

**MINUTES OF A REGULAR MEETING OF COUNCIL  
CITY OF GARFIELD HEIGHTS, OHIO  
Monday, February 8, 2010**

**MEETING CALLED TO ORDER AT 7:00 p.m.** by President Frank J. Geraci, Jr.

**INVOCATION BY:** Councilwoman Nancy Marincic

**ROLL CALL:**                   **PRESENT:** President Frank J. Geraci, Jr.  
Council Members Dudley, Marincic, Nenadovich,  
Sarnowski, Suster, Mahoney, Vaughn

**READING AND DISPOSAL OF MINUTES:**

Moved by Clmn SUSTER to accept the minutes of the Regular Meeting of City Council of January 25, 2010 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:**

**PRESIDENT GERACI:** We will now move on to the reports of the Mayor and the Directors. Mayor Collova.

**MAYOR VICTOR COLLOVA:** Thank you, Mr. Geraci and Council. Good evening. I just want to start off by saying that if you've been listening to the weather forecast you know we're supposed to get some heavy snow in the next couple of days. Any cars that are going to be parked illegally will be ticketed and so I suggest that you park in the drives. If you know anybody on your street let them know those cars will be getting ticketed.

I'll talk now about the legislation. On Ordinance 08-2010. This is a contract for the phone system the inmates use. This contract has been in place for a long time. It usually pays back to the city 22%. This year they are putting in a brand new phone system totally at their expense. This contract is dropping our 22% down to 15% for the next three years to help offset this new equipment. This reduction will cost us about \$235.00 a year in the contract so we think it's well worth it to get the new system. Also on Ordinance 10-2010 basically this is a housecleaning ordinance. This covers all the expenditures that we'll be going out for through the year and believe me, everything we're going out for will be scrutinized very closely. We're going for the best bids and the best prices that we can get from all the vendors. Resolution 06-2010. This is an amendment from the resolution that was put into effect at our last Council Meeting talking about the moratorium to prevent the disconnection of gas and electric utilities. This is a resolution asking Ted Strickland to support us on this. With that you have my report.

**PRESIDENT GERACI:** Thank you, Mayor Collova. Any questions for the Mayor? If not, we'll move on. City Law Director Mr. Tim Riley.

**LAW DIRECTOR TIMOTHY RILEY:** No report.

**PRESIDENT GERACI:** Any questions for the Law Director? We'll move on. Service Director Mr. Tim McLaughlin.

**SERVICE DIRECTOR TIM McLAUGHLIN:** Thank you, Mr. President. I'd like to give the snowfall report. Last year at this date there was 91" of snow on the ground that had been on the ground for the winter. So far this year there's 48.3". Last year we used 2,985 tons of salt. So far we've used 2,110 tons of salt. The high overtime, an employee who has 145 hours of overtime. Friday we went out at 6:30 and continued with the shift all the way until 4 o'clock on Saturday. During that storm during the night it got a little difficult to handle with the wind blowing, etc. We lost three trucks that had equipment failure that couldn't be repaired right away. We have an '89 truck that we keep just for those purposes--a 1989 truck that really should be gone but we keep it for a fill-in purpose and it helped us out till we got one of them back on the road.

Also in the last two weeks we've been working on cold patch, trying to get some of the bigger holes. We're trying to continue with that.

We had to do some sign replacements. Some of the parking signs, etc. that had been knocked down by snowplows, accidents, etc.

We've had the sewer jet out. It was cleaning some of the trouble spots. We try to do those every three months so we had the truck out trying to clean some of the trouble spots so we would not have any problems until hopefully spring when we can really get at it. That's the end of my report.

**PRESIDENT GERACI:** Thank you, Mr. McLaughlin. Any questions for Mr. McLaughlin?

**CLMN NENADOVICH:** Tim, the only problem I've had with this past snow was on 90<sup>th</sup> between Birchwood and Grand Division. That street's really slushy. A couple residents called about it. I don't know what you can do about it but they said it was really bad when it froze. It bounced them around a little.

**PRESIDENT GERACI:** Any other questions?

**CLWN MARINCIC:** I don't have a question for Mr. McLaughlin but could we go back to the Law Director, Mr. Riley? Because I just thought of something I meant to ask you.

**PRESIDENT GERACI:** If there's no other questions for Mr. McLaughlin then we'll go back to Mr. Riley.

**CLWN MARINCIC:** Mr. Riley, I read in the newspaper that there's a petition drive to change the fact that the city is going to put up traffic camera lights. Can they legally do this?

**LAW DIRECTOR TIMOTHY RILEY:** Yes, if they wanted to put up a change to the Charter to prevent it they could do that.

**CLWN MARINCIC:** But haven't we signed contracts already with this company?

**LAW DIRECTOR TIMOTHY RILEY:** Yes, we have.

**CLWN MARINCIC:** So what would happen? Could they sue us? Or what would happen?

**LAW DIRECTOR TIMOTHY RILEY:** We'd have to look at the contract and see what happens exactly under the circumstances because at that point we couldn't perform.

**CLWN MARINCIC:** OK. Could you look at the contract just in case they're successful with this?

**LAW DIRECTOR TIMOTHY RILEY:** Yes, that's something we could look into.

**CLWN MARINCIC:** OK. Thank you.

**PRESIDENT GERACI:** Any other questions?

**CLMN DUDLEY:** I'd like to ask the Law Director since she was on him already, Mr. Chairman. You're going to be a busy man tonight, Mr. Riley. I wanted to say everybody has the right to petition, etc. Like I said to me it's also a safety factor and they just happened to generate some new revenue in the process. No matter what you do as a city you're always going to have individuals who are going to choose to exercise their right. Just because they're exercising a right it don't mean that it's going to change. Am I correct? That it's not going to change as far as our program? They got the right to petition but that don't mean they're going to prevent the cameras from going in?

**LAW DIRECTOR TIMOTHY RILEY:** No, not at this time. There would be reasons they would be prevented from going in.

**CLMN DUDLEY:** I appreciate that.

**PRESIDENT GERACI:** Any other questions for Mr. Riley? If not, we'll move on. Finance Director Mr. Richard Obert.

**FINANCE DIRECTOR RICHARD OBERT:** No report.

**PRESIDENT GERACI:** Are there any questions for Mr. Obert? All right, we'll go on to Mr. Robert Dobies, Director of Recreation.

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** Mr. President and Council Members, good evening. Our futsal indoor soccer program is in the swing of things. We have approximately 200 participants this year. Practice started February 4<sup>th</sup>. The official season kicks off February 16<sup>th</sup>. All games are played at Garfield Heights Middle School. On Saturday January 30<sup>th</sup> our Free Skate (held by our Skating Boosters in conjunction with U.S. National Skating Association) was a huge success. It brought to our facility around 200 people ranging from youths to Seniors for a fun-filled afternoon. Although this event was free we had a very busy day at the concessions. I'd just to like to say thanks for all who came out to see what we're all about.

On Friday January 29<sup>th</sup> we enjoyed the company of the 7<sup>th</sup> Grade Middle School class. Approximately 90 students enjoyed our hospitality. Teacher Coordinator Ms. Hassings thanked the Rec Department and relayed what a huge success it was and everyone had a wonderful time. With that in mind, my staff and I entertained the idea of offering all Garfield Heights schools, plus surrounding community schools, the opportunity of doing a day at the rink as a different field trip and for an alternative to maybe a gym class. We have drafted letters to see if we can promote some interest in being within everyone's back yard.

Last, I remind all that the Annual Melt-Of-The-Ice Tournament is scheduled for this coming weekend, the 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup>. We have many local area teams participating from Toledo, Wooster, Canton, Pittsburgh and Buffalo coming. Please mark your calendars for an exciting weekend of youth hockey. Thank you. That concludes my report.

**PRESIDENT GERACI:** Thank you, Mr. Dobies. Any questions for Mr. Dobies? If not, we'll move on. Economic Development Director, Ms. Noreen Kuban.

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Thank you, Mr. Chairman. I just wanted to follow up on the Mill Creek Trail Meeting that we had on January 27<sup>th</sup>. I see a lot of residents here who attended the meeting. Our engineer and architectural firm had presented some conceptual plans of different alternatives for a trail. I know a lot of Members of Councils were there as well. It seems like we had a real positive feedback from residents and as we go to the next steps, I'll be keeping residents informed.

Second, Neighborhood Housing Services. We've been working with them and they will have a housing counselor available at the Civic Center once a week on Wednesdays. Last week was her first week that she was providing services for residents. This is available to anyone in the County or even outlying counties. Her name is Frances Cintron. I have cards for Members of Council. Ms. Cintron is also bilingual. She speaks Spanish and she'll be seeing clients or residents every Wednesday from 8:30 to 5:00. Her cell phone is here. Just call her on her cell phone and she will make arrangements with residents to meet.

I just got a flyer in from the Legal Aid Society of Greater Cleveland. If any residents are having problems with income tax issues and have low income, they are providing free legal services to County residents. I have information to pass out to Council about Ms. Cintron and the Legal Aid Society and I will leave copies up here for residents and for the Neighborhood News.

Our Tax Incentive Review Council this year will be held on March 16<sup>th</sup> at 9 o'clock in the morning so I'll be sending out notices to Council and I'll be working with the companies who receive tax abatements.

Finally, I'm looking at a Community Gardening Grant. It's a small grant but it's possible to get some small grant funding to do a Community Grant Garden. If any Council people have any ideas of areas that they'd like to have a community garden or if there are residents who are interested, please talk to me or get me the information. We'll probably want to use a Land Bank lot, a property that the city owns, but we'd like to get a couple of Wards involved. Hopefully all seven Wards in the future. That concludes my report.

**PRESIDENT GERACI:** Thank you, Ms. Kuban. Any questions for Ms. Kuban? If not, we'll move on. Building Commissioner Bill Wervey.

**BUILDING COMMISSIONER BILL WERVEY:** No report.

**PRESIDENT GERACI:** Any questions for Mr. Wervey? If not, we'll move on. Are the students here? No. OK. Unfortunately.

**CLWN MARINCIC:** Mr. Chairman, I move that they get a detention for not showing up.

**PRESIDENT GERACI:** That comes from Clwn Marincic.

### **COMMENTS BY CITIZENS:**

**PRESIDENT GERACI:** Comments from the Citizens On The Agenda. Does anybody have any comments on the agenda? I'll read the rules. Comments shall be strictly limited to a brief statement not to exceed five minutes with comments limited to legislation on the current evening's agenda and no citizen shall speak more than once.

Steve Prokay, 9801 Sladden Avenue. I'd like to find out if I could have a question about this ordinance about the garbage. Is that the correct place? I really don't know a whole lot on it. I haven't seen it or anything, but I want you people to be aware of my situation as well as other constituents and people in the community. I cannot afford one penny to buy a garbage can lid, to buy a garbage can, to worry about where I'm going to place it behind my garage because my fence is there. I find it very indignant that we're doing government plans, as she just mentioned about growing vegetable gardens. That's probably not a bad idea because I can probably use that in the future to try to exist. What I'm trying to say is my Social Security has told me that for two years because of the road I'm not going to receive a penny. Now I have diabetes, severe. I have a heart blockage 90%. I cannot afford one penny to be added to my taxes or to be spent because I cannot get a job. I come here this evening to try to figure out if all you people can tell me how I can keep up with this economy as far as taxes, new programs and things unless I go under the table somewhere which at my age is very rare to do. It will be a deficit for me always. I have no way of even getting a penny to buy the garbage lid and then I don't understand, Mr. Collova, or maybe you can tell me, Mayor? Does this mean we don't use plastic bags any more?

**MAYOR VICTOR COLLOVA:** My understanding, and the sponsor of this could answer better but my understanding on this legislation is that what we're trying to do is keep the rubbish out of sight--number one when it's being stored and I think you can understand that people don't like to look at rubbish. That's something you wouldn't disagree with I'm sure.

**MR. PROKAY:** If you only put it on the curb the day before collection?

**MAYOR VICTOR COLLOVA:** We're talking about the rubbish that is being stored waiting for rubbish day. That's what that part of it is. In other words if you got rubbish and your rubbish collection's on Wednesday and you put rubbish out on Monday we want it out of the way so it's not in view of people.

**MR. PROKAY:** Who would put it out on Monday if you collect Wednesday?

**MAYOR VICTOR COLLOVA:** I'm talking about you don't keep it in your house. If you have a bag full of rubbish do you keep it in the house or do you keep it outside?

**MR. PROKAY:** I put it outside.

**MAYOR VICTOR COLLOVA:** That's very good.

**PRESIDENT GERACI:** Mr. Prokay, would you speak into the microphone please?

**MR. PROKAY:** I can't hear him.

**MAYOR VICTOR COLLOVA:** I'll talk louder. Can you hear me? What this is about again, is when you take your rubbish outside to store it until you're taking it out on rubbish day. You keep it out of sight. The other part of it is they're asking in this legislation to put it in a closed container so it's not ripped apart by rodents, cats, etc. They are just asking to make that part of it more manageable for the neighbors and other people. Some people take their rubbish and they just throw it outside and then the cats, etc. is opening up the bags and the rubbish is laying there in full sight of everyone and it makes the entire city look bad. We're asking that you try to put it in a place where it's not visible and to keep it in containers so that the rodents can't get to it. That's the part of the legislation that I understand.

**MR. PROKAY:** OK. Is there going to be a cost? I pay taxes already for my house. Are you going to provide us those containers to put in that we don't have now? I take my garbage and put it in the garage. I don't have rodents in the garage. Are you going to pass along the cost to most of the 40% to 50% of the citizens that are on Social Security in this community? Or are you going to further the dominance of the past not being able to afford that to either get a second mortgage or at my age to get the payments where reverse mortgage and wind up 10 years later being thrown out of your house? What I'm trying to say is that you cannot take this cost unless you're going to provide this to me because I have no funds.

**PRESIDENT GERACI:** Mr. Prokay, can I interrupt you? You have 30 seconds to wind it up.

**MR. PROKAY:** In the beginning of that prayer that you people talked about when you started the prayer meeting you said the people that are not. I'm trying to express to you not. If that's not good enough for you then you don't understand.

**CLMN NENADOVICH:** Sir, Mr. Prokay, I'm the sponsor of this legislation. The legislation came about because a lot of residents were complaining about the fact that their neighbors would open their side door on the driveway side of the house, take a trash bag, drop it out the door, place the trash out there and all week this trash sat between the two homes. In a warmer climate people would open their windows they would be smelling trash that was not contained in a can. It was in a plastic bag and eventually the animals ripped it open but the people who put the trash out there weren't courteous enough to their neighbors to clean it up, put it in another plastic bag, put it in their garage out of sight so that the neighbors didn't have to smell it.

**MR. PROKAY:** If you put your garbage on your lawn before six o'clock, and some people do, you spent money to make legislation about that. I didn't see anybody coming around and taking a picture and fining anybody.

**CLMN NENADOVICH:** This isn't about putting your trash out too early.

**MR. PROKAY:** I understand, but people have to be responsible.

**PRESIDENT GERACI:** Mr. Prokay, let me interrupt you. We're going to put this into committee and discuss it further so we can look into this.

**MR. PROKAY:** I'd appreciate that. I didn't know if you knew the seriousness of this.

**PRESIDENT GERACI:** Based on what you're telling us tonight we're quite aware of it now. Thank you very much.

**MR. PROKAY:** Thank you.

**CLWN MARINCIC:** Mr. Chairman, can I add one thing? Mr. Prokay, you're not the only one that feels that way. That's why we're putting this into committee.

**MR. PROKAY:** I thought this was something you people were going to decide on tonight.

**CLWN MARINCIC:** Normally it may be but a lot of people have contacted us. Some times it is decided. Some times it's not, but Council has already decided to place this piece into committee because so many people have questions and concerns just like yours.

**MR. PROKAY:** I appreciate that because the government doesn't understand. They say the cost of living did not rise. It did for me. I go to CVS and buy milk at \$2.19 and at Giant Eagle it's \$3.98. The cost of living went up for me.

**CLWN MARINCIC:** I agree.

**MR. PROKAY:** If you people pass taxes on to me I've got a real problem if my tax bill goes up because the city needs money instead of approaching the government and asking them to help these people if I make it shortly in 30 seconds?

**PRESIDENT GERACI:** OK.

**MR. PROKAY:** The problem being our great Governor of the State of Ohio decided the people that are disabled, they decided with the HEAP Program that the people that are disabled like myself and veterans that are disabled no longer get the help that they were getting before. I've looked into it and I tried to find out why. I got a hold of Mr. DeBose and I've called everybody but the President himself.

**PRESIDENT GERACI:** Mr. Prokay, I'm going to cut you off again.

**MR. PROKAY:** I'm trying to make a point.

**PRESIDENT GERACI:** I know you were.

**CLMN DUDLEY:** I'd like to make a motion that we extend his time by two minutes.

**PRESIDENT GERACI:** OK. You're extended for two minutes. Roll call please.

AYES: 7

**PRESIDENT GERACI:** Go ahead.

**MR. PROKAY:** Thank you very much. I don't know your name, but thank you very much.

**PRESIDENT GERACI:** You're welcome.

**MR. PROKAY:** The point I was trying to make. I looked into it for three years now. My Council lady knows about it. I've not been able to get any help. I was getting a \$546.00 supplement for my heating bill. Last year they said the disabled and veterans no longer get that help. Why? Because they took a survey out of town that police and fire people get pensions and why shouldn't they also get the same thing as the disabled and the veterans do? That was not fair but that's what happened. I haven't been able to find out where the monies went yet but now with this situation with not getting a raise, not being able to afford it, I've almost had my gas turned off. I'm glad you people did this ordinance, but it's kind of late because for two months I didn't have any. I had to choose between pills and pain, etc. especially now, but there's people, even in this room, that get a pension, a buyout and a salary. And I get nothing. Thank you very much.

**PRESIDENT GERACI:** Thank you, Mr. Prokay. Is there anybody else?

Mildred Whitmore, 13154 Forestdale Drive. I just wanted to ask you something about this trash placement. You're not talking about when you put your garbage out on the tree lawn for them to pick up the next day, are you? You're not talking about it? In other words I can still put my garbage in plastic bags the night before? Because when you put those garbage cans out there they're in the street, the lids are all run over. You can't buy a separate lid to go on a can once it's gone. Like me, I'm 75 years old. I'd have to drag that garbage out and I don't think I should have to drag a container out there and have to go back out there and get the container because with the snow and the ice you could fall and break your behind. I know what you're talking about people putting their garbage out. Because the lady next door to me she got a garbage can sitting in the front yard, right under the windows. That's where it sits all summer long. Two houses over you're looking out at people's garbage on the side of the house. I can understand that, but I just wanted to make it clear that I put mine out in a plastic bag and if anything is left out there then I go out there and clean it up. That's what everybody else needs to do.

**PRESIDENT GERACI:** Thank you. Are there any other residents who wish to speak on the agenda? We'll move on. Committee Reports. Are there any tonight? Just for a point of information, Ordinances number 7, 9 and 11 are going to be placed into committee if you want to make a note of that. Number 9 will be put into the Legislative Committee, and number 11 will be put into the Finance Committee. Does everybody understand that?

**COMMITTEE REPORTS:** None.

**PRESIDENT GERACI:** We'll move on to the Ordinances and Resolutions.

**ORDINANCES AND RESOLUTIONS:**

**ORDINANCE NO.: 07-2010**

AN ORDINANCE AMENDING CHAPTER 725 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS, OHIO WITH RESPECT TO THE IMPOSITION OF AN AMUSEMENT TAX AND DECLARING AN EMERGENCY.

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 7

Motion to PLACE INTO FINANCE COMMITTEE:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0. That will be put into the Finance Committee.

**ORDINANCE NO.: 08-2010**

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE CONTRACT FOR INMATE PAY PHONE TELEPHONE SERVICES, WITH THE GLOBAL TEL\*LINK CORPORATION (GTL), PER THE ATTACHED AMENDMENT TO INMATE TELEPHONE SERVICE AGREEMENT.

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

Motion to SUSPEND THREE READING RULE:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

VOTE ON ADOPTION:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

**ORDINANCE NO.: 09-2010**

AN ORDINANCE AMENDING SECTION 1411.11 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS RELATIVE TO THE STORAGE PLACEMENT OF TRASH CONTAINERS.

Moved by NENADOVICH to CONSIDER BY TITLE:

AYES: 7

Motion to PLACE INTO LEGISLATIVE COMMITTEE:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

**ORDINANCE NO.: 10-2010**

AN EMERGENCY ORDINANCE AUTHORIZING THE COMMISSIONER OF PURCHASES AND SUPPLIES AND/OR THE MAYOR OR HIS DESIGNEE TO ADVERTISE FOR PROPOSALS FOR VARIOUS MATERIALS, SERVICES AND SUPPLIES FOR THE YEAR ENDING DECEMBER 31, 2010.

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

Motion to WAIVE RULE 24:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

Motion to SUSPEND THREE READING RULE:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

VOTE ON ADOPTION:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

**ORDINANCE NO.: 11-2010**

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE POLICE CHIEF OR HIS ASSIGNEE TO PURCHASE FIVE (5) DODGE CHARGERS –LXDH 48 POLICE CARS AT A TOTAL COST OF ONE HUNDRED THREE THOUSAND SEVEN HUNDRED SEVENTY-FIVE DOLLARS (\$103,775.00) THROUGH BOB CALDWELL CHRYSLER, JEEP DODGE, AN APPROVED VENDOR UNDER THE STATE OF OHIO DEPARTMENT OF

ADMINISTRATIVE SERVICES STATE BID CONTRACT INDEX NO. GDC-050, BID CONTRACT NO. RS901410 (10-31-10).

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

Motion to PLACE INTO FINANCE COMMITTEE:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0. That is put into the Finance Committee.

**RESOLUTION NO: 06-2010 (AMENDED)**

AN EMERGENCY RESOLUTION ASKING THE GOVERNOR OF THE STATE OF OHIO TED STRICKLAND TO ISSUE AN IMMEDIATE MORATORIUM TO PREVENT THE DISCONNECTION OF THE GAS AND ELECTRIC UTILITIES AFFECTING CITY OF GARFIELD HEIGHTS RESIDENTS, FROM JANUARY 25<sup>th</sup>, 2010 TO MARCH 31<sup>st</sup>, 2010, WITH A RENEWAL TO BEGIN ON NOVEMBER 1, 2010 TO MARCH 31, 2011.

Moved by SARNOWSKI to CONSIDER BY TITLE:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

Motion to SUSPEND THREE READING RULE:

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

VOTE ON ADOPTION:

**CLMN DUDLEY:** Before I vote, I just wanted to mention that what we voted on last time the only difference was my colleague, Councilperson Debra Sarnowski, brought it to my attention that it would have left the part out from this year and it would have gone straight to November. It wasn't intended to start in November 2010. I had an error on my part. So the correction was made. Like I said we needed it because like I said, they're just flying around in the area. You see East Ohio Gas, Dominion just riding up to the door while people are at work. They come home and their gas is off and they get you on a Friday so it stays off for the weekend and your pipes is going to bust. Then like the gentleman was saying if you're on a fixed income and you don't make your planned payment they got the right to cut your utilities off. So we definitely needed this and I vote Yes.

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

**COMMENTS BY CITIZENS:**

**PRESIDENT GERACI:** We'll now move on to Comments by Citizens. These are the rules. Comments shall be restricted to any problem a citizen has which has previously been submitted to his 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 the Comments from Citizens at a future meeting. It is the intention of the rule that no

request of a first nature be presented on the floor at this time. Comments shall be limited to five minutes and no citizen shall speak no more than once. Are there any residents wishing to speak tonight?

David Mays, 8250 Green Drive. Last Council Meeting I made a suggestion that we move parking violators up to \$75.00. I have reconsidered that. Parking violators should be \$75.00. Snow parking violations should go to \$100.00. You want to stop it. That's the way to do it. That's the way to raise money also. I was the one that put this on everybody's desk up there (*an article from The Cleveland Plain Dealer dated 01/23/2010*). The city of Cleveland had a brilliant idea. Too bad Garfield couldn't think about it. Writing tickets on garbage set out early. The city of Cleveland, even if they only got half or a thousand tickets paid, made \$75,000.00. If we only get 100 tickets paid we've made \$7,500.00. Other cities give out tickets for cell phones. I'm sure Garfield could make a lot of money on that. Other cities give out tickets for texting while you're driving. Garfield could make a lot of money on that too. Instead of thinking about raising taxes, cutting tax credits, charging people for garbage, start thinking about something like this first. Then if you have to do it I don't think many people would be upset if we tried all the other avenues first. But don't jump in and start taxing citizens without trying something like this up front, because if you do there's going to be a lot of problems.

**MAYOR VICTOR COLLOVA:** If I can respond? Dave, we are looking at every way of bringing money into the city. It's certainly no secret the financial problems that we have. The problem that we're facing is that every suggestion made, or 95% of the suggestions made, have a direct financial impact on the residents. And what we're trying to do is try to find ways of bringing in money outside of the residents. That's why we're going after the vendors for different contracts, etc. We could charge people for leaving their rubbish out and I think they are wrong for doing this and they probably should be ticketed. But again we're going after our own people for more money when they're already paying enough. If we could find other ways of bringing in revenue that's what we're looking for first. We will have to go to the people. That's not a secret. It's going to happen. But we want to make sure that we're tightening up as much as we can outside of our residents.

**MR. MAYS:** OK. I'm not disagreeing with you, OK? But the people who set out their rubbish on Saturday night or Friday morning for a Monday morning pickup are not part of the community. They're a problem for the community. The people who park on the street every night, seven nights a week, don't care about snow removal. Don't care about anything else. They are not part of the community. They're walk-ins. They're live-ins and they move out. This is what I'm talking about starting to raise money. I'm sorry I'm on a fixed income too. I'm retired, OK? But when I see people breaking the law and not getting punished for it severely. If you do this, you're doing two things: one, you're going to raise money but you're also going to clean up the city. When you clean up the city you're going to get more people in. The second thing is if you start raising taxes without trying other things like I just mentioned you've put a nail in the coffin for the school system of the levy that they are going to put on. You start raising taxes I guarantee you that levy will fail. When that levy fails it's going to cost people in the city of Garfield their jobs. That's going to cost the city money. It's going to stop people with young families from moving into Garfield who care about their cities. They're not going to move into a city that is outrageously taxed, the schools are going down. They're not looking for that. They're looking for a nice place to move into with their young families. They're going to be the ones that pay the taxes. When you eliminate those people you've condemned this city.

**MAYOR VICTOR COLLOVA:** Let me ask you this, Dave. I agree with you that we have to bring in money in different ways. You believe charging for rubbish, which we should be doing and will be doing, charging for parked cars, which I told you at the beginning of this meeting will be happening tonight or tomorrow night. Do you think that's going to bring us in the money that's needed?

**MR. MAYS:** I'm not saying charge for picking up rubbish. I don't want that. I want to see people who are setting out rubbish 24 hours in advance. I want them charged.

**MAYOR VICTOR COLLOVA:** I agree with you. People that put out their rubbish at times it's not supposed to be out I agree with you should be ticketed. I don't have a problem with that. Also just like I said earlier I don't have a problem at all, we've already directed the police force to start ticketing illegally parked cars. Make a concerted effort to do it. We're going to do it. The reality is that's not going to fill a \$1.4 million or higher gap. That will bring us in \$50,000.00 or \$60,00.00 and we need it. We're not going to give it back but I'm saying it goes further than that. You can't see it or make it sound like if we start doing this we don't have to go to the residents or we don't have to lay off. What you're talking about is a very small part of it but I agree with you that part of it is going to be covered.

**MR. MAYS:** I never said we wouldn't have to raise taxes. I said then if you raise taxes I can truly say to myself OK, the Mayor and the Council have done everything in their power to raise the money. I know it's not going to fill that \$1.4 million gap but you've done everything in your power to raise the money without coming to me first. Then if you have to come to me I'll be the first to stand up and say hey, you did everything you can to raise the money so I got to pay more taxes or else I have to move or the two.

**MAYOR VICTOR COLLOVA:** Dave, I can guarantee this body that if we have to go to the people it will be fully reported on what cost savings has taken place before doing that. Trust me. There's not going to be any hidden agenda. We're going to let it be perfectly known every penny that was saved or we're trying to save through every means including park tickets, etc. before we go to the people.

**MR. MAYS:** I've mentioned this before, last year, about charging people for putting out garbage early. There's nothing done about it. It hasn't been addressed. It's been brought up before about cell phones. That has not been addressed.

**MAYOR VICTOR COLLOVA:** I'd go broke.

**MR. MAYS:** I'm not talking about you.

**MAYOR VICTOR COLLOVA:** I'd be the most ticketed guy in town. These are good suggestions and the kind of suggestions we need and I appreciate that. I just want everybody to be aware that we're doing everything we can to save money. Trust me when I say I'm more than happy to bring anybody in my office to look at the cost savings we've been doing, how much money has been saved, how much staff is down. I have people in my office right now telling me we need three more people in Finance, we need 10 more people in Service, there's some people saying we need more police. It can't happen. We may need it but it can't happen. It's not going to happen. What we need to do is we need to do just like you said we need to take care of all our small business to trim all the fat we can and report that to the people. What I want the people to know prior to going to them for a penny is that we have taken every step available to us to stop that from happening. If we have nowhere else to go that's when we'll go to the people. I agree with what you're saying.

**MR. MAYS:** When you start doing things like I've talked about tonight then I'll agree with you that you've done everything that you can. But until you do that I don't think so.

**PRESIDENT GERACI:** Thank you, Dave.

**CLWN MAHONEY:** Mr. Mays, I wanted to thank you for your contribution to the women on Council tonight. Thank you.

**PRESIDENT GERACI:** Are there any other residents?

Carisa Salee, 13402 Christine Avenue. With regard to the question the gentleman had regarding parking. Will that apply only to residents or that also apply to say someone who is coming to visit you and they're overstaying past three o'clock? Would they be fined as well?

**CLMN SUSTER:** Nine out of 10 times if you call the police department and you tell them what's going on they're not going to get a ticket.

**MS. SALEE:** OK. My next question regards Mr. Dudley's proposal for help for the residents for their heating bills. Once the residents get past that timeline for pushing the gas bill back when their bills come due when that timeline ends will the residents have to pay everything that they've been pushing back at one time?

**CLMN DUDLEY:** I talked to not Ms. Bronson, but the other lady. What it does a lot of time your most critical months is your months between November 1<sup>st</sup> until the end of March because April it gets a little warmer outside. You don't run the risk of the pipes freezing. I'll be honest. Some times people can make it to the month of April and I know some residents they say, hey, if they cut off I got time to build it up and get my gas back on time what it does for them it don't just push it back. A lot of times when you get to that point you still go in to a payment plan. Some people, once they get their taxes they're able to make up the difference before they go on there. Say you was only paying bare minimum like \$175.00 to keep your utility open from November 1 all the way up until the month of March? When you get to the end of March then all of a sudden if you go into a payment plan because it's summertime you'll give out \$200.00 or something and they'll work with you. They work with you throughout the summer months. If you have to lose that utility I think a heating utility you don't want to lose that at all but you're better off if you have to lose it in the month of April because you don't run the risk of the pipes freezing. Some people just work. I know a couple residents they will work electricity for a couple months and get their gas back on in all honesty about the month of July. My biggest worry is somebody in the winter months trying to stay warm and they run all these extension cords like the Chief had told me one house they went into and there was extension cords running all over the house or something. The house caught on fire and they were overloaded those sockets trying to keep their family warm. So I'm really concerned about somebody dying or the children or loss of life period during a fire in winter. Either they make it to the month of April or some residents tell me once they get their income tax then they're able to do something about a utility. So they are well set when it comes around the month of March and they get a balloon payment of around \$300.00 to \$400.00 and then go on a payment plan for the rest of the summer they can do it but the biggest thing being hurt because when they cut it off in the month of December they just don't have the money to do it and then your pipes freeze up. They burst in the basement and you ain't worried about your heating now you're worried about a plumber situation, which is really going to go up in your pocket. So it's just to get them a little time to work their finances together, you know?

**MS. SALEE:** I'm not disagreeing. I'm saying that's a good program but for some elderly that do have set fixed incomes when that bubble comes a lot of them still will be in a position where they don't have the funds to pay that up so my question was is there a plan for someone who is on fixed income who won't be able to meet the HEAP or whatever that new set plan is?

**CLMN DUDLEY:** I wanted to mention something about the Seniors and I have done it for the Seniors in Ward 1. We have something that is coming up and I do it a lot for them. We have individuals that we have area managers that we can call and talk to from the Illuminating Company and Dominion. A lot of times the Seniors are on fixed incomes and they have payments like \$19.00. As long as they make the \$19.00 payment even when they pay \$19.00 (I can't mention any names) basically year round and I know it's building up and God forbid, but when they pass they're still paying that \$19.00 until the day they go so it don't really hurt the Seniors and many of them run into that situation. Some of them have called me because they couldn't afford to pay \$25.00 and they paid \$20.00 and the Illuminating Company gave them a hard time. It only takes one phone call and I've always been able to straighten it out. Seniors are not going to be disconnected. They got \$19.00 a month. That \$19.00 is almost a year-round program for a majority of them. They're pretty well covered. I won't let none of them lapse, etc.

**MS. SALEE:** The reason I ask is there was a resident like that in the neighborhood living near me and she was on a program and the program ended. Her gas still ended up getting cut off two months later because she wasn't coming up with the payment. So that's the reason why I asked.

**CLMN DUDLEY:** I wish she would have gave me a call. Next time something happens to your Seniors feel free to call me.

**MS. SALEE:** Thank you.

**CLMN DUDLEY:** Thank you for coming tonight.

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Mr. Chairman, may I make a comment about utility bills? Both the gas and electric company have programs. It's called P.I.P.P. (Percentage of Income Payment Program). What they do is they look at your income, you pay a percentage of your income toward your utility bills. You're still responsible for the full amount but you only have to pay a percentage of your income. What a lot of people do is they pay that throughout the year and like Clmn Dudley said if they are getting an income tax check in April or May they pay off the balance of their utility bills at that time. I hope that might help some people. Thank you.

**PRESIDENT GERACI:** Thank you, Ms. Kuban. Any other citizens?

Steve Prokay, 9801 Sladden Avenue. I wanted to help out with the lady because she asked a genuine question. I was through that same thing, ma'am, and I think what you were trying to ask them and they didn't understand was the balance on my bill was like \$800.00 that I owed them. I got on PIPP and once you're on PIPP for the whole year if you pay your payment for two years your balance of what you owe goes down 33 and a percent. After three years it goes down to 50% and after four years you owe nothing. You don't have to worry about what the balance is. You don't have to use your income tax money. All you have to do is make that payment each month. And after three years the fourth year there's no balance. I went through the same situation. My PIPP payment now is \$103.00. I was getting \$400.00 bills. OK. So now that I'm on PIPP I worked my whole life and I finally got to the figure where I was eligible for it. The years I wasn't before they cut me out of the program which I explained earlier to answer her question you don't have to take your income tax and pay the balloon payment. If you get on PIPP, make your payment, after four years your balance wipes itself out. If you want to find out about that call the gas company. Ask for a lady named Kathy. I can't remember her last name but you don't have to worry about that. You can get that eliminated from your bill. I hope that helps you out?

**PRESIDENT GERACI:** Thank you, Mr. Prokay. Are there any other citizens wishing to speak?

Carol Cieplowski, 4941 East 93<sup>rd</sup> Street. I don't have a complaint. Ms. Kuban, you stated about the income tax. Where is that held? The reason I'm asking is I have been doing income tax here at the Senior Center for 10 years and we do it for Seniors, lower income families, anyone. We're not going to do it for somebody with a \$300,000.00 income or something but we do everything here by trained professionals. I'm trained by the I.R.S. and then I'm also a teacher.

**PRESIDENT GERACI:** This is through AARP?

**MS. CIEPLOWSKI:** AARP pays for this whole program with the IRS. We do about 35 to 45 returns a day. We do them upstairs here. Anybody's welcome to come on Fridays and see how we operate. We e-file them and all this is done with no charge. I also work at Maple Heights. We do them there. They do them in Bedford, Warrensville, all over the place, Shaker. It's a free program and it's done professionally and it's all e-filed at no charge to any Seniors.

**PRESIDENT GERACI:** I just had mine done today in Brooklyn.

**MS. CIEPLOWSKI:** I did put a little notice in the Neighborhood News about it. I don't know if anybody saw it or not? It was under AARP News and I asked if they would run it again for another week but you just

call the Senior Center here or the Maple Heights Senior Center in this area and we'll do your income tax for you.

**PRESIDENT GERACI:** Thank you, Carol.

**MAYOR VICTOR COLLOVA:** I was just going to say that I realized that that was going on but what we should do is we should put this on the scroll or something. We should make this available so all the residents know about it. That would be a good idea. Noreen?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Yes, I can do that. You're referring to the AARP program. This is in reference to people who are having a legal dispute with the IRS and if they need legal assistance there are attorneys who will do work for free. It's a slightly different issue but it all relates to income tax and I can put that on the scroll. And I know our appointments for AARP taxes are booking up quickly.

**PRESIDENT GERACI:** Any other citizens wishing to speak? Any other citizens wishing to speak? If not we'll move on. Miscellaneous Business. Clmn Dudley?

**MISCELLANEOUS BUSINESS:**

**CLMN DUDLEY:** You didn't save the best for last? I'm going to do two things. I'm not going to go through the entire letter but I wanted to let you all know that the RTA situation didn't fall on deaf ears. I received, and I'm quite sure other Council Members in our local government, back from Senator Nina Turner. She did hear the prayer that the people was asking about and was going through changes because they cut the routes, etc. not just in Garfield but throughout Cuyahoga County and I'd like to read one line. She says, "I'm deeply concerned that these cuts will have a detrimental impact not only on the people's ability to travel throughout the region but also on the overall economic and social health of the County" with them RTA cuts and like I said we still hear from that gentleman that lives on Rockside that made a strong push on that. I still say today it is wrong what RTA done. I think they could have found possibly another way but I think it really hurt a lot of people when that was their only means of transportation back and forth to work. Sure enough some of them will lose their job or they're going to be out there late at night walking all the way from almost 93<sup>rd</sup> and Broadway all the way up to almost Granger Road to get on another bus to get home.

I also wanted to mention and also extend an open invitation to everybody. We are having our Fourth Annual Black History Program. It's going to be a lot of good entertainment. It's going to be held at the Family Life Center at 13455 Dressler Road. It's going to be on the 16<sup>th</sup> of the month. There will be refreshments. I'll tell you it is probably going to be one of our best programs. We have it every year and it becomes better. This year's actually going to be better. I would like to have a misconception cleared up. Some people think that Black history is just about African-American people. That's not true. There's a lot of people of different nationalities that came in and helped the African-Americans to get to some of the points where they are today. A lot of them gave their lives and they wasn't necessarily Black. A lot of people don't realize that. Even dating back to almost to what I call it the "cowboy days" but I say back to the 17<sup>th</sup> century and 18<sup>th</sup> century coming up, you know? So you all are more than welcome to come and bring your families. I guarantee you you will enjoy yourself. That's all I have Mr. Chairman.

**PRESIDENT GERACI:** Thank you, Councilman.

**CLMN DUDLEY:** It's on February the 16<sup>th</sup>. It will be at 6 p.m. at the Family Life Center which was formerly the Roosevelt Elementary School, I believe.

**PRESIDENT GERACI:** Councilwoman Marincic.

**CLWN MARINCIC:** I just want to make a couple of comments about this City Council and our new Mayor. I have never seen this City Council work so well with a Mayor before in my life and our Mayor, I'm very proud of you. His attitude. I feel so comfortable going in and talking to him. His door is always open. In regards to the city's budget he has been tenacious. Rest assured if this City Council has to go to the residents for anything it's not because we haven't left a stone unturned and on every single thing we possibly could. He's found cash in places I didn't realize was there. I've been really, really impressed with him and I just want you to know that. Secondly, did the candy come from you, Mr. Mays? It was you. Thank you very much. I have a Valentine. That's all I have.

**PRESIDENT GERACI:** Councilman Nenadovich.

**CLMN NENADOVICH:** Ditto on what Ms. Marincic said.

**PRESIDENT GERACI:** Councilwoman Sarnowski.

**CLWN SARNOWSKI:** Thank you, Mr. Mays, for the Valentines. Happy Valentines Day for everybody. Also, Mr. Riley, we used to get tallies of all the ordinances and resolutions at the end of the year saying how they were disposed of or passed, etc. Can we start that up again?

**LAW DIRECTOR TIM RILEY:** Sorry. What do you need?

**CLWN SARNOWSKI:** We used to get tallies of all the resolutions and ordinances from the past year. It was easy to look up if we were looking up an ordinance or a resolution. Just everything that we created throughout the whole year.

**LAW DIRECTOR TIM RILEY:** It would be like an index? Is that what you're asking?

**CLWN SARNOWSKI:** A whole tally. If it was withdrawn, failed or passed or put in committee. It was always marked like that. If you could rectify that, that would be great for us.

**LAW DIRECTOR TIM RILEY:** All right.

**CLWN SARNOWSKI:** Thank you. I have nothing else.

**PRESIDENT GERACI:** Thank you. Councilman Suster.

**CLMN SUSTER:** Number one I'd like to commend Councilperson Marincic on her invocation this evening and I hope a lot of people paid attention to it. Number two tomorrow night in the Caucus Room we will have a Finance Meeting. We'll be discussing the Recovery Plan, Financial Planning and the Supervision Committee and also we'll be discussing Ordinance 11-2010 which was put into the Finance Committee this evening.

Council has one house cleaning item that we have to do yet and it's always been the practice that we have a Sergeant-at-Arms. And it was always the Recreation Director. At this time I would like to make a motion that we put Mr. Dobies as the Sergeant-at-Arms.

**CLWN MAHONEY:** I'll second that motion.

**PRESIDENT GERACI:** Roll call.

**CLWN MARINCIC:** I think he's capable. Yes.

AYES: 7

**PRESIDENT GERACI:** That passes 7-0.

**CLMN SUSTER:** Congratulations.

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** Thank you for your confidence. That means I have to go back to the gym now.

**CLMN SUSTER:** The next thing is. I know I talked to Mr. McLaughlin about it prior to this so maybe the Mayor can get involved. You know, we used to have a representative from CEI or First Energy that came to our meetings and I mentioned to you about the streetlights and you are saying that they have a problem and they're not going to be able to do any of these lights for possibly a month or longer. I think maybe if we had Ms. Goodson come to a meeting and hear some of the concerns that people have because of the amount of lights that are out throughout the city, maybe we can get them fixed?

**SERVICE DIRECTOR TIM McLAUGHLIN:** I can give her a call. Her request was that they be put in 10 at a time because I guess they're backed up and they don't have enough people to do it. But I've been putting them in 10 at a time and we have gotten some response out of the 10 at a time but I think there's about 80 out. I can get hold of her tomorrow and see what we can set up.

**CLMN SUSTER:** OK. One more thing. I don't know if anybody saw in this morning's paper that RTA is going to put in a corridor like the Euclid Corridor in Shaker Heights. When I read that the first thing that came to my mind was about all these routes that they're discontinuing. I don't recall the exact how many millions of dollars this is going to cost just to go through Shaker Heights but I guess if Shaker Heights wants it, RTA will do it, but I think here again, I think there needs to be put up a piece of legislation, Mr. Riley, going to RTA and telling them specifically if they have money for this thing to go through Shaker Heights that it would behoove them not to cut anybody's service whether it's in Garfield Heights, Maple Heights or anywhere else. That's it.

**CLMN VAUGHN:** Real quickly, I want to comment on a news item that ran last Monday night on Channel 8 Fox News about the gentleman that had his car stolen from behind St. Monica's with the wheelchair and the oxygen. The police are investigating. We've had some other incidents up there where kids are going through cars during meetings, etc. and Garfield Heights police have been sitting up there watching. They kind of have an idea who it is, but they want to catch him in the act so anybody that's up there that's going to be attending anything, lock your car, take your keys with you. They're going to get this problem solved. Jerry Chapple's a great guy and one person you don't want to see this happen to. St. Vincent de Paul, I believe, is coming through with a wheelchair for him the last I heard. These kids are going to get caught. Father Haren wanted me to let everybody know they want that area to be a safe zone and they are going to do everything they can. Thank you, Mr. Collova, for allowing the police to go up there and sit to see if they can take care of this problem. With that I make a motion that we adjourn.

**PRESIDENT GERACI:** Roll call.

AYES: 7

**PRESIDENT GERACI:** That passes 7-0. The next Regular Council Meeting will be February 22<sup>nd</sup> at seven o'clock. Meeting adjourned.

**MEETING ADJOURNED AT 8:08 p.m.**

**APPROVED:**

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Frank J. Geraci, Jr., President of Council

**RESPECTFULLY SUBMITTED:**

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Barbara Molin, Clerk of Council