

**MINUTES OF A REGULAR MEETING OF COUNCIL**

**CITY OF GARFIELD HEIGHTS, OHIO**

Monday, March 10, 2008

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

**INVOCATION BY:** Councilman Michael J. Abella. Jr.

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

**EXCUSED:** Mahoney

**CLMN SUSTER:** Mr. Chairman, I would like to make a motion to excuse Councilperson Mahoney this evening.

AYES: 6

ABSENT: 1

**READING AND DISPOSAL OF MINUTES:**

Moved by Clmn SUSTER to accept the minutes of the regular meeting of City Council of February 25, 2008 as submitted. The minutes were accepted with six YES votes.

**WRITTEN COMMUNICATIONS TO COUNCIL:** None.

**LEGISLATION OUT OF COMMITTEE:** None.

**REPORTS OF THE MAYOR AND DIRECTORS:**

**MAYOR THOMAS LONGO:** Good evening, Mr. Wagner and Members of City Council. Let's get right into the heart and soul of our meeting tonight. I would like to defer this portion of my report to our Service Director Tim McLaughlin to give us his snow report.

**SERVICE DIRECTOR TIMOTHY McLAUGHLIN:** Last year at this time there was 64" of snow. Salt used last year was 5,556 tons and the top overtime was 101 hours. This year so far is 66.9", 5,499 tons of salt and 135.5 hours of overtime. The weekend storm we figured about 18". We had one to two inches per hour for a while. We worked 41 hours straight from Friday until last night. We only used 197 tons of salt because we don't have much salt left. You've seen all the cities are in the same position. They're pulling the salt directly out of the mine and they can only load so many trucks a day. The State has first priority. Today when we called they were being refilled first. We've had a thousand ton in for about 10 days now. I think we've received 50 tons of it. It's a problem that all of us are in. They say this is the second largest snowfall in the history of March. The no parking ban went into effect on Friday at 4 p.m. and continued until Sunday at 4 p.m. We had a lot of frustrating times with all the cars that were parked on the street. We towed 15 cars and the Chief didn't have the final tally on how many were ticketed. Towing companies were all over the place, on the freeway, etc. Then people were just abandoning their cars in the street and you couldn't go down the street. We had pizza delivery cars in the middle of the street and I don't know why people insisted on going out but they did. We had problems with the rescue squads. We had to stay on the mains for a long period of time because now that these other hospitals are closed Marymount Hospital is the main hospital they're bringing to around here so they come in from Clevelpeo, the suburbs, and the freeway. So we had to stay on the mains and keep them open all around the hospital. Everything we did was from the beginning and for

quite a long time was for the safety. The police department had their problems. They even had to borrow a truck off us to go out to answer some of the calls because they were having problems. We sent our salt trucks in front of some rescue squads to get them to the hospital because they were getting stuck.

I want to explain to you again and I don't think people understand, people hear that we plow and the mains are the top priority and during a storm they continue to be the top priority so that the safety of the residents is first. With having to keep the streets clean around the police and the fire stations so they could respond, like I said we had to go in front of some squads to get them to the hospital. After that we go into what we call the secondary, that's around schools, different areas where there may be something going on and then last is the side streets. We had nine trucks out for 12-hour shifts and we utilized every person we had including myself. From what I was told I wasn't very good at what I did. I guess 15 years without being in the salt truck will do that to you. Our main goal was to have Monday morning for people to be able to go to work. The schools, the buses, the people would move, the rubbish had to be picked up and the Post Office to be able to deliver. I think pretty much I got a couple calls where the rubbish truck was stuck but I think we accomplished all those things. I explained that the salt supply is down. I'm sure we only have about 150 ton left so we had to watch where we put it down. It went on the mains. For the type of storm that it was, I think that by this morning we had everything pretty well underhand. A lot of cars are still sitting. Some of them will start being towed tomorrow. There are still cars sitting that haven't been touched since they parked. There are not enough tow companies to tow all the cars that needed to get towed so we had to pick and choose where we could get by and what we could do. I was happy with helping with the storm it was.

We had some breakdowns. One of the salt trucks lost a whole rear end. That truck was down for seven hours. It took three hours to get a tow truck there. We had a few problems. Most of the stuff stayed on the road. We stretched the guys out. There were nine trucks out at all times but basically I'm very satisfied with what happened. There were some frustrating times. I know some people are frustrated that we didn't get to the side streets fast enough but we have to make decisions and priorities. Safety is the priority. The ones that went on the side streets and got stuck, we sent them in front of the rescue squads to get them through. If I had to do it all over again I'd do it the same way. It's what we've done all these years we will continue to follow those priorities. That's the end of my report.

**MAYOR THOMAS LONGO:** Does anybody have any questions for Tim?

**CLMN DUDLEY:** I'm saying from experience you all did a great job, you know? Considering that that wind was coming down, you did a great job and I'm proud of you all for one.

**MAYOR THOMAS LONGO:** I'd just like to parallel with what Clmn Dudley said. Back in '77 - '78, when I was Councilman there was one truck working and when I came to a Council Meeting the Administration would not admit to that. I'll never forget I had 78 calls. I used to keep a log. I probably still have it around at home. Every one of those calls required another phone call. Mayor Stachewicz wound up hiring private contractors to come in. The ice was this thick on the side streets but that's another story. We said that we would never allow that to happen again. They really worked. We have to applaud these guys.

In referring to tonight's agenda, Resolution 10.2008 appoints Ernestine Agnew to the Garfield Heights Tax Incentive Review Cocutil. We are one member short so I think you all know Ernestine. If you'd be kind enough to give her your support? Resolution 11-2008 appoints the Reverend Robert Jones to the Zoning Board of Appeals. He's sitting right here, next to the reporter from the Neighborhood News. John Macarthur, who had been appointed, has moved. This came up all of a sudden. Reverend Jones will be a steady influence with the five members on that Board; he brings a lot of common sense and experience so I urge Council to ratify his appointment. He's going to enjoy this, especially after being a policeman for so many years. Resolution 12 replaces Resolution 9. It is very specific as to which property is required to expand Transportation Blvd. As I said in the last meeting, this project must be done and this acquisition is at no cost to the City. If anyone has any questions either the Law Director or myself or the developer (who is paying for all of this and is sitting in the audience) Mr. Snider. This concludes my report.

**LAW DIRECTOR DAVID MACK:** As I mentioned in Caucus, unfortunately in Resolution 11 I'd like to have you amend it just in the title to say the appointment by the Mayor of Reverend Robert Jones. It says re-appointment. That was a mistake. I'd also like to join with the Mayor in saying that Resolution 12-2008 should be passed. This is not to take any land for development. It's the taking of land for the expansion of existing roadways.

I just wanted to make a side comment, but I think all of you know that I live in the City of Independence and I come to work in Garfield. I couldn't get out of the City of Independence on Saturday. When I got to Garfield Heights on Sunday morning the roads here were better than where I live. So when I got here early Sunday morning it was an easier trek when I got to the City of Garfield Heights and I think that this Service Department's Director ought to really be congratulated. Thank you.

**PARKS AND RECREATION DIRECTOR JAMES BUKAC:** The weekend storm led to the Rec Center being closed because our department also gets involved in snow removal. We did the police station and the fire stations first and any other City lot. We didn't have anybody left to work the Rec Center on Sunday. It was pretty crazy. We started at 1 a.m. Saturday morning till 9 p.m. at night and came back at 4 a.m. Sunday morning. I agree with Mr. Mack that Tim's guys did a fantastic job, speaking as a resident and not as a Director because by Sunday morning I was out and about.

This is March and it's time to sign up for t-ball and softball so pass that on. Soon it will be softball weather. On March 17<sup>th</sup> our Spring Hockey Program will begin. The Rec Center will be open for public skating through the spring break, which begins March 21<sup>st</sup> through March 31<sup>st</sup>. If anybody still wants to get their skating fix in come on up we'll be open. Finally on March 22<sup>nd</sup>, the Saturday before Easter, we'll have our Easter Egg Hunt at the Old Bridge area of MetroParks at 2 p.m. Last year there was quite a bit of snow so we passed bags out as cars pulled in. Right now we're planning on the Easter Egg Hunt full steam ahead. That concludes my report.

**PRESIDENT WAGNER:** Any questions of the Recreation Director on his report?

**CLMN SUSTER:** Mr. Bukac, I understand that with the Rec Center being closed that a few people were not too happy that had parties scheduled there, but that's neither here nor there. I think that at this time, and we have discussed this several times, that a Reverse 9-1-1 would have been very good to have this weekend. I know that Council's talked about it many times, but we haven't moved on it yet. If I do believe correctly you're doing some work on that right now and I know Mr. Abella and I were talking at length yesterday afternoon about instituting Reverse 9-1-1. Like I said to him, it's like the tool that you buy and you put in your toolbox and you don't use it and one day you need it and it's there. That's what Reverse 9-1-1 is all about.

**PARKS AND RECREATION DIRECTOR JAMES BUKAC:** I agree and I know Mayor Longo's very interested in putting that into effect. I'd like to set up a meeting if we can to tell you my information on it and we could have it with Fire Chief Nemetz and a representative from the police department as soon as we can. I have a lot of information.

**CLMN SUSTER:** We went to about five other cities that have it and the one that Valley View has is probably the most economical. It does what everything else does. As I was trying to explain to Mike yesterday, say if he just had a problem on Littleton, you could actually go in there and draw as big a street as you need and that's the only ones that get that phone call. You can use triangles, rectangles, stars, circles, any shape you want to and it's confined to an area. Those are the only people that get the calls. A lot of people now have only cell phones. It accepts cell phone numbers also.

**PARKS AND RECREATION DIRECTOR JAMES BUKAC:** I'll call you. I'll call the two chiefs and we'll set it up at everybody's convenience.

**CLMN SUSTER:** OK. Fine.

**MAYOR THOMAS LONGO:** I would like to recommend that after the budgeting process is finalized we pick this up again. Any time after the March 24<sup>th</sup> meeting.

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

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Absent.

**CITY ENGINEER DAVID NEUMEYER:** No report.

**FINANCE DIRECTOR RICHARD OBERT:** I have no official report, but we run payrolls. You know we process them and the first one is the Service. Saturday and Sunday cost the City \$35,000.00 in overtime for this little fiasco. We haven't run the rest of the payrolls yet.

**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. Comments shall be strictly limited to a brief statement not to exceed five minutes with comments limited to legislation on the current evening's Council agenda and no citizen shall speak more than once. Is there anyone else wishing to address Council on tonight's agenda? *(None.)*

**COMMITTEE REPORTS:** None.

**PRESIDENT WAGNER:** Next we'll now move on to Ordinances and Resolutions.

**ORDINANCES AND RESOLUTIONS:**

**PRESIDENT WAGNER:** We'll begin with Resolution 10-2008. Will the Clerk please read the title?

**RESOLUTION NO. 10-2008**

**AN EMERGENCY RESOLUTION APPOINTING ERNESTINE AGNEW TO THE GARFIELD HEIGHTS TAX INCENTIVE REVIEW COUNCIL.**

Moved by DUDLEY to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

**CLMN DUDLEY:** Before I vote, I want to say I had an opportunity to meet Ms. Ernestine Agnew when I was here around October and since then I have kept in touch with her. She's a great woman, very knowledgeable and with that I vote Yes.

**CLWN MARINCIC:** I want to echo Mr. Dudley's comments. I've known Ernestine for years and I know she would do a good job and I vote Yes.

AYES: 6

ABSENT: 1

**RESOLUTION NO. 11-2008**

**AN EMERGENCY RESOLUTION RATIFYING A REAPPOINTMENT BY THE MAYOR OF REV. ROBERT JONES AS A MEMBER OF THE ZONING BOARD OF APPEALS OF THE CITY OF GARFIELD HEIGHTS, OHIO, FOR THE TERM COMMENCING JANUARY 1, 2008 AND ENDING DECEMBER 31, 2013.**

Moved by DUDLEY to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

**CLWN MARINCIC:** Mr. Chairman, I'd like to offer an amendment to this Resolution. In the title where it says "an emergency resolution ratifying a reappointment" I want to change it to "the appointment".

**PRESIDENT WAGNER:** Will the Clerk please read the amendment?

**CLERK:** AN EMERGENCY RESOLUTION RATIFYING *THE* APPOINTMENT BY THE MAYOR OF REV. ROBERT JONES AS A MEMBER OF THE ZONING BOARD OF APPEALS OF THE CITY OF GARFIELD HEIGHTS, OHIO, FOR THE TERM COMMENCING JANUARY 1, 2008 AND ENDING DECEMBER 31, 2013.

VOTE ON THE AMENDMENT:

AYES: 6

ABSENT: 1

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

**CLMN DUDLEY:** Before I vote, I would have to say that I have known Pastor Robert Jones for many years and if you talk about somebody who has been deeply involved in programs for Seniors and for children. He's the type of person if you ever had a problem, ever had an issue, no matter what time of day he was always there. If you ever needed a ride, etc. no matter what time of day he was always there and he's an extremely great individual. With that I vote Yes.

AYES: 6

**RESOLUTION NO. 12-2008**

**AN EMERGENCY RESOLUTION DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE FOR ROADWAY PURPOSES CERTAIN FEE SIMPLE INTERESTS AND TEMPORARY EASEMENTS IN VARIOUS PREMISES. (SUBSTITUTE LEGISLATION FOR RESOLUTION NO. 09-2008).**

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

AYES: 6

ABSENT: 1

### **COMMENTS BY CITIZENS:**

**PRESIDENT WAGNER:** Next we'll go 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. Citizens shall be limited to five minutes and no citizen shall be heard more than once. Is there anyone wishing to address Council this evening?

Mike Nenadovich: 4625 Horton Road. We keep talking about safety issues, etc. I know we have a problem with sidewalks now. The snow has fallen; the snow curbs are out further and the kids are walking deeper and deeper in the street. They're not walking single file now. They walk four abreast. I almost killed a kid yesterday. He fell off a snow pile and thought it was the biggest joke in the world. We can't address the problem. You have to do something about the snow problem in this city. Making legislation making people shovel their sidewalks or at least get it down to where it's walk able because somebody is going to get killed. We stand in front of Council. We talk about safety. We're worried about our children, our Seniors, but we're not doing anything to take the problem away. We addressed the police chief and he is cracking down. When there's no snow we do see them stop but when there is this much snow on the sidewalks it's a free license to walk in the streets. The cars were parking over sidewalks because they can't get in the driveway because they're too lazy to pull open the gate and pull the car in the backyard. Our snowplows hit them cars. Tear them up. Tear up the back ends. You can't stop them. They're going to park over the sidewalk. They're going to hang out in the street. Your contractors that blow snow—you'll have one parked here and one there and you got to snake around them because they're clearing snow. Nobody says anything because they're a contractor. I guarantee you you're not getting a penny out of what they make because they're freelancing.

Ladies and gentlemen of Council you've got to crack down on the small stuff. The big stuff will take care of itself. If the people in the City realize they could get nailed for leaving their garbage cans out or not shoveling their sidewalk or parking over sidewalks in the middle of the night, which is illegal in good weather, they're going to think twice about doing anything worse. Garfield Heights is becoming, I don't know the right word to say, and I see it deteriorating. It's not like it was 26 years ago. The City's not changing. The disrespectful people are. They don't care about our laws and it's mostly kids. The young kids with their cars that are parking over the streets. The Seniors I can see why they walk in the streets. They can't navigate the sidewalks anymore. We've got to do something--it's getting ridiculous--before somebody gets hurt and I don't want to hurt somebody. I don't sleep now. God forbid I kill somebody or injure them. I can't afford the worry. You got to start taking care of the small issues. We're worried about City View, the money. I think Bridge View's great. It's bringing a lot of stuff into the City. Make the people want to stay here. I believe in Garfield Heights. I really do. I couldn't wait to move here. I want to stay here. Make it livable for me, please. Make it livable for my grandson, because it's getting out of hand. We're worried about the big stuff, that tax dollar, schools. We got a great school. I see the kids coming out. Once they cross that school property they grow horns. We have to address it. It's not going to be an overnight fix and I know this Council can do it with the Administration that we have. They could do it so please address it. Tim, great job again.

**MAYOR THOMAS LONGO:** There's one point that Mr. Nenadovich brought up that's extremely apropos. I think with this kind of snow it never comes to the forefront until you get something like we just had. These kids that climb up on these mounds. There are two problems. One is that they fall into the mounds, the snowplows don't know they're there. Two, if they fall off all of a sudden they're in some kind of traffic and like Mike said, some kid can get hit. This is an extreme situation that we're faced with now and hopefully we'll get a little bit of warm weather and get rid of most of this snow but I think it's going to be around until probably April. That's extremely critical. The kids just don't think. You start climbing and it's a

lot of fun. Down you go and nobody knows you're there or you fall off and out in the street. I will talk to the school system and some other people about this but if Council has some ideas too, the word should be spread that, hey, kids, we don't need some unfortunate accident at this time because you didn't stop and take a little bit of common sense.

**MR. NENADOVICH:** The kids don't realize the danger. I think you're right. The school should educate the kids. Talk to Dr. Sternad and get it out to the schools and the parochial schools. I think that's a valid point.

**MISCELLANEOUS BUSINESS:**

**PRESIDENT WAGNER:** We'll move on to Miscellaneous Business. Today we'll begin with Ward 1.

**CLMN DUDLEY:** The only thing I want to mention is also about the snow. You done a great job. In Ward 1 today we actually went out to see several of my Seniors (a couple people worked with me today) who got a little trapped at the bottom of the aprons and we cleared it out for them. That's what we spent maybe six or seven hours doing today. I like what he said we have to be proud of our community and come up with different types of plans to give back. We all dream of every city you live in and what the good old days was but if you work hard enough you can change some of that stuff back to the way it used to be. I want to say once again they did a great job on the plow trucks. I got off my driveway and I got back in. Thank you.

**CLWN MARINCIC:** I would just like to say that I was so impressed, Mr. McLaughlin, with the way the Service Department handled this emergency--because it was an emergency in our town for the last three days--and I kept thinking on trying to find a way to thank the guys down at Service because I knew what they had done and what they had gone through. I was going to write them a nice poem but I'm not a poet and I know it. So instead there will be pizza for them all on Wednesday.

**CLMN LIOTTA:** I'd like to say that the Service Department did a great job out there. I got a few complaints on the thing but I had the opportunity to ride in the truck Saturday night with the plow and I was with them about six hours and I could not believe what I seen out here. We ran a route from Grand Division to the fire station. By the time we got from Grand Division to the fire station and headed back it didn't even look like the other side was plowed. We turned down certain streets, cars all over the street. We were unable to plow. So I had quite an experience and I give these gentlemen a lot of credit. I couldn't handle sitting in that truck and snowplowing for 12 hours. You are great guys down there, Tim.

**CLWN SARNOWSKI:** I'd like to echo that. I think the guys were doing such a great job of keeping the main streets clean and the next day Sunday the side streets were really cleaned up too. Thank the guys for us and keep up the good work. Happy St. Patrick's Day to all of you that are turning Irish.

**PRESIDENT WAGNER:** Before I move on to Ward 5 I'd also like to extend my thanks to the guys. They really did a great job. Lots of times in Summit County, my mother-in-law calls and she says they closed the streets. There was an emergency and nobody was allowed to drive in the County. Only the emergency vehicles could drive. So they did a really good job. That stuff was coming down and I saw them out there working long hours. How's your back feel after riding in that truck?

**SERVICE DIRECTOR TIMOTHY McLAUGHLIN:** It feels all right. I thought Clwn Marincic was going to tell me how good I looked when she saw. 678 0 Tddriving.

**CLWN MARINCIC:** I didn't see you.

**CLMN SUSTER:** Next Tuesday evening, March 18<sup>th</sup> at 7 p.m. we're going to have a Finance Meeting and the purpose of the meeting would be to discuss the street resurfacing program and the possibility of redoing the Justice Center. I'd also like to thank Tim and I hope that you'll relay to all the drivers that City Council was really happy with the job that they did. I want to personally thank you for some of the problems I had yesterday that were taken care of.

**CLMN ABELLA:** There's no more snow stories left for me to tell other than the snow's bad and our Service Department did a good job. Let's plow on out of here and make a motion that we adjourn.

**PRESIDENT WAGNER:** On the motion to adjourn by Clmn Abella?

AYES: 6

**MEETING ADJOURNED AT 7:38 p.m.**

**APPROVED:**

**RESPECTFULLY SUBMITTED:**

---

Frank J. Wagner  
President of Council

---

Barbara Molin  
Clerk of Council