

# MINUTES OF A REGULAR MEETING OF COUNCIL

## CITY OF GARFIELD HEIGHTS, OHIO

Monday, March 13, 2017

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

**INVOCATION BY:** Councilman Michael Dudley, Sr.

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

### READING AND DISPOSAL OF MINUTES:

**PRESIDENT SUSTER:** Thank you. Reading and Disposal of the Minutes of February 27, 2017.

**CLMN NENADOVICH:** Mr. Chairman, I would like to make a motion that we accept the Minutes for February 27, 2017 as written.

**PRESIDENT SUSTER:** On the motion made by Clmn Nenadovich to accept the Minutes of Monday, February 27, 2017 as written, all those in favor signify by saying Yea. All opposed?  
AYES: Nenadovich, Glenn, Suster, Burke, Vaughn, Dudley, LaMalfa  
That passes with 7 Yes votes.

**WRITTEN COMMUNICATIONS TO COUNCIL:** None.

**LEGISLATION OUT OF COMMITTEE:** None.

### REPORTS OF THE MAYOR AND DIRECTORS:

**PRESIDENT SUSTER:** Wed go into the Reports of the Mayor and his Directors. Mayor, do you have a report for us this evening?

**MAYOR VIC COLLOVA:** Yes, Mr. Chairman, I do. Thank you. A couple of good things to report. If you notice the signs on Turney Road talking about Turney Road being resurfaced (although I'm not 100% convinced yet, after about three/four delays) it's certainly looking more and more like it's really happening this spring so I'm really happy to see that.

The other thing is we have a couple more roads that the Engineers have looked at and we're looking at resurfacing. One being Grand Division. Grand Division- half of it is Garfield Heights. Half of it is Cleveland. The Engineers are working out an agreement with Cleveland to get it redone and we split the cost. That should be happening shortly. We are also looking to resurface Midwest Avenue. We have many businesses there. It's important for us to keep these businesses there to bring new businesses in that we try to get this street resurfaced. I know there's many streets. We still have 150 streets out there at least that need to be resurfaced, but in this case I want take care of these businesses at Midwest so we keep them.

Also, Dave Krock, the Engineer, and Fritz is working on those two programs along with our Finance Director, Barb, who has to come up with the money. I keep walking in and saying something has to get done. I think she's going to be closing the door on me soon, but those two streets should be done this year and we're looking forward to that.

At this point in time, as I have reported last week and I will report this week, Mr. Bill Wervey is retiring. He's leaving at the end of May so I want all the residents and all of Council to take the target off of Bill and place it on our new Building Commissioner, Mark Moro. If you would stand up, Mark, please. Look around everybody; this is our new Building Commissioner. He comes with a great background. He has great experience. He's going to work with Bill for about 30/60 days. After you finish working with Bill and he tells you what to do, I will tell you what not to do, so we'd work it out. No, really looking forward to seeing Mark with us.

The other thing I wanted to talk about is I have to try to get this out as much as I can. It's very important for our residents to understand that City View and Bridgeview is not owned by the city. We cannot turn City View into a parking lot. We can't do anything with it. It isn't ours. Many people are saying you should do this, you should do that. Every time I go to a meeting, somebody's saying why don't you do this with City View? There's a million things I'd love to do with City View, but it's not ours. That would be just like if I rode down the street and I looked at your house and I said wow, I think it'd look better blue and the city's going to paint it blue. It's not ours. We can't do that. That's the same thing with City View and Bridgeview. City View is under a foreclosure Court hearing that is in New York. This Court case has been going on for years and years. I don't know when it's going to end, but until it ends, our hands are tied with City View for the most part. So as much as I would like to do something with that, there really isn't anything the city can do. The same thing with Bridgeview. Bridgeview is owned with a developer out of California. He's got some great plans as I told you about that before, but those plans, you know, we don't have a whole lot of say in that. We can't change it. Many people want a park put up there and look out over the valley. How nice it will look and I agree it would look wonderful but it's not our property so there's nothing we can do with that.

One other thing I want to do. I received this letter and I want to make sure that Council and the residents know. It says:

%Dear Mayor Collova:

I want to thank you for the exceptional emergency services Garfield offers its citizens. Our older residents of St. Timothy Park Apartments have an ongoing health concern which necessitates regular calls for emergency services. Your fire and EMS staff always respond quickly and provide professional and compassionate care to our residents.

Today Joe Rody went above and beyond in his response when one of our residents. The resident was out of oxygen because of a change in his insurance plan, which required a new company bring in the oxygen. The Cleveland Clinic nurse caring for him felt he needed the oxygen before it would be delivered in four . six hours. When I called the Fire Department for ideas of what to do, I was put in touch with Joe Rody, who responded in minutes with some emergency oxygen. I cannot begin to thank Mr. Rody and the city of Garfield Heights for the quick response to a critical need.

The resident asked me to convey his sincere appreciation for Mr. Rody's kindness in helping him. We are grateful to your exceptional staff, notably Mr. Rody and appreciate all the fine services available in Garfield Heights.+

I read this because the Fire Department along with the Police Department does so many good things throughout each and every day. They don't get the credit that they deserve. I wanted to

certainly extend my appreciation to Joe Rody and the entire Fire Department. You know, Chief, I know that hurt you a little bit, but this time it's the Fire Department. Everybody loves a fireman.

OK. With that, I'm going to get into tonight's legislation. Ordinance 7 is approving Mark Moro to come forward. He was started in an intern position until June 1<sup>st</sup> at which time he will take over as the Building Commissioner. If you residents don't change him out before then we should have him here June 1<sup>st</sup>.

Resolution 9-2017. Recently we had one of our Zoning Committee Members, Rev. Robert Jones, pass away after much service with the city of Garfield Heights. He served on the board for well over 10 years. He was an outstanding board member. He was an outstanding individual. He really is sorely going to be missed. Replacing Rev. Robert Jones, I am asking to be approved, Norma McAlpine, for the Zoning Board of Appeals. Everything I heard and talked I think she will do a great job in filling the footsteps of Rev. Robert Jones. Resolution 10. As everyone here should know, Mr. Dave Mays. Dave, would you stand up please so everybody knows. Everybody knows Dave Mays. Let me tell you why Dave Mays is on the Zoning Board. He has been such a pain in my butt for the last seven years, complaining about everything I do, I figure I'm going to let him get on there and complain over there. No, Dave is really a good friend. He's a good supporter of our city. He does a great job. He's been with the Zoning Board now for is it three years, Dave? Yes, three years and I fully would appreciate Council supporting him and putting him back here. He does a great job. Next, I have Joseph Maimone. Just the opposite of Dave Mays. What a wonderful guy Joe Maimone is. Is Joe here today? He's not here today. Joe has been on the Planning Commission. He serves with me on the Planning Commission. He really does a great job. You all know Joe. He couldn't be a better supporter of the city. I'm going to tell you, Tom Vaughn sits on that committee also. When these people on the Planning Commission, when they get an agenda somebody's putting up a fence, there's something going on at a company, they spend time going there. When they come into that meeting, they are really prepared. These guys do a great job. Joe Maimone certainly does a great job. I'm asking for Council's support on approving Joe.

With that, Mr. Chairman, you have my report.

**PRESIDENT SUSTER:** Thank you, Mayor. Does anybody have any questions of the Mayor on his report? Does anybody have any questions of the Mayor on his report? There being none, we will move on to Law Director, Tim Riley. Tim, do you have a report for us this evening?

**LAW DIRECTOR TIM RILEY:** I have no report tonight.

**PRESIDENT SUSTER:** We will move on to our Police Chief Bob Byrne. Do you have a report for us this evening?

**POLICE CHIEF ROBERT BYRNE:** No report.

**PRESIDENT SUSTER:** Thank you. We'll go over to our Service Director, Tim McLaughlin. Tim, do you have a report for us this evening?

**SERVICE DEPARTMENT DIRECTOR TIM McLAUGHLIN:** Yes, I do. Thank you. If I was taking Riley's place, I would have no report. In the past two weeks we just had a little bit of snowplowing, cold patch a few of the bigger holes, some tree work and clean up from the windstorm. There was quite a storm. We done pretty well. I think we had three/four trees down. A lot of it was just branches out of places that we picked up, etc.

Also, my mechanics and I never talk about that. I don't know why. We've bought some slightly used cars off the auction and some other cities and we have changed over eight cars to the Police Department. Two of them were K-9 cars because those cars that they had were at the end. So we've changed over a couple K-9 cars. I think there was four cars that we changed over to the regular police cars. You see more Taurus's on the road now. We had bought some from Medina Township. They are very nice cars; well taken care of. A few other cars we did for the Building Department and the Senior Center and there's a couple more that we are in the process of seeing where they're needed, the Fire Department or whatever. (There's the Fire Department again.) It takes time to change those over and we used to always send them out years ago and then you are at the whim of wherever business had them had a bunch of them and you always had to wait in line. Probably in the last 15 years we've done our own. It gets to be a little bit hard to do when you are in rewiring and checking different things when they come from different places and different kind of systems on them, etc. Just wanted to let you know that I think we've gotten most of those out on the road. With that, you have my report.

**PRESIDENT SUSTER:** Thank you, Tim. Does anybody have any questions of Tim on his report? Does anybody have any questions of Tim on his report? There being none, we'll move on to Parks and Recreations Director, Bob Dobies. Bob, do you have a report for us this evening?

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** Mr. President and Council Members, good evening. Just briefly, some reminders. We're signing up for t-ball. We'll continue signups through Friday, March 31<sup>st</sup>. Extended hours are up to accommodate signups. If you have any questions on our hours or any other questions please call the Rec.

Softball signups will begin April through 3<sup>rd</sup> and run through April 29<sup>th</sup>.

As in the past, we will help the Little League with signups. You can register at the Recreation Center. If you have interest, pick up an application at the Rec. We'll accept applications and payment, but the checks have to be made out to the Garfield Heights Little League only or cash. If you have any questions, please call Bob Merrick at (216) 990-8386.

Next, we are taking registrations for spring fitness classes now through April 1<sup>st</sup>. Classes will begin April 3<sup>rd</sup> for a 10-week session. All information can be viewed on the city's Web. Just click the Recreation Department and go to your point of interest.

This past Saturday we had the Garfield Heights-Trinity Alumni Hockey game. That's the 4<sup>th</sup> annual. Approximately 350 fans showed up in support of their alma maters. The game remained close all the way through this year. The game ended in a 9-9 tie. It was good to see former players, families and fans come out and have a great time. That's in conjunction with our hockey Booster Club. The proceeds go to the Boosters when it's all over and done with. It's been growing every year.

Just last, I want to throw out a congratulations to the Garfield Heights Varsity Basketball team and their accomplishments. They just won the Solon Districts with a 60-57 win over Shaker Heights, putting them in a sweet sixteen for the 3<sup>rd</sup> straight year. Thank you. That concludes my report.

**PRESIDENT SUSTER:** Thank you, Bob. Are there any questions of Bob on his report? Are there any questions of Bob on his report? Next, we'll move on to City Engineer, Fritz Alderman. Fritz, do you have a report for us this evening?

**CITY ENGINEER FRITZ ALDERMAN:** Thank you, Mr. President. I do not.

**PRESIDENT SUSTER:** OK. Thank you. Finance Director Barb Biro. Do you have a report for us this evening?

**FINANCE DIRECTOR BARBARA BIRO:** Thank you, Mr. President. No, I do not.

**PRESIDENT SUSTER:** OK. Kathy Rush-Parssons. Do you have a report for us this evening?

**SOCIAL SERVICES DIRECTOR KATHY RUSH-PARSSONS:** Thank you, Mr. President. I have nothing new to report tonight.

**PRESIDENT SUSTER:** Bill Wervey, do you have a report for us this evening?

**BUILDING COMMISSIONER BILL WERVEY:** Mr. President, I have nothing new to report this evening.

**PRESIDENT SUSTER:** OK. Thank you. Economic Development Director Noreen Kuban. Do you have a report for us this evening?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Thank you, Mr. President. I have no report tonight.

**PRESIDENT SUSTER:** Thank you. That concludes the reports of the Mayor and the Directors. We'll move on to Comments by Citizens on tonight's agenda. Would the Clerk please read the rules.

**COMMENTS BY CITIZENS ON THE AGENDA:**

**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:** Do we have anyone in the audience that would like to speak on tonight's agenda? Does anybody want to speak on tonight's agenda?

**COMMITTEE REPORTS:** None.

**ORDINANCES AND RESOLUTIONS:**

**PRESIDENT SUSTER:** There being none, we'll move on to Ordinances and Resolutions, beginning with Ordinance 17-2017. Would the Clerk please read the title?

**ORDINANCE NO. 17-2017**

AN EMERGENCY ORDINANCE RATIFYING THE APPOINTMENT OF MARK MORO BY THE MAYOR TO THE POSITION OF BUILDING COMMISSIONER BEGINNING MARCH 14, 2017.

Moved by SUSTER to CONSIDER BY TITLE:

AYES: Suster, Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn

Motion to SUSPEND THREE READING RULE:

AYES: Suster, Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn

Motion to WAIVE RULE 24:

AYES: Suster, Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn

**PRESIDENT SUSTER:** On its adoption, beginning with myself.

VOTE ON ADOPTION:

AYES: Suster, Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn

**PRESIDENT SUSTER:** Ordinance 17-2017 passes with 7 Yes votes.

**RESOLUTION NO. 09-2017**

AN EMERGENCY RESOLUTION RATIFYING AN APPOINTMENT BY THE MAYOR NORMA MCALPINE AS A MEMBER OF THE ZONING BOARD OF APPEALS OF THE CITY OF GARFIELD HEIGHTS, OHIO TO FILL THE UNEXPIRED TERM OF REV. ROBERT JONES DURING THE PERIOD COMMENCING IMMEDIATELY AND ENDING DECEMBER 31, 2018.

Moved by DUDLEY to CONSIDER BY TITLE:

AYES: Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke, Vaughn

Motion to SUSPEND THREE READING RULE:

AYES: Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke, Vaughn

**CLMN DUDLEY:** I want to make a motion that we amend that resolution. I ask that we amend Resolution 09-2017 on line one to read "an appointment by the Mayor of +

**PRESIDENT SUSTER:** OK.

**CLMN DUDLEY:** Thank you, Mr. Chairman.

**PRESIDENT SUSTER:** On the motion made by Mr. Dudley to amend Resolution 09-2017, all those in favor signify by saying Yea. All opposed?

VOTE ON AMENDMENT:

AYES: Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke, Vaughn

**PRESIDENT SUSTER:** On its adoption, beginning with Clmn Dudley.

VOTE ON ADOPTION:

**CLMN DUDLEY:** Before I vote, I'd like to say that Reverend Jones was a good guy. He was my neighbor for over 21 years, a police officer out of the 4<sup>th</sup> District in Cleveland. He done an excellent job and I know because he used to come by some times and he would ride out whatever they had going on in the Zoning Board. He always personally wanted to take a look and he would get out of the vehicle and walk around. I want to mention also the lady who would be filling his unoccupied term, Ms. Norma McAlpine; I have known her for over 15 years. She's a good person. She works well with people and she would make a great member of the Zoning Board of Appeals. With that, I vote Yes, Mr. Chairman.

AYES: Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke, Vaughn

**PRESIDENT SUSTER:** Resolution 09-2017 passes with 7 Yes votes.

**RESOLUTION NO. 10-2017**

AN EMERGENCY RESOLUTION RATIFYING AN APPOINTMENT BY THE MAYOR OF DAVID MAYS AS A MEMBER OF THE ZONING BOARD OF APPEALS OF THE CITY OF GARFIELD HEIGHTS, OHIO, COMMENCING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2020.

Moved by BURKE to CONSIDER BY TITLE:

AYES: Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster

Motion to SUSPEND THREE READING RULE:

AYES: Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster

**PRESIDENT SUSTER:** On its adoption, beginning with Clmn Burke.

VOTE ON ADOPTION:

**CLMN VAUGHN:** Before I vote, do I have to, Mayor? Yes.

AYES: Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster

**PRESIDENT SUSTER:** Resolution 10-2017 passes with 7 Yes votes.

### **RESOLUTION NO. 11-2017**

AN EMERGENCY RESOLUTION RATIFYING AN APPOINTMENT BY THE MAYOR OF JOSEPH MAIMONE AS A MEMBER OF THE PLANNING COMMISSION OF THE CITY OF GARFIELD HEIGHTS DURING THE PERIOD COMMENCING JANUARY 1, 2017, AND ENDING DECEMBER 31, 2022.

Moved by VAUGHN to CONSIDER BY TITLE:

AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

Motion to SUSPEND THREE READING RULE:

AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

**PRESIDENT SUSTER:** On its adoption, beginning with Clmn Vaughn.

VOTE ON ADOPTION:

AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

**PRESIDENT SUSTER:** Resolution 11-2017 passes with 7 Yes votes.

### **MISCELLANEOUS COMMENTS BY CITIZENS**

**PRESIDENT SUSTER:** That concludes Ordinances and Resolutions. We will now move on to Comments by Citizens. Would the Clerk would please read 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?

Frank Tagliarini, 12404 Darlington Avenue. I been a resident here since . that home 17 years-- but been here since 1950. We have a major problem with our neighbor. I am sure each and every one of you has heard numerous amounts of times in your position. Its about the noise. They are keeping us up all night long, continuously. This Sunday night they woke us up by pulling in

about four cars between two and three o'clock in the morning. Can't tell you exactly what time because of the time change at that point. It was two to three o'clock in the morning. Blowing horns, slamming doors, talking. Our bedroom window is adjacent to their driveway. Quarter to seven in the morning they started all over again. The doors, the cars running warming up, the horns blowing. I don't know what we could do. I've talked to Mr. Burke, the Chief, other officers. It is so loud that they live across the street on a diagonally way. They were also woken up Sunday morning and it isn't the first time. Couple weeks ago the music was so loud, Jackie did call the Police Department. They came out. The guy basically laughed at the officer. When the Chief sent down his captain, they kind of blew him off. When you go to talk to them or address them, they kind of look at you with that huh? I don't know what to do. I don't know who to talk to anymore, but it's just beyond all of us neighbors. I don't know what else to say. We need help. Something needs to be done.

**POLICE CHIEF ROBERT BYRNE:** Mr. Tagliarini, did you call the police on Sunday?

**MR. TAGLIARINI:** No, I did not.

**POLICE CHIEF ROBERT BYRNE:** Just to be clear. Was there any loud music going on?

**MR. TAGLIARINI:** Not music. They've got two vehicles with real loud mufflers.

**POLICE CHIEF ROBERT BYRNE:** How long is this stuff going on for? I mean is it continuous or is it they slam their doors?

**MR. TAGLIARINI:** They wake us up probably two . three times/week at least. On Sunday morning, it went on for a good 40 minutes.

**POLICE CHIEF ROBERT BYRNE:** What exactly went on for 40 minutes?

**MR. TAGLIARINI:** They had the cars running, moving them around, slamming doors, the radio was going, the one had a flat tire so they had to get the compressor going. It was quarter to seven in the morning. It's out of control.

**POLICE CHIEF ROBERT BYRNE:** You know the music is a little bit easier to deal with. Some of the slamming of the doors, etc. people coming and going, I understand the inconvenience. I'm not sure that if you call the police and we got there they'd probably not going to be slamming doors.

**MR. TAGLIARINI:** That's happened several times.

**POLICE CHIEF ROBERT BYRNE:** As I told you, I personally went to the house. I didn't speak to anybody. There was nobody home. I left a note. The lady never called me back. The captain did speak to somebody through the front window because they didn't have the courtesy to even open the door, but the only thing I can recommend to you, Sir, is to continue to call the police and again, some of these things are not easy to deal with. The slamming of the doors. Music is a little bit easier to deal with. If we get there and there's loud music at three o'clock in the morning that's a little easier to deal with.

**MR. TAGLIARINI:** Jackie called three weeks ago. It was in the afternoon. I wasn't even home. I pulled up. The police officer just showed up. Music was blasting. The police officer confronted him. He basically more or less laughed at him.

**POLICE CHIEF ROBERT BYRNE:** Did he shut the music off?

**MR. TAGLIARINI:** Yes, he did and then he started swearing at me. I wasn't the one that called anyhow. I'm too old for that. I can't deal with these young people.

**PRESIDENT SUSTER:** Excuse me. You'll have your turn.

**MR. TAGLIARINI:** That's my brother. He lives with me.

**PRESIDENT SUSTER:** I understand that, but we have to have names and addresses to put on the Minutes.

**MR. TAGLIARINI:** OK. Bill Rollins, you know Bill Rollins lives on the other side of them. If Bill wasn't completely deaf he'd be here tonight too.

**MAYOR VIC COLLOVA:** Thank God, it's you tonight and not Bill. He's my wife's uncle.

**MR. TAGLIARINI:** The house is a mess. The screens are torn out. There's no door closers. With the storms we've been having, the doors are just blowing bang, bang, bang all day long. Twice in the last three/four weeks the trampoline from their house has blown into Bill's yard. Once taking down all the electrical lines. The second time it damaged his garage. They took it the last time, took it apart and just scattered it across the whole back yard. It looks like East Cleveland.

**POLICE CHIEF ROBERT BYRNE:** So on Sunday he said something was going on for 40 minutes, did you say?

**MR. TAGLIARINI:** In the morning.

**POLICE CHIEF ROBERT BYRNE:** What was that?

**MR. TAGLIARINI:** Opening and closing the doors. They sit there with the remote starter for their car. It starts the car and opens the doors. They hit it five/10 times.

**POLICE CHIEF ROBERT BYRNE:** How long was the car running for?

**PRESIDENT SUSTER:** Excuse me ma'am, you'll have your chance next.

**POLICE CHIEF ROBERT BYRNE:** Mr. Tagliarini, here is the option right here that I see. Come up to the police station tomorrow. Make a report. We'll get a statement from you. I'll give it to the police prosecutor and if he says we're OK to issue those folks a summons to homeowner, which from what I could tell the lady that lives there is the homeowner, then we'll issue her a summons. As long as the police prosecutor is OK with that and that's something that you're willing to do, then we'll go ahead and do it.

**MR. TAGLIARINI:** I'm willing to do it. I can't sleep no more. I tried to take the easy road out, talk to them.

**POLICE CHIEF ROBERT BYRNE:** You did that. I did it. The captain did it. Apparently, it's not sinking in.

**PRESIDENT SUSTER:** OK. Your time is up.

**CLMN BURKE:** I have a question for him. Mr. Tagliarini, when we spoke on the phone last night you mentioned something about a camera. That you were going to put a camera up. You wanted to know whether or not having it pointed on your property if it shows up on their property if that's a violation of their rights. You wanted to ask that to Mr. Riley.

**LAW DIRECTOR TIM RILEY:** It would depend on how the camera's placed. I really can't necessarily answer civil questions for you per se. That would be something you'd have to talk to a lawyer about. I think it would depend on where the camera's pointing at. Normally it wouldn't be a process that would be considered an invasion of privacy. But if you had a recording of the noise, we've used those in the past, right, Chief? Of somebody.

**MR. TAGLIARINI:** Put a recorder up?

**LAW DIRECTOR TIM RILEY:** I'm not saying you can't put a camera up. I just don't want to tell you yeah it's OK to put it up anywhere because I don't know where you're going to put it. You know what I mean?

**MR. TAGLIARINI:** Facing the side of my house.

**POLICE CHIEF ROBERT BYRNE:** You know I'm certainly not an attorney, but your rights are being violated and while that is going on- noise, the continuous and you just record that? I wouldn't see an issue with that. That's my personal opinion. You don't even really have to use the video part of it. Even if you just recorded the noise. Just set it on your windowsill or something to record it. As long as you're willing to come in and if it became an issue in Court and you were willing go step up and say I made this recording. Correct? I think we're OK.

**MAYOR VIC COLLOVA:** Mr. Chairman, if I may add. Frank, just from my standpoint, don't put a camera up pointing towards anybody's window, doors. Be a little bit. Driveway. More on your property than theirs, because they'd come back that you're invading their privacy and you will have a problem.

**MR. TAGLIARINI:** I don't want a problem. Thank you all for your time. I appreciate it.

**PRESIDENT SUSTER:** OK.

Jackie Yenco, 12413 Darlington Avenue. I also have the same complaint as Frank did with the same neighbor. The same exact thing and I'm just coming up here to second his whatever. Three/four weeks ago I called. I was napping on the couch. My husband at the time was working nights. I understand you want to play your music loud, but if I'm napping on the couch across the street I don't feel that the music should wake me up so I called the cops. I'm sorry. I called the police. I apologize. That was disrespectful. I did call the police and they came readily. Just like Frank said, they turned down the music and there was no further problem that day. The next day the young man came over, which tangent.

Do you know, Chief, why we have to when we make a report to dispatch that we have to give our name now? You used to not have to give your names.

**POLICE CHIEF ROBERT BYRNE:** You don't have to give your name, but they will always ask. If they don't ask they will get in trouble. Tell them you want to remain anonymous.

**MS. YENCO:** I said I would prefer to remain anonymous. No. I'm sorry. I was given all kinds of attitude. I'm sorry you have to give your name now.

**POLICE CHIEF ROBERT BYRNE:** I will look into that. You don't have to give your name. It makes it much easier for us, but you don't have to give your name.

**MS. YENCO:** I understand. The next day this young man came running across the street and I don't know him from applesauce. Jackie, Jackie, why'd you call the cops on me? I told him what happened and he was very passive-aggressive. I would have appreciated it if you would have walked into my backyard and told me to turn the music down rather than call the cops. I said I don't know you. I'm not going to walk into some strange person's backyard and tell you to turn your music down.

**POLICE CHIEF ROBERT BYRNE:** Is it the same person who's causing the problem?

**MS. YENCO:** He's one of them. There is one person the owner of the home and her young son that live there that I know for sure and the daughter. All these other individuals that are causing all these noise problems I don't know if they're nephews, boyfriends, cousins. The young man that confronted me the following day said I'm so and so's nephew. That's all I get. Their nephew or she's letting me stay there or. I don't feel I should have to be woken up in the middle of the afternoon and I know there's nothing that you (City Council) can do about it. I just came up here to support Frank and mention about the report having to give my name. Thank you.

Walter Pace, 12413 Darlington Avenue. Jackie's my wife. My wife is handicapped (although you may not see it) with MS. The young man running across the street to confront my wife was very not appreciated by me. Backed off quite a bit when I came out of the house. I understand that complaint for noise like Frank was mentioning. Granted they have remote starters for their vehicles, but when they come out and they rev the motor, that wakes me up. There's an issue. My house is insulated. Brand new windows. Brand new doors. I don't need to hear that come roaring through my walls. When my wife is on pain medication, asleep and it wakes her up, there's a problem.

**PRESIDENT SUSTER:** Excuse me, Frank. You already spoke.

**MR. PACE:** I am concerned for my wife's safety, especially when I'm not home. If she does call the police and she has to give her name for the complaint her safety and well being. Police officers do respond promptly, courteously. We do appreciate it. The fact that you show up is nice and you're very swift about it so we do appreciate all you're doing.

**POLICE CHIEF ROBERT BYRNE:** We try.

**MR. PACE:** It's an ongoing issue and we have no idea what to do about it. Whether the house is being rented or owned I have no idea, but I know a lot of these they turn around and they say the homeowners responsible but if they're not the homeowner/renter I don't understand why they cannot be held responsible for their actions. That's what I have a little bit of a problem. The problem is, in my eyes, they're coming back and they're confronting Frank, who is not exactly a young man. They're charging across the street on my wife. I'm a very peaceful man,

but if you hurt my wife, I don't want to have issues. I want it to be handled appropriately, civilly, peacefully.

**POLICE CHIEF ROBERT BYRNE:** Sir, was the police called on the day that they came over and confronted you? You said the following day they confronted you about it?

**MR. PACE:** It was respect. I understand. If you made mention you should have talked to me before you called the cops. Well at that point in time in my eyes it was a common sense call on his part and the way he approached made my wife very nervous.

**POLICE CHIEF ROBERT BYRNE:** To that point we have tried to contact them. Like I said I personally tried, the captain did, Frank talked to them.

**PRESIDENT SUSTER:** Excuse me, you had your chance to talk. It's your husband's turn to talk.

**MAYOR VIC COLLOVA:** Mr. Chairman, let me just cut in. Obviously, nobody's trying to be bad here, but everything is tape-recorded and when you come up and you talk on your name, everything's public record so if you're through at that mic we don't know who is talking. The tape can't pick it up. That's what we're doing. I don't want you to think the Chairman's.

**MR. PACE:** The vehicle in question is a red Blazer. You can tell it because it has a very bad muffler. When you see that individual that's the one that's usually revving the motor.

**POLICE CHIEF ROBERT BYRNE:** OK. Here's the only recommendation I give. If it's running continuously, call us and it's causing a disturbance. I would just make the suggestion, Mr. Tagliarini, come in tomorrow and we'll do what I mentioned and we'll take it from there. I will talk to our captain. I'm going to be in a meeting tomorrow morning, but I'll let him know that you're coming in and to take care of it, OK? His name's Captain Thailing. I'll give you his name afterwards.

**MR. PACE:** Just to be clear I don't have a problem with a person starting their vehicle up one time, warming it up, whatever. After 10/15 minutes that's fine but if you're going to stand there and rev the engine and then shut it off and start it up there's a problem.

**PRESIDENT SUSTER:** OK. Your time is up.

Salvatore Tagliarini, 12404 Darlington Avenue. I live with my brother, Frank, and sister-in-law, Patty. I wish to reiterate what Frank says. My biggest concern's my brother. He's had a stroke a few years ago and this neighbor is driving him absolutely up a wall. I come home sometimes or in the middle of the night when this stuff is happening. He's shaking like this. They're going to give him a heart attack or another stroke. That's how bad it's getting. But Frank forgot to mention since the police got involved coming over a couple times, it seems like they do things intentionally like open and close those car doors. They do it numerous times between houses. My bedroom's upstairs, same driveway side as Frank's bedroom. It seems like they're doing things intentionally. We don't want to start arguments because who knows what they're going to do? Make false accusations against us making noise, doing this, doing that. We want to live in peace. I don't want to see my sister-in-law my brother getting aggravated coming home from work, wake up in the morning and hear up crack of dawn when I get up because of neighbors making noise. I'm a hard sleeper and Sunday morning they woke me up with what my neighbors were talking about. Pulling the cars in and out of the driveway with very loud cover. Then they

just hit the gas and the brake; rev it up between the houses, back and forth. Went on for a long time.

They don't have no pride in their home like the rest of the neighbors do. The doors are slamming in the wind every time we have a storm, grass is high. When they first moved in, they introduced themselves. They were very nice- the woman and her son and daughter. They're getting worse. I'm tired of seeing our brother and my sister-in-law going through this daily. It's almost daily. If something could be done, I'd be glad to help out too. I've been a big part of the city for years coaching ball. That's all I have to say.

**CLMN VAUGHN:** Mr. Chairman. Mr. Wervey, could we get somebody down and check out this yard, this house?

**BUILDING COMMISSIONER BILL WERVEY:** I didn't catch the address. Could you give us the address to the house, please?

**MR. TAGLIARINI:** 12408 Darlington Avenue.

**BUILDING COMMISSIONER BILL WERVEY:** We can get together with the Chief if he has license numbers perhaps and we can figure out who is who.

**CLMN VAUGHN:** Thank you.

**PRESIDENT SUSTER:** Is there anyone else?

Tim Wilfong, 4972 East 84<sup>th</sup> Street on the dead end. My street is very flat. A rental property that just got occupied about three houses from mine a couple of kids live there with their parents and they go out in the street and they play football. It's all right if a couple kids play, but before you know it there's 10, 12, 15 and even the father or the male of the house there is out playing with them. They yell and scream, make a lot of racket, noise. Sunday I was sitting in front of my television on the couch about seven feet away from the television and I kept turning it up and I could hear them with the doors closed and the windows closed. I said I got to do something about this because it's going to get worse in the summertime when you open your windows and your doors.

**PRESIDENT SUSTER:** Did you happen to call the police?

**MR. WILFONG:** No. I went out there and I asked them to move down and play in front of their own house and not in front of mine because I'm on the dead end last house.

**PRESIDENT SUSTER:** We do have an ordinance about kids playing in the street.

**MR. WILFONG:** Saturday I came down the street and there was about six of them playing. Same two that live in that house and one boy was laying in the middle of the road on his back like he's taking a nap. I said what the hell is going on here? What really aggravates me is the park where the ball field is, etc. is five minutes away. These kids could walk down and they could raise hell and do whatever they want to do down there as long as they weren't damaging anything. They're lazy. They want to make a lot of racket. I'm tired of it.

**PRESIDENT SUSTER:** I can say or even the Chief will tell you they are not allowed to play in the street at all so if you want to call the police and have a car come down and disperse them.

**MR. WILFONG:** I've got quite a record of calling the police and having the police come down. The only thing I have and I've talked to several officers when they came down in response to my calls was you think you could come down on 84th Street a daily thing? Just ride down to the dead end, turn around and go back up? The other day I counted five police cars from 84<sup>th</sup> Street and the Boulevard up to Turney. A couple in the convenience store, etc. They don't come down our street because it's a dead end and you got to turn around in somebody's driveway. It's a little aggravating that they don't seem to want to come down. If they would come up and down the street I think some of this would be avoided.

**PRESIDENT SUSTER:** Chief, you want to comment on that?

**POLICE CHIEF ROBERT BYRNE:** The only thing I would say, Sir, is I mean in all honesty, a dead end street like that I mean let's be honest, they're probably not going to go down that often but keeping in mind that from Reed and 84<sup>th</sup> you can see if something's going on there and at night there's probably enough people that will tell you that they get three to six parking tickets so we do go down here. Just because you don't see them doesn't mean we don't go down there. Truth be told we probably don't go down a dead end street as often as we should go down East 88<sup>th</sup>. If you have an issue with the kids playing in the street, we will come out and we will move them along.

**MR. WILFONG:** OK. I appreciate that. Thank you very much.

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

**MISCELLANEOUS BUSINESS:**

**PRESIDENT SUSTER:** OK. There being none, we will move on to Miscellaneous Business beginning with Clmn Dudley.

**CLMN DUDLEY:** We'll make this one quick. I'm just joking. First of all, I'd like to say that I'm going to miss my buddy Bill sitting next to me. He's been sitting next to me for like 10 years. It's been a good relationship. We talk outside of here also. We resolved a lot of issues together. I wish him the best. I wish you would have hung around a little longer, but I'm quite sure the new gentleman is a good guy and is ready to fill in. I will miss him. I'm going to keep in touch with you, Bill, when you leave although you may hang up, but I will call you. I wanted to tell Bill thanks for 10 good years of being with him, working a lot of different things together.

Also Mr. Chairman, I'd like to kind of pass this down to Chief, you know, because the weather's about to get warmer and I seen this after five o'clock and on the weekends I'd tell some people but I can't catch them all. You're seeing a lot of pit bulls in Garfield Heights. You're seeing them walking down Turney Road, on the street and they always appear like I say, after five o'clock in the evening. You get them in front of the store where somebody's going and I do call sometimes. Sometimes I'm riding by and I don't make the call. I am concerned about that and some of them believe honestly that what the State says they can have them dogs. I want to pass it down with Chief, for a suggestion what some people should be doing when they see these dogs out on the weekend and after hours.

**POLICE CHIEF ROBERT BYRNE:** They can call the police. They can shoot me an e-mail. I'd pass it along to the dog warden. If you know where the dog lives, we could have the dog warden

go advise the people. If they're not sure where they live, but they're out and about on the street they can call us and we'll get their information and pass it along to the dog warden.

**CLMN DUDLEY:** I appreciate that, Chief.

I don't know if I had a chance last time to thank the school for being able to use the facility for our African-American Heritage Program, but I want to say thank you to the school for providing the Performing Arts Building to us.

I wish everybody a Happy St. Patrick's Day to the community. If you're going to drink, don't drive. Thank you, Mr. Chairman.

**PRESIDENT SUSTER:** OK. Joe.

**CLMN LAMALFA:** I don't have anything tonight. Thank you, Mr. Chairman.

**PRESIDENT SUSTER:** Mike.

**CLMN NENADOVICH:** Yes, thank you, Mr. Chairman. Just a reminder. It's Daylight Savings Time now and trash goes out at six o'clock, not at four. Letting you know about that.

For Mr. Mays, you do have the Mayor's phone number, don't you? You can call him now too.

I wish everybody a Happy St. Paddy's Day. That's all I have.

**PRESIDENT SUSTER:** Thank you. Mr. Glenn.

**CLMN GLENN:** Nothing to report tonight, Mr. President.

**PRESIDENT SUSTER:** OK. Thank you. I have two things. We have a lot of kids that go to the high school and the junior high. They have plays throughout the year. If you have time, it would be good if you did go and see these plays. I mean these kids put their heart into it. I've seen several of them already and I'm going to announce two of them. The Garfield Heights Youth Theater will be presenting Willy Wonka beginning this Friday March 17<sup>th</sup> at 7 o'clock, Saturday March 18<sup>th</sup> at 7 o'clock, Sunday March 19<sup>th</sup> at 2 o'clock. That again is at the Garfield Heights center for performing arts, 4900 Turney Road. The tickets are \$10.00 for adults, \$7.00 for Seniors and \$5.00 for students. If you get a chance, take one of these plays in to see what these kids actually do.

This one here is a little ahead of time but I'd let you know about it anyhow. This is done at Garfield Heights High School Theater Department presents Shrek the Musical April 7<sup>th</sup> and 8<sup>th</sup> and the 21<sup>st</sup> and the 22<sup>nd</sup>, 28<sup>th</sup> and 29<sup>th</sup>. That will be at 7:00 p.m. Then April 23<sup>rd</sup> and 30<sup>th</sup> it will be at three o'clock. Those are both Sunday shows. The cost for the tickets is \$8.00 for pre-sale and \$10.00 at the door. Here again that will be at the Garfield Heights center. If you get a chance, go and see one of these plays and you will be amazed. You know we are always saying what the kids do and what they don't do. Well those kids they're very much into this. That's all I have, besides Happy St. Patrick's Day. I just hope if you drink don't drive.

Our next meeting will be on March 27, 2017 right here in the Caucus room. Mr. Burke.

**CLMN BURKE:** Thank you, Mr. President. I have a few things. First, I want to thank the residents on Darlington for coming up and sharing your problems with us. I hope that we will get to some sort of peaceful solution. You can't teach common sense to people sometimes. They're born with it or they're born without it. You would think that people would have common decency and be able to at least be courteous to the neighbor.

I also wanted to point out next week on Monday (a week from tonight) that I have my Community Awareness Meeting. It will be right here at the Civic Center at 7 o'clock. I have County Councilman Parnell Jones will be joining us to help answer questions, so everybody that has a question about Turney Road, Parnell's the perfect guy to ask.

Then, Mark, I want to welcome you aboard. I don't want to say happy retirement to Bill just yet because I think he's still going to be with us for a little while, but his retirement date will be here before you know it, but I do wish him the best of luck, Bill. I wish you the best of luck and I thank you for everything you've ever done for me since I've been elected here.

Then I, too, would like to wish everybody Happy St. Patrick's Day. That's all I have.

**PRESIDENT SUSTER:** Mr. O'Laughn.

**CLMN VAUGHN:** Why thank you, Mr. Suster. First of all, Mr. Suster, I want to congratulate you. You didn't get Matt and I mixed up tonight and I thank you, but the Tims he had a problem with the Tims. OK.

Folks, the weather's going to be treacherous the next couple of days. Take it slow please. Mr. McLaughlin, we got plenty of salt, right? Our guys are going to be out there working? When you see those trucks give them plenty of room, folks.

St. Monica's is going to be having a Health Fair on April 1<sup>st</sup>. They are going to be offering a blood pressure screening, relaxation methods, food preparation and much more for good health. Come on up and join us. There will be more information to follow on this.

Mayor, do I need to lend you a St. Patrick's Day tie? Jeannie, does he have one? I will be dropping one off at the office.

Everybody have an enjoyable St. Patrick's Day. Drive safely. Hopefully the weather's be good. See you all in church.

Mr. Chairman, I move that we adjourn this. I'm sorry.

**PRESIDENT SUSTER:** On the motion made by Mr. Vaughn to adjourn the meeting, all those in favor signify by saying Yea. All opposed? Meeting adjourned.

AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

**MEETING ADJOURNED AT 7:57 p.m.**

**APPROVED:**

**RESPECTFULLY SUBMITTED:**

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Joseph Suster, President of Council

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Barbara Molin, Clerk of Council