Very basic, Mr. Chairman, the Indians can't do it, the Browns can't do it, the Cavaliers certainly aren't doing it. Thank you Ohio State, you got us into a championship game and go Buckeyes. Mr. Chairman, you have my report.

**PRESIDENT SUSTER:** Are there any questions of the Mayor on his report? There being none we'll move on to Law Director Tim Riley. Do you have a report for us this evening?

**LAW DIRECTOR TIM RILEY:** In honor of the game tonight I will forego my report. No report.

**PRESIDENT SUSTER:** OK. Moving right along. Chief Sackett, do you have a report for us this evening?

**POLICE CHIEF ROBERT SACKETT:** I have no report.

**PRESIDENT SUSTER:** OK. Service Director, Tim McLaughlin. Do you have a report this evening?

**SERVICE DEPARTMENT DIRECTOR TIM McLAUGHLIN:** Yes, I have a very short report. The last two weeks we've been working on the snow and potholes and started to remove some of the Christmas lights. With that you have my report.

**PRESIDENT SUSTER:** Thank you. Are there any questions of Mr. McLaughlin on his report? There being none we'll go on to Parks and Recreation Director Bob Dobies and I'd like to welcome you back.

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** Thank you, Mr. President and Council Members, good evening. A very brief report. Since I wasn't here last meeting, Happy New Year to all.

Sign ups continue for futsal, Learn-to-Skate and fitness classes. This is the last week for signups for futsal (our indoor soccer program). Additional office hours will be available. Please call our office for more information.

I'd like to say thank you to all who called and sent well wishes during my surgery. Everything's going fine. I have to continue therapy for the next few weeks but it's moving along. Thank you to Mr. McLaughlin and his staff and the Mayor for overseeing my department during the time I was off. Thank you. That concludes my report.

**PRESIDENT SUSTER:** Are there any questions for Mr. Dobies on his report? There being none we'll move on to City Engineer, Dave Krock. Do you have a report for us this evening?

**CITY ENGINEER DAVID KROCK:** No, thank you, Council President. I have no report this evening.

**PRESIDENT SUSTER:** OK. Thank you.

**FINANCE DIRECTOR RON TOMOLA:** Absent

**SOCIAL SERVICES DIRECTOR KATHY RUSH-PARSSONS:** Absent.

**PRESIDENT SUSTER:** Noreen Kuban. Do you have a report for us this evening?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Yes, thank you, Mr. President. I just wanted to say that the Building Commissioner Bill Wervey and I are working on a \$1 million grant for demolitions. We expect to have it filed probably by the end of this week. That concludes my report.

**PRESIDENT SUSTER:** Are there any questions of Ms. Kuban on her report? There being none we'll move on to Building Commissioner Bill Wervey. Do you have a report for us this evening?

**BUILDING COMMISSIONER BILL WERVEY:** I don't have anything new this evening, Mr. President.

**PRESIDENT SUSTER:** OK. That concludes the reports of the Mayor and his Directors. Comments by Citizens on tonight's agenda. Is there anybody that wants to comment on tonight's agenda? Would the Clerk please read the rules?

**CLERK:** Comments shall be strictly limited to brief statements not to exceed five minutes with comments limited to legislation on the current evening's agenda. No citizen shall speak more than once.

**PRESIDENT SUSTER:** Is there anyone that has any questions on tonight's agenda? There being none we'll move on to Ordinances.

**ORDINANCES AND RESOLUTIONS:**

**PRESIDENT SUSTER:** We'll begin with Ordinance 01-2015. Would the Clerk please read the title?

**ORDINANCE NO. 01-2015**

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ON BEHALF OF THE CITY OF GARFIELD HEIGHTS WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT.

Moved by NENADOVICH to CONSIDER BY TITLE

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

ABSENT: Burke

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Burke

Motion to WAIVE RULE 24:

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

ABSENT: Burke

**PRESIDENT SUSTER:** On its adoption, beginning with Mr. Nenadovich.

VOTE ON ADOPTION:

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

ABSENT: Burke

**PRESIDENT SUSTER:** Ordinance 01-2015 passes with 6 Yes votes.

ORDINANCE NO. 02-2015

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE COMMISSIONER OF PURCHASES AND SUPPLIES, FINANCE DIRECTOR, THE MAYOR, OR HIS DESIGNEE TO ADVERTISE FOR PROPOSALS FOR VARIOUS MATERIALS, SERVICES AND SUPPLIES FOR THE YEAR ENDING DECEMBER 31, 2015.

Moved by MARINCIC to CONSIDER BY TITLE

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

ABSENT: Burke

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Burke

Motion to WAIVE RULE 24:

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

ABSENT: Burke

**PRESIDENT SUSTER:** On its adoption, beginning with Clwn Marincic.

VOTE ON ADOPTION:

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

ABSENT: Burke

**PRESIDENT SUSTER:** Ordinance 02-2015 passes with 6 Yes votes.

MISCELLANEOUS COMMENTS BY CITIZENS

**PRESIDENT SUSTER:** We will move on to Comments by Citizens. Here are the rules.

**CLERK:** Comments shall be restricted to any problem a citizen has which has previously been submitted to his/her Councilperson or to the city hall department directly involved. If 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 from 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. No citizen shall be heard more than once.

**PRESIDENT SUSTER:** Is there anyone that would like to speak this evening? Mr. Mays.

David Mays, 8250 Green Drive. Mayor, at the last Council Meeting you made a comment that the power had been cut for the lights at the skate park or pavilion.

**MAYOR VIC COLLOVA:** Actually the box was open so that they could flip the lights back on.

**MR. MAYS:** OK. My opinion and you said you wanted to wait till the third incident before you decided if you were going to cut the power off of this, my opinion is that it should be done tomorrow morning. If a individual gets hurt or electrocutes himself or themselves and dies the city is swinging for it, even though you've got all kinds of signs and you've taken all kinds of precautions, the city will swing for it. That's my opinion. If I was standing in your shoes I would not even hesitate to do it. Thank you.

**MAYOR VIC COLLOVA:** Dave, to respond to that I understand. I have that same concern that you have. What we did was we once again (even better than the last time) reinforce the bolts on the locks that are on that box. It's not impossible to get into, but I'll tell you it's going to take some doing to get into it. The problem is that I agree. If it happens again it's done. It's over. I gave everybody fair warning at the last meeting. I don't think it's going to be done again, but nothing is for sure. It's a shame because 90% of the people that use that skate park and the tennis courts need it. They're residents who enjoy it and love it. It's part of our recreation for the people and to take that away from them, you know, is also part of the consideration. But I did say it and I will stick by it that if it happens again their lights will not go back on.

**MR. MAYS:** OK, but the 90% of the people I can guarantee there is somebody out there in this 90% who knows who it is and if they don't come forward and say anything that's their tough luck and they lose out. That's my opinion and I think it should be cut tomorrow morning.

**MAYOR VIC COLLOVA:** Thank you.

**PRESIDENT SUSTER:** Thank you. Is there anyone else that would like to speak this evening?

**MISCELLANEOUS BUSINESS:**

**PRESIDENT SUSTER:** There being none, we'll move on to Miscellaneous Business.

**CLMN VAUGHN:** Mr. Chairman, I move that we suspend with Miscellaneous Business this evening.

**PRESIDENT SUSTER:** All those in favor of not having Miscellaneous Business this evening signify by saying Yea.

AYES: Vaughn, Marincic, Nenadovich, Glenn, Suster

**CLMN DUDLEY:** Nay.

**PRESIDENT SUSTER:** I didn't get to the Nays yet. Pardon me.

**CLMN DUDLEY:** OK. Go ahead.

**PRESIDENT SUSTER:** We're in the middle of a roll call.

**CLMN DUDLEY:** Don't get bent out of shape, OK? Don't try to disrespect me, all right?

**PRESIDENT SUSTER:** I'm not disrespecting you.

**CLMN DUDLEY:** You can wave the hand all you want. You got a problem with that let me know.

**PRESIDENT SUSTER:** All those in favor signify by saying Yea. All opposed.

AYES: Vaughn, Marincic, Nenadovich, Glenn, Suster

NAYS: Dudley

ABSENT: Burke

**PRESIDENT SUSTER:** The record will show there were 5 in favor of it and 1 Nay.

**CLWN MARINCIC:** Mr. Chairman, I make a motion we adjourn.

**PRESIDENT SUSTER:** On the motion by Mrs. Marincic to adjourn the meeting all in favor signify by saying Yea. All opposed? The Meeting is adjourned.

AYES: Marincic, Nenadovich, Glenn, Suster, Vaughn

NAYS: Dudley

ABSENT: Burke

**MEETING ADJOURNED AT 7:14 p.m.**

**APPROVED:**

**RESPECTFULLY SUBMITTED:**

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Joseph Suster  
President of Council

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Barbara Molin  
Clerk of Council