

**MINUTES OF A REGULAR MEETING OF COUNCIL**

**CITY OF GARFIELD HEIGHTS, OHIO**

Monday, March 23, 2009

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

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

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

**READING AND DISPOSAL OF MINUTES:**

Moved by Clmn SUSTER to accept the minutes of the Regular Meeting of City Council of March 9, 2009 as submitted. The minutes were adopted with seven YES votes.

**PRESIDENT WAGNER:** Before I move on to Written Communications to Council it has been brought to my attention that the Council wishes to take Resolution 15-2009 out of order and place it before the body. If there's a motion in order?

**CLMN SUSTER:** Mr. Chairman, I'd like to make a motion that we take Ordinance 15-2009 and place it on the floor at this time.

**PRESIDENT WAGNER:** Will the Clerk please read the title of Resolution 15-2009?

**RESOLUTION NO. 15-2009**

**A RESOLUTION HONORING CITY EMPLOYEE MILLIE PIROS FOR HER EFFORTS IN HELPING A MEAL-ON-WHEELS RECIPIENT WHO HAD A RECENT MEDICAL EMERGENCY.**

**CLMN SUSTER:** Mr. Chairman, consider by title.

**PRESIDENT WAGNER:** We're on the vote to take it out of order right now.

**CLMN SUSTER:** I'm sorry.

**PRESIDENT WAGNER:** On the motion to take it out of order and put it before the body?

**AYES:** 7

**PRESIDENT WAGNER:** Motion carries with 7 Yes votes. Resolution 15-2009 is before the body at this time for a vote. Before we vote on it, as is customary, the Rules of Council allow comments from citizens on this particular Resolution 15-2009 and by the Administration. Mayor, if you have anything you'd like to say?

**MAYOR THOMAS LONGO:** Yes, we're proud of our employees and Millie just represents going above and beyond. It's a common sense thing. It's a common effort. It takes an extraordinary individual to do what she had done and this follows on the heels of our Service employee Mr. Hudak at the last Council Meeting helping that lady that couldn't get up in the big snowstorm. So we're very proud and we are grateful that she represents our community. So congratulations, Millie.

**PRESIDENT WAGNER:** Is there anyone in the audience that would like to address Council on Resolution 15-2009 only? There being none, I'll entertain a motion to consider by title.

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

**CLMN SUSTER:** Before I vote, I know we didn't have the Resolution read in its entirety, but what had happened is Millie delivers Meals on Wheels and went to one of the resident's homes and as regularly the lady answers the door. Well this time she didn't and Millie just went on and didn't deliver her meal but when it was time for her to go home before she could go home she really didn't feel comfortable with the situation so she did go back to the lady's house and what had had happened is the elderly lady had had a stroke and was underneath the kitchen table. Millie had called 9-1-1 I believe and they did send the fire department up. But had not she done this which was on her own time that lady would have probably died and I would like to congratulate Millie and thank her for being one of the fine employees of the City of Garfield Heights. That's all I have.

**PRESIDENT WAGNER:** Why don't you have her stand up?

**CLMN SUSTER:** Millie, if you want to stand up, please?

**CLWN MAHONEY:** Before I vote I'd also like to say I have known Mrs. Piros for a long time and she is a wonderful lady and thank you for just being who you are and I vote Yes.

**CLWN MARINCIC:** Before I vote I want to say I know that the entire City is proud of you and I'm proud our City has you as an employee. That was a wonderful sincere effort on your part that probably did save a life and I vote Yes.

**PRESIDENT WAGNER:** I am proud to announce that Resolution 15-2009 stands adopted with seven

Yes votes.

AYES: 7

**CLMN SUSTER:** Millie, is there anything you'd like to say? You have to come up front please.

**MAYOR THOMAS LONGO:** You're going to embarrass her.

Millie Piros. Well I just hope that if anything like that ever happens to me that somebody would come and help me.

**PRESIDENT WAGNER:** Thank you. We'll go back to the regular agenda.

**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. If Cleveland State would have won the second game yesterday I would have been dressed in all green and white but maybe next year with the chance to recruit? Today's the day we can accept and begin to implement a Financial Recovery Plan or the State of Ohio will cut our revenues by 15%. A 15% cut is equivalent to laying off about 35 employees. The Plan evolved over the last four weeks where it really got serious. First City Council's approving of the early retirement package is critical. Obtaining concessions from the Unions was a big part. Members of City Council saying they did not wish to increase taxes. A consensus to avoid layoffs. Cuts in overtime. Increases in Recreation fees, Building Department fees, ambulance fees and other miscellaneous fees. A big part of this. The intention is to install the red light cameras in the City. We'll be talking more about that in the weeks to come. Pay reductions in Bureau of Workers' Comp fees. Savings in healthcare costs. Another critical piece. We have not replaced 11 full-time employees who have left our employ. We reduced supplies and special contracts costs. We plan to review and eliminate some City positions to continue downsizing in the future. To borrow \$3.5 million from our Local Government Fund to eliminate the deficit. This is absolutely critical because by eliminating the deficit this allows our City to work its way back to solvency without raising taxes. Filing the Plan is predicated on the Municipal Court being self-sufficient. So to summarize all this: no layoffs; no tax increases; and provides the City a road map to fiscal solvency is on the table. There are certain things that we cannot forecast or control. What the future holds for our economy? Will the Washington Stimulus Package turn the economy around? Will the foreclosure crisis level off and improve? These are beyond our control or ability to forecast.

If Ordinance 14, which is the Plan and Ordinance 15, which is the associated Budget, are not adopted tonight (we are under a time crunch) I will be forced to lay off 35 of the City's employees starting tomorrow. We will pay them six months salary and be forced to balance the budget in an atmosphere of anger and hate. And the deficit will continue to grow. Our Council can adopt the Plan and Budget and continue the cost cutting process by allowing the older workers to move on while giving the younger employees a chance to advance their careers with the City. And at the same time it allows us to eliminate our deficits without further turmoil. That's all before us.

After the last Council Meeting that I missed because I was visiting my family in Arizona, I received some disturbing feed back from people attending the meeting and here's what they observed. Ed Licht, personal friend of Judge Nicastro, was coaching people in the audience to describe the buyout as a golden parachute, that we were borrowing the money from the Local Government Fund to pay for the buyouts. Henry Warren, former City Councilman, who has been involved in personal bankruptcy, participated. Joe Lamalfa, who is a driver for County Commissioner Jimmy Dimora, and by the way County employees have been given a buyout option. That's OK. Ours is not. He participated. Ed Licht is retired from the Federal Government. He runs a private investigative service and works for \$30.00 an hour in Judge Nicastro's Court. No one seems to have any idea what he does in the Court. His job was eliminated by Judge Weiler. He sued her and the City for age discrimination. He settled for back wages with Judge Weiler and she had to allow him to stay on. The City had to defend itself in this action at an expense of several thousand dollars even though we had no involvement in the job elimination. It's easy to see why the Municipal Court averages a deficit of \$276,000.00 a year for over 12 years while most Municipal Courts run in the black. I have only asked that the Garfield Municipal Court operate on a balanced budget. That's all I've ever asked. Now through Ed Licht, Judge Nicastro wants to control our City's government and allow the Court to continue to drain our General Fund. We have never interfered in the operation of the Court and I will not allow this back door political posturing to intimidate us or to run our City. These machinations drain off energy and waste time. I believe that is the Judge's game plan via Ed Licht.

Continuing on tonight's agenda, Ordinance 16 and 17, the Building Commissioner Bill Wervey can address your questions. Ordinance 16 is that if there's any activity where the County's involved with homes that fees be waived and Ordinance 17 is an update to the Electric Code. Finally, Resolution 16. I attended the funeral today of former Mayor Ted Holtz. It was something that I believe the whole thing came off very, very well and I believe that the Holtz family could not have planned it any better. No one has any idea what's it like to be a Mayor of a City like Garfield Heights or any city and to try to do the right thing and Ted tried to do that. So our condolences go to his family and this scenario came up rather quickly and we were pressed to get this to City Council but I just had to pass this on to City Council. This concludes my report.

**PRESIDENT WAGNER:** Mayor, I have a question for you in regards to Resolution 16 honoring former Mayor Ted Holtz? He served as Mayor for four years here in Garfield Heights. Is there some mechanism we can put in place to possibly look into honoring him as a City? Possibly by naming a park or a street or something after him in remembrance?

**MAYOR THOMAS LONGO:** I would have to look into that. There's always a way to do something. We'll take a look at it.

**LAW DIRECTOR DAVID MACK:** No report.

**SERVICE DIRECTOR TIMOTHY McLAUGHLIN:** Absent.

**PRESIDENT WAGNER:** Any questions of the Service Director?

**PARKS AND RECREATION DIRECTOR JAMES BUKAC:** Thank you Mr. President. I want to announce that this weekend at the Recreation Center we have our 41<sup>st</sup> Annual Municipal Figure Skating

Show and it's a great opportunity to see all the kids in our program and how they've progressed over the year and over the years in many cases. The show will start Friday night at 7:00 p.m. and Saturday night at 7:00 p.m. and Sunday afternoon there will be a matinee show at 2 o'clock. Council I believe you've been sent your tickets? I encourage everyone to come and we invite the general public to come up there if you want to see a lot of kids really do a good job and give their best effort. It's a great opportunity for the kids.

Also at the last meeting Clwn Marincic asked me about the Easter Egg Hunt and I wasn't quite sure of the time. The Easter Egg Hunt will be on April 11<sup>th</sup> at the Metro Parks and it begins at 1:00 p.m. That concludes my report.

**PRESIDENT WAGNER:** Where in the Metro Park?

**PARKS AND RECREATION DIRECTOR JAMES BUKAC:** At Old Birch. Where it always is in the back there where we play t-ball.

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

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

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

**FINANCE DIRECTOR RICHARD OBERT:** All I can say is I want to thank everyone that was in the process of doing this Plan. It was quite testing and pretty hard to do. The LGS people are in my office right now and on Thursday they'll have the five-year nine plus four more years the attachments will be given out or it will be public information to show how this thing will be fully unimplemented. That's all I have for the evening.

**CITY ARCHITECT DAVID SPEHAR:** No report.

### COMMENTS BY CITIZENS:

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

Henry Warren, Jr., 4512 East 131<sup>st</sup> Street. I'd like to know how much input the Council had in the Recovery Plan?

**PRESIDENT WAGNER:** Are you asking that of any specific person?

**MR. WARREN:** I'm asking Council. It's seven people. How much input did they have in the Recovery Plan? I'm trying to get an answer.

**CLMN DUDLEY:** I do want to say I have my information that I submitted and as far as some possible savings and that was my part to submit it and I think it all boiled down really that the Administration put something together and we went ahead and reviewed it to see if it was acceptable because they had more

access to where everything is being spent as far as the payroll, etc. I had submitted my letter and that's basically what came from me.

**MR. WARREN:** That's it from Council?

**CLMN SUSTER:** The one thing is you know the Mayor had asked the Members of Council to submit a list of ways that they thought that the City could save money in order to prevent these layoffs and through the Finance Meetings that we had and through the diligent work of Dick Obert, etc. That was how the Plan was put together.

**MR. WARREN:** OK.

**CLMN OTERO:** I've had a great deal of opportunity to look at a number of recommendations and thoughts regarding this Plan and I was asked for input (being an outsider and a new person coming in) and I felt very comfortable in looking at the resolutions that came out of a number of people's recommendations and they made a lot of sense and with the hope of avoiding layoffs I think everybody did a tremendous job in presenting a tremendous Plan. I think I had a great deal of involvement with it and I think many of us, if not all of us did.

**CLMN LIOTTA:** Mr. Warren, I have had several meetings with the Mayor on this Plan and discussed different things so I did.

**MR. WARREN:** OK. Last time I was here and this is in reference to the Recovery Plan, I'd asked what did the City give back in reference to the give back in reference to the financial problem that we have.

**PRESIDENT WAGNER:** Who are you addressing?

**MR. WARREN:** To anybody that can answer. Mr. Mack and I had a conversation. Maybe I should ask Mr. Mack?

**PRESIDENT WAGNER:** Is your question what did the City give back or the Administration?

**MR. WARREN:** The Administration gave back. I'm sorry.

**LAW DIRECTOR DAVID MACK:** If you're addressing that to me, Mr. Warren, it is my understanding that it was always the plan that if there was cooperation and I understand that there was a great deal of cooperation, from each and every Union, that the non-Union City employees would receive the same reductions that the Unions had agreed to. As far as I understand it that is still the situation. Mr. Obert is working on those plans; the contracts have not been finalized. Some of them have been voted; some of them not. I can't tell you which ones were or were not voted on but each and every employee whether it's Union or non-Union will be asked to give something back in these times.

**MR. WARREN:** OK. Who was the City's person assigned to the negotiations?

**LAW DIRECTOR DAVID MACK:** Mr. Wagner, I could answer that. Our labor lawyers were the prime negotiators. There was a great deal of input from each and every Councilperson and probably although she won't admit she was involved an awful lot, was Clwn Mahoney. She was making calls constantly. She was in touch with people constantly. Each and every one of these people up here of the seven contributed and Clwm Mahoney was very active in trying to bring all sides together.

**MR. WARREN:** Now go back to my original question. Who was Council's representative to the Union negotiations?

**PRESIDENT WAGNER:** The official Union delegate was Clmn Liotta appointed by the Chair at the beginning of this term.

**MR. WARREN:** Mr. Liotta, you did do some you did represent Council within the negotiations, right?

**CLMN LIOTTA:** No, I did not.

**MR. WARREN:** I'm confused. If you're the representative how did Ms. Mahoney get in?

**CLWN MAHONEY:** I was asked to participate by some Members of the Unions.

**MR. WARREN:** OK. Did you do that with the Service Garage negotiations?

**CLWN MAHONEY:** I did.

**MR. WARREN:** Did you sign anything in terms of the negotiations?

**CLWN MAHONEY:** Did I sign? Council's not allowed to negotiate contracts.

**MR. WARREN:** My theory is that I'm not a lawyer. Mr. Mack he has all the brains in that area. Don't you have a brother-in-law working for the Service garage?

**CLWN MAHONEY:** I do. He's not hired by the Unions however.

**MR. WARREN:** But because he works for the Service Garage you don't think that's a conflict of interest?

**CLWN MAHONEY:** My sole role in being involved was to avoid layoffs.

**MR. WARREN:** I'm not talking about layoffs. That's not the question I'm asking.

**PRESIDENT WAGNER:** First of all we can't go back and forth. Let me recognize who's going to speak only from the standpoint the Clerk's going to have a lot of mumble jumble. She's not going to be able to transcribe if two or three people are talking at one time. So go ahead, Mr. Warren, you have the floor. Go

ahead and ask your question.

**MR. WARREN:** I asked it already.

**PRESIDENT WAGNER:** OK. Clwn Mahoney, do you want to respond?

**CLWN MAHONEY:** My response is that my brother-in-law is not affiliated with the ASME Union.

**PRESIDENT WAGNER:** Are you done?

**CLWN MAHONEY:** I'm done.

**MR. WARREN:** I have two more questions. Then I'll sit down. If the Recovery Plan passes, Mayor, would anybody get laid off?

**MAYOR THOMAS LONGO:** Did you hear my report?

**PRESIDENT WAGNER:** He asked you a specific question, Mayor, if you want to answer it you can. If you don't want to you don't have to.

**MAYOR THOMAS LONGO:** It was in my report. It was very clear.

**MR. WARREN:** I'm asking you now a specific question. Not in regards to your report. I'm asking about the piece of legislation that Council will vote on or not vote on, approve or disapprove tonight regarding the Recovery Plan and that specific question is will any of the City employees get laid off if the Recovery Plan passes?

**MAYOR THOMAS LONGO:** Mr. Warren, we put the plan together to avoid layoffs and that is our absolute intention. Now, I have a question for you. Can you predict what's going to happen with the economy? Can you predict what's going to happen with our income tax, with our property tax, with the foreclosures? Those are the wild cards floating out there. If you could predict that I could give a definitive answer for the next five years. Right now the situation the way it is now with the adoption of this Plan and this Budget it's no layoffs.

**MR. WARREN:** I know that the Recovery Plan is full of holes; however, it's like cutting.

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

**MR. WARREN:** They took up a lot of my time, Mr. Chairman.

**PRESIDENT WAGNER:** I deducted that.

**MR. WARREN:** Are you sure?

**PRESIDENT WAGNER:** Yes.

**MR. WARREN:** You are not doing fuzzy math are you?

**PRESIDENT WAGNER:** No you started at 7:20 p.m. It's almost 7:28 p.m.

**MR. WARREN:** OK. The Recovery Plan has more holes in it than a piece of Swiss cheese. I have as my hope reluctantly that a recovery Ordinance 14 passes based on the hope in regards to what the Mayor said and in regards to there would be no layoffs and just as I sit down I need to tell this body yeah, I filed bankruptcy and if I can do it again I will. So you want to know that Mayor?

**PRESIDENT WAGNER:** Thank you. Is there anyone else wishing to address Council on tonight's agenda?

Joe Lamalfa, 13205 Silver Road. Friend of Jimmy Dimora's. Also I know that the Mayor was supposed to be a friend of his. Mayor, I got a question to ask you. You brought up the fact that a friend of mine works for Judge Nicastro and Ed Licht and you said the Court has no idea what he's doing. Now what about Noreen Kuban? I've been asking what she does making \$110,000.00 a year and I haven't been able to get an answer. I mean is it fair for you to talk about somebody else when people on your own staff don't know (*inaudible*)?

**PRESIDENT WAGNER:** Mr. Lamalfa, the Comments that we're on right now is about the agenda.

**MR. LAMALFA:** He made that comment just to me.

**PRESIDENT WAGNER:** You can do that at the end of the meeting under Comments By Citizens. This is specifically on tonight's agenda.

**MR. LAMALFA:** OK. I'm sorry. I apologize. The 3% raise that the Unions got was left off of this budget. Mr. Obert, was it left off on purpose? Or?

**FINANCE DIRECTOR RICHARD OBERT:** They did not get a 3% raise. I'm talking about fiscal year 2009. It's 1%. It was put in the budget. Yes, it was.

**MR. LAMALFA:** Was it put in the Plan?

**FINANCE DIRECTOR RICHARD OBERT:** It's in the Plan. Yes.

**MR. LAMALFA:** When you talk about it at the end it says here the Plan is being Municipal Court self-sufficient. Is the Municipal Court part of the City?

**FINANCE DIRECTOR RICHARD OBERT:** Every Plan that we have looked at from other cities—East Cleveland, the city of Girard where they have Courts, it's because the Court employees are not City employees. We're at the mercy of the Judges. The two Judges here in this situation to try to have a balanced budget. That is a generic statement that puts in there saying we are not going to be held

responsible if there's a deficit in that organization.

**MR. LAMALFA:** They are or they are not part of the City?

**FINANCE DIRECTOR RICHARD OBERT:** The building that we own is in the City. They are not a part of the City, no.

**MR. LAMALFA:** Their employees are left off the golden parachute that you offered all the other City employees. If they are City employees shouldn't they have been offered?

**FINANCE DIRECTOR RICHARD OBERT:** They are not City employees.

**MR. LAMALFA:** They are not City employees?

**FINANCE DIRECTOR RICHARD OBERT:** No, absolutely not.

**MR. LAMALFA:** Then they should not have been part of the Budget then.

**FINANCE DIRECTOR RICHARD OBERT:** Tell that to the State Legislature in Columbus. You could make that. We're responsible.

**MR. LAMALFA:** You're responsible for non-employees?

**PRESIDENT WAGNER:** Mr. Lamalfa, would you concede the floor to the Mayor?

**MR. LAMALFA:** Yes,

**MAYOR THOMAS LONGO:** The Court's going to have to balance their budget. Their money comes out of our General Fund. Period. The employees serve at the pleasure of the Judges, but the Judges are responsible for balancing their budget. That has been dictated to me by Mr. Paul Marshall, by the performance auditors, by a whole host of other people. It is a real tragedy that when you compare the operation of the Garfield Municipal Court to other Courts that have a similar case load most of them run in the black. This Court consistently runs in the negative. And when I said about your buddy I said no one knows what he does up there. That's a fact. After the meeting or later on if you want to ask me what Ms. Kuban does I'll be more than happy I could detail it out hour by hour, day by day. I know exactly what she does.

**MR. LAMALFA:** At the end I will ask you that.

**MAYOR THOMAS LONGO:** Fine.

**MR. LAMALFA:** So then you're saying that the Court does not run in the black? I was under the impression that in 2008 the Court did run in the black and the only reason that it did run in the black was because of the financial mess you had with the hospitalization plan. You kept trying to take money from them instead of dividing it all among the City.

**MAYOR THOMAS LONGO:** If you want to see what the figures are after the meeting, I'll give you a printout that goes back 12 years.

**MR. LAMALFA:** You don't have to. Is that true or false?

**MAYOR THOMAS LONGO:** It's false.

**MR. LAMALFA:** OK. Thank you very much.

**PRESIDENT WAGNER:** You're welcome. Anyone else wishing to address Council on tonight's agenda? Strictly on tonight's agenda? There being none that concluded the Comments By Citizens on tonight's agenda. Next we'll move on to Committee Reports.

**COMMITTEE REPORTS:** None.

**ORDINANCES AND RESOLUTIONS** We'll move on to Ordinances and Resolutions.

**PRESIDENT WAGNER:** The first Ordinance is Ordinance 11-2009 which is up for a Second Reading which passed on a First Reading at the last meeting. Will the Clerk please read the title of Ordinance number 11-2009?

**ORDINANCE NO. 11-2009**

**AN ORDINANCE AMENDING PART THREE, CHAPTER 351 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS BY ADDING SECTION 351.071 "EXCESSIVE IDLING OF ATTENDED VEHICLES".**

**PRESIDENT WAGNER:** On the Second Reading, roll call please?

AYES: 7

**PRESIDENT WAGNER:** Ordinance 11-2009 passes its Second Reading.

**ORDINANCE NO. 14-2009**

**AN EMERGENCY ORDINANCE APPROVING THE MAYOR'S FINANCIAL RECOVERY PLAN, ATTACHED HERETO, AND DIRECTING THE PLAN TO BE SUBMITTED TO THE FINANCIAL PLANNING AND SUPERVISION COMMISSION.**

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

**CLWN SARNOWSKI:** I agree with the increases in the permits and fees along with the Budget cuts plus anything else within reason to avoid layoffs of our City employees. This Plan does not address employee medical insurance premiums or the City paying the pension contributions of non-Union City workers which could save \$189,000.00 a year. I agree with Clwn Marincic in her Ordinance addressing this. There's other questions I have about this Plan. We'll also look at downsizing the City's work force. Through our attrition we have cut 11 full-time employees. When they say downsizing it's another way of saying even with the passing of the buyout, the tremendous Union concessions, increasing fees in permits and other cuts that the City is going to lay off employees. Anything that is part of the Plan was examined and looked at. The Auditor's Office will present the Commission a five-year forecast showing how the Plan comes into play with the numbers. They will look to see if the City can afford it and what the Plan says and how the numbers run. According to the Auditor's Office the City of Garfield Heights needs a Recovery Plan in place. If Council does not vote the State automatically cuts everything 80%. The Commission by law takes the City down to 85% of the prior year's appropriations. I sincerely thank

everyone that worked on this Plan also to Mayor Longo for all the hard work and time he put into the Financial Recovery Plan. Since I only had two days to look over the Recovery Plan I will go on Mayor Longo's words that this is the best Plan available to get the City out of the financial emergency. I vote Yes on Mayor Longo's Financial Plan.

**PRESIDENT WAGNER:** Before I announce the vote I would like to let everyone know here that the State Commission is meeting the Thursday, March 26<sup>th</sup> at 5:45 here at the Council Chambers. If you're interested in attending that meeting it's open to the public so I encourage you to attend. Ordinance 14-2009 stands adopted with seven Yes votes.

AYES: 7

**ORDINANCE NO. 15-2009**

**APPROPRIATION ORDINANCE: TO MAKE APPROPRIATIONS FOR CURRENT EXPENDITURES FOR THE CITY OF GARFIELD HEIGHTS, OHIO, DURING THE FISCAL YEAR THROUGH December 31, 2009.**

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 7

Motion to WAIVE RULE 24:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

**CLWN SARNOWSKI:** Again, if we don't do anything the City's expenses will rise approximately \$2,000.00 per year. We need that to stay even. The City is required to have a balanced budget with the reduction of the Local Government money. That means the appropriations have to stay within the estimated resources taking into account the estimated cost of the payback of the Local Government loan which would be about \$43,000.00 a month for eight years according to the Plan that Council passed. The City should take actions to increase operating expenses and/or decrease operating expenditures/expenses. This Plan states reducing operating supplies by 15%. Some lines in this doubles office supplies to \$2,000.00. For instance in Ordinance 15 we are planning to spend close to \$4 million more. This doesn't make sense to me so I vote No.

**PRESIDENT WAGNER:** Ordinance 15-2009 stands adopted with six Yes votes and one No vote.

AYES: 6

NAYS: 1

**ORDINANCE NO. 16-2009**

**AN ORDINANCE AMENDING SECTION 1314.04 OF THE CITY OF GARFIELD HEIGHTS CODIFIED ORDINANCES REGARDING NOTICE OF FORECLOSURE FILING FEES.**

Moved by MAHONEY to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

AYES: 7

**ORDINANCE NO. 17-2009**

**AN ORDINANCE AMENDING SECTION 1329.01 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS, TO ADOPT THE MOST CURRENT EDITION OF THE NATIONAL ELECTRICAL CODE.**

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

AYES: 7

**RESOLUTION NO. 16-2009**

**A RESOLUTION HONORING AND REMEMBERING FORMER GARFIELD HEIGHTS MAYOR THEODORE S. HOLTZ FOR HIS MANY YEARS OF PUBLIC SERVICE.**

**PRESIDENT WAGNER:** Would the Council have any objections if we read this in its entirety please? Madame Clerk would you read it in its entirety please?  
*(The Clerk read Resolution 16-2009 in its entirety.)*

**CLWN MARINCIC:** Mr. Chairman, since the Resolution was read in its entirety we don't have to vote on the Consider By Title anymore. I make a motion to waive the Three Reading Rule.

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

**CLWN MARINCIC:** Before I vote, I want to say what a great man Mayor Holtz was and I do think the City should look into naming something after him and I vote Yes.

**PRESIDENT WAGNER:** Before I announce the vote I'd ask for a moment of silence in honor of former Mayor Ted Holtz? Thank you.

AYES: 7

**COMMENTS BY CITIZENS:**

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

Henry Warren, Jr. 4512 East 131<sup>st</sup> Street. I need to address this probably to you, Mayor? I'm not like you. I make mistakes. If you cut me I'll probably bleed. You may not. However the problems that have been created in the City you know, blaming Mr. Lamalfa, the Courts, Ed Licht, myself or whoever else you may throw into the mix to blame? It reminds me of when I see a dog go to the bathroom. It lifts its hind leg and tries to cover it up. There's no way that you could escape the current problems that we have financially in our City. The buck stops with you. So now you can blame all of these other things including bringing up that I filed bankruptcy and whatever else you may have in your hat of tricks. Tricks you may have in your hat. Still won't change the fact that the employment in this City is at the pits. People are concerned about being laid off and I suppose if they get laid off and had to file bankruptcy you'd probably have to say something about them too. But the fact is that you are responsible and the buck stops with you. I hope that when you said that you used probably you used another word I can't remember that no employees would be laid off as a result of this Recovery Plan that passed tonight I hope that that's true. That's all I have for you, Mayor.

Mrs. Sarnowski, I commend you and a resolution should be sponsored on your behalf for voting No on the Budget. Maybe you were the only one that read it? Or maybe even understood it? So I congratulate you for your conviction and what you read was on point and lastly I'd like to compliment you for admitting that even though you voted for the Recovery Plan I would like to compliment you for admitting that you only got that Plan two days prior to your voting on it. So I understand the importance of that Recovery Plan passing but I do compliment you for your honesty and the remarks that you made regarding the two pieces of legislation. That's all I have Mr. Chairman.

**PRESIDENT WAGNER:** Thank you. Is there anyone else wishing to address Council this evening?

Joe Lamalfa, 13205 Silver Road. And still a friend of Jimmy Dimora's. I call up Nancy every day practically and talk about the golden parachute. I think she took my number out of her phone now so she's not answering her phone. It's starting to bother me a little bit that Mr. Dudley said that the Administration gave back. I have not heard anything about the PERS yet and the Mayor said we're going to get rid of long time employees and hire them back at lesser salaries. What I can't figure out is you're buying something that you don't really need. That bothers me. Because most of the employees are your staff members and most of them serve at your pleasure. They're not Union workers. You could cut this without spending \$3.5 million for the buyout and I just don't understand how you think that's going to save us money? Instead of using that \$3.5 million to pay off the deficit or something. Can you explain that?

**MAYOR THOMAS LONGO:** Yes, let me, Mr. Chairman? First of all. You throw Jimmy Dimora at me. Do you have any idea of the relationship I have with Mr. Jimmy Dimora? Do you have any idea how far that goes back? Do you have any idea of the things that we've been through? The fun that we have had

through the years?

**MR. LAMALFA:** Yes, I do. Why would you bring him up?

**MAYOR THOMAS LONGO:** I didn't criticize him. One of the things that I have never done I have never flaunted my relationship with Jimmy Dimora, All right? Or any other elected official that I've come to know real well to anyone. I don't wear it on my sleeve.

**MR. LAMALFA:** OK.

**MAYOR THOMAS LONGO:** Let's make sure.

**MR. LAMALFA:** Why would you bring that up to me?

**MAYOR THOMAS LONGO:** You just brought it up.

**MR. LAMALFA:** I brought it up because you brought it up.

**MAYOR THOMAS LONGO:** Let's talk about the 22 employees.

**PRESIDENT WAGNER:** Hold on one second, Mayor. Are you?

**MR. LAMALFA:** No, I'm not through yet. No one in here ever knew. I never said anything about that to anybody. You're the one who brought it up. You felt the need because you were on vacation during a crisis of history making here and you want to bring it up that you heard something was going on last weekend. I didn't bring it up. You brought it up. I don't flaunt to anybody. So how could you?

**MAYOR THOMAS LONGO:** There's one thing you have to understand.

**PRESIDENT WAGNER:** Are you done, Mr. Lamalfa?

**MR. LAMALFA:** Yes.

**MAYOR THOMAS LONGO:** There's one thing you have to understand. Truth is an ultimate defense and what I brought up has been given to me by three or four people who all come from all different walks and all different aspects. I'm not going to get into that. The thing that you brought up about the staff? There's about 24 employees that are involved out of 230. You take the Finance Director, Parks/ Recreation, people that are up here. And they're staff. So let's get rid of them all? You can't.

**MR. LAMALFA:** I didn't say that.

**MAYOR THOMAS LONGO:** That's what you said.

**MR. LAMALFA:** You said you wanted to buy them out.

**MAYOR THOMAS LONGO:** You're putting words in my mouth and you're not listening. It's all part of the Plan. If you go and read the Plan and you read the details of the Plan you will see that everything that has been said on the floor of this Council will be implemented and has been implemented to this day. The only reason that I have survived all this time is because I do what I say I'm going to do. I don't run a campaign on fluff. I don't play bluffing games. I don't turn around and make things up. I do what I say I'm going to do and the art of all of this is to try and put together in trying times an organized sensible approach to solve problems that is doable. That's all sitting in this seat is all about. It's putting something together that's doable. So when we put this Plan together--and the two that really triggered making this

thing plausible were Clmn Liotta and Clmn Otero who said why don't you look at a buyout? And all of a sudden when we really got into the nuts and bolts of it, it made sense. Now for someone to come up here and to take the comments that I have made and trying to extrapolate that I'm talking about some grand scheme of things I won't accept that.

And when I say that this thing's in a constant state of review, that you could take to the bank. When I say that even with future negotiations with Unions things are changing so radically because of what's happening out there it's going to have an impact on contracts. When you look at the technologies and things that are available we will have some serious conversations with Council on how to utilize technology and to save on personnel. And how things have changed with duties and responsibilities and we're going to ask them for their input as to how we can streamline our operation. That's all on the table. Just to get to this point where we are at right now we can do something but it's not over until the Commission approves the Plan. And there's nothing we can say to the Commission. There's nothing we can say to the people at the State Auditor's or the Performance Auditors. They're going to come Thursday and they already have this information. They're going to present it in their own light. It isn't going to be from Mayor Longo. It isn't going to be from Richard Obert. It isn't going to be from the Unions. It's going to be cold-blooded statistics. That's what we're dealing with. Now to try and take that and apply the personnel to it with all the grandiose schemes of oh we shouldn't lay off, we shouldn't do that, it's very difficult to do. It's a work in progress. This Plan I guarantee you within the next three months we'll have to update it because of changes that will come about: the Bureau of Workers' Comp changed within the past week. Contracts, service, different ways of doing things--that's all being done and that's happening now. So it's not like the budget where Mr. Obert has the luxury: a bill comes in, he waits so long, he pays the bill and then it goes on the books. This is a fluent situation that we're dealing with.

**PRESIDENT WAGNER:** Are you done, Mayor?

**MAYOR THOMAS LONGO:** Yes.

**MR. LAMALFA:** I have one more question for the Mayor. Out of 235 employees how many are eligible for the golden parachute?

**MAYOR THOMAS LONGO:** 39.

**MR. LAMALFA:** And how many of those 39 are your personal Administration?

**MAYOR THOMAS LONGO:** 26 of the 39 are in the Union.

**MR. LAMALFA:** 26 of what?

**MAYOR THOMAS LONGO:** 26 of the 39 are in the Union.

**MR. LAMALFA:** Are in the Union?

**MAYOR THOMAS LONGO:** Yes.

**MR. LAMALFA:** OK. So there's only 11 of your.

**MAYOR THOMAS LONGO:** And most of those are secretaries and assistants.

**MR. LAMALFA:** Going back to this Plan that you said you're going to submit. From my understanding, and I might be wrong on this, but the Plan you submitted tonight is passed. That's it?

**MAYOR THOMAS LONGO:** No. The first part of it is. The Commission has to accept it.

**MR. LAMALFA:** That's what my next question was. I'm under the understanding the Commission does not have to accept it. That they accept your Plan and they look at it and OK I like this Plan but it's not enough. So I want an additional 10% cut off from the board and they go in and they lay off 30 people instead of 35 people. Is that true?

**MAYOR THOMAS LONGO:** I don't follow you?

**MR. LAMALFA:** If you don't submit a Plan they are going to cut 15% and you said 15% is 35 people. OK? From my understanding is they're going to accept this plan but they are going to look at it and say OK it's not bad but they still got to knock off another 7.5%. So they knock off 7.5% instead of laying off 35 employees they lay off 15 employees.

**MAYOR THOMAS LONGO:** See what they have to say.

**PRESIDENT WAGNER:** Mr. Lamalfa, I think Mr. Obert would like to respond and he is able to answer your question?

**FINANCE DIRECTOR RICHARD OBERT:** Yes, the Mayor stated the LGS people are preparing Schedule A it's called. It will be a five-year plan. They have the conclusions. We have not seen the conclusions. It's not done yet. So it's like you're asking a question on what if? What if? What if? We'll know Thursday night. We'll all know.

**MR. LAMALFA:** I'm not asking what if? I'm saying for my understanding if this Plan will be accepted. They may add to it? But they won't take it away?

**FINANCE DIRECTOR RICHARD OBERT:** I don't know what they're going to do. Mr. Wagner, you sit on that Commission?

**PRESIDENT WAGNER:** Mr. Lamalfa, I can give some clarification. I received an e-mail today. Mayor, I don't know if you got the same e-mail today from Mr. Marshall? You probably have. You just have not read it yet. The Commission will look at the Plan on Thursday. It will be presented to the Commission. The Auditor's staff is going through the Plan and they will determine whether or not it's a viable Plan or not. My understanding is, according to Mr. Marshall, that the Commission won't vote on it until April at the April meeting is what he said in his e-mail. If it hadn't been passed today by the City. If it failed to be passed by this Council then tomorrow morning the Auditors would make a 15% across the board cut. Is that your understanding, Mr. Obert? Since the Council has passed the Plan it has a Plan it's going to be presented to the Commission on Thursday and at Thursday's meeting the Commission will have a better understanding on where the Auditor's Office is as far as reviewing that Plan. And you are correct to the point where if it's not a Plan that is amenable to the Commission then they'll address that issue with the City. It's not necessary they're going to make any cuts at this point in time. My understanding is that the City would have 30 days to make any adjustments to that Plan. OK? Anyone else have any questions or comments they'd like to address?

Ron Finnerty, 8025 Garfield Blvd. First off, I want to commend Nancy and Debra Sarnowski for the last Council Meeting trying to stop this nonsensical golden parachute thing from going through because it should have been commented on by everybody. I really commend you for sticking up to your guns and saying we didn't really get a chance to look at this Plan. We shouldn't be voting on it today and voting No.

I'm sorry to say the rest of you did vote for it. Yes, we needed to do something and yes that is the way this chamber has been running for the last year and a half to two years is at gunpoint. For you guys to get a budget and be able to distill it down to is it good or bad in two days is ridiculous. To say that it took that long to put it together is really ridiculous. It's unbelievable. According to the Plan that I just saw today David doesn't make any money. And you can come work at my company. I'll pay you twice what you're making because it says you make zero.

The only thing I can't stand to hear anymore here is personal attacks by a Mayor are unwarranted and uncalled for and out of place in this chamber. If you have something nasty to say about somebody tell it to your buddies. Don't bring it here. I don't want to hear it. I don't want to hear you attacking Henry. I don't want to hear you attacking anybody. I don't attack you personally. If I don't like your policies I'll attack your policies. I'm not going to talk about anything you personally did. I don't think that's in order. I don't think that's right. I've watched a few of you people do things that are just deplorable. We got a Finance Director at the last two meetings has blown up at residents. And you guys have had to stop him. This is unbelievable. This is serious, serious stuff going on. He just said that the Auditors are going to take a month to review your Plan but our Council gets two days to look at it? Come on. Does that make sense?

**MAYOR THOMAS LONGO:** Mr. Chairman, could I address this?

**PRESIDENT WAGNER:** As soon as he's done with the floor.

**MR. FINNERTY:** Please.

**PRESIDENT WAGNER:** Go ahead, Mayor.

**MAYOR THOMAS LONGO:** It's a two way street, Ron. When you say two days. We've been working at this for many weeks. This is a net result of much input and I guess that's fine. The Union negotiations, etc. trying to get what has to be put on the table, that's all blown away, that doesn't mean anything. What do you think this is all about? This is a public forum and when you have people who are deliberately trying to create roadblocks and delays it puts us in a very tough position. So when you get put in that position for the time that I've been around here you reach a point where you start saying OK, let's deal with the realities. You count your votes and you find out what the consensus is and you go from there. So March 23<sup>rd</sup>, March 26<sup>th</sup> are the two dates. The 26<sup>th</sup> is a very important day because that dictates what we can take the next steps to do. We've been very open about this. There have been all kinds of meetings. There's all kinds of Finance Meetings. I guess the only meetings that--there's probably one meeting which had to do with the negotiations that was a closed door meeting which, until we have the contracts put before everybody, that's not something that can really be discussed. But everything has been put on the floor.

What I find really interesting is when people get up here on this podium and pick and choose what they want to throw out and they pick and choose how they want to criticize and it's fine. But it's a two way street. It's a two way street. And this City is going to survive. We're going to get through this. I have never said that it's somebody else's fault. I've always stood here and whatever has to be done I tried to do. Now maybe people take fault with that, etc. but it's not right to turn around and say we just threw this together like I sat over the weekend like you do your income tax. I put it together and here Dick, put it out. It don't work that way. It don't work that way. It never has.

**MR. FINNERTY:** Please.

**MAYOR THOMAS LONGO:** Yes, go ahead.

**MR. FINNERTY:** Thank you. I never insinuated that you just threw it together the last couple days. I stated you did not give that information to these people to look at. You did not give that information to these people to look at. We didn't get a chance to look at it. We didn't get a chance to comment on it. You might say you did. You didn't. Why let's talk about the meetings. Until two o'clock today the meeting minutes did not exist. You commented on a meeting that the minutes don't exist for any of us to review. That was what you said at the beginning of the meeting. You commented on the last meeting. You know how many minute meetings went up today? February 23<sup>rd</sup>. A month ago. January 27<sup>th</sup> the Finance Meetings. Not February. February's Finance meetings are not even out yet. That's efficient. That really works well for us to review and I know that there are at least five people sitting back here that were checking on a regular basis, contacted people on this panel, contacted people in the City Hall to get the minutes of the meetings and we couldn't get them. They weren't printed.

**MAYOR THOMAS LONGO:** Let's just say this. I don't control how these Minutes come out. It's not the Administration's responsibility on that.

**MR. FINNERTY:** Wait your statement was buck stops here

**MAYOR THOMAS LONGO:** It stops here but the Council has a responsibility and the Council Minutes, etc. They are the only ones that can approve it They are the only ones that can amend it. They are the Council's Minutes. Now.

**MR. FINNERTY:** But they didn't get them. They can't prove they didn't get them.

**MAYOR THOMAS LONGO:** I can't answer that. The Clerk of Council is not my employee. She's not my employee. On the other side of the coin the Plan that's been put up. You now have copies of it. There were some updates that the Finance Director put together. You could take this. Go take that Plan. Go through it. If there's anything you see or anybody here sees anything in there that they think should be revised or approached differently I would like to know. Let me know, let Dick know, let the Law Director know, let your Councilman know. And we'll take a look at it and see what can be done. If it's reasonable we will accept it. I'll put that right there. I have yet to have outside of a couple of people sitting in this audience come up and make a recommendation to us. I could tell you everything that every one of these Council people--the conversations I had with them--and the things that they've given us. We have copies of all of that. The media is in constant contact with everybody. It's a constant ongoing process. When you go home tonight you want to look that thing over you see something that's glaring—that's not right--let us know.

**MR. FINNERTY:** I could only give it a cursive look since I just got it and the cursive look says your engineer has a salary of zero.

**MAYOR THOMAS LONGO:** He does.

**MR. FINNERTY:** I'm sorry to hear that.

**MAYOR THOMAS LONGO:** He gets paid on a project basis and Council has to approve it.

**PRESIDENT WAGNER:** He is also on a retainer though.

**MAYOR THOMAS LONGO:** Yes, a slight retainer. Like \$15,000.00 or something. That's what he gets.

**FINANCE DIRECTOR RICHARD OBERT:** I beg to differ. It's the corporation that gets that retainer. It's not David.

**MAYOR THOMAS LONGO:** You're right. OK.

**MR. FINNERTY:** I just want one more issue clarified, if I can ask. My understanding was when this whole process started was Commission or I don't know what the name is, that involved you, you.

**PRESIDENT WAGNER:** That's the Commission that meets Thursday. That's the State Financial Commission.

**MR. FINNERTY:** You are the Commission. Not the State Auditors.

**PRESIDENT WAGNER:** It's a combination of people. There's a Chairman who serves on the Governor's Office of Budget Management. He chairs the Commission. There's staff from the Auditor's Office that provides the information, does all the leg work for the Commission that works with the City on a regular basis with the Finance Director. There's a representative from the Attorney General's Office that sits on the Commission and there's three appointed members of the Commission that the Mayor and I appointed together and they also serve on that Commission.

**MR. FINNERTY:** So it was my misunderstanding that when the whole thing started that that was the group that was going to put together this Plan? You're not just a fall back?

**PRESIDENT WAGNER:** The way the Ohio Revised Code is written is that the Mayor and the Administration develops the Plan. They present it to the Council. I have asked numerous times that Council get the Plan with plenty of notice to review and not on Friday, but unfortunately the Plan was put together the way it was and they received it on Friday. Council votes on the Plan. They either approve it or disapprove it. Then from that point if it's approved it goes to the Commission. Before the Commission actually gets it, the State Auditor's Office, Trish Turner and her staff reviews it and they start crunching the numbers to see if it's a viable Plan. My understanding of the e-mail received today from the Commission (the Chairman of the Commission, Mr. Paul Marshall), is that the Plan will be submitted to the Commission (now keep in mind the Commission's not going to get the Plan until Thursday) he does not expect the Commission to vote on that day. His intention in the e-mail is to have the Commission vote on it at the April meeting. So any questions or concerns they have can be answered.

**MR. FINNERTY:** I know you're all trying to do the right thing. It's hard do the right thing at gunpoint though. That's the biggest concern I have.

**PRESIDENT WAGNER:** I would agree with you. Thank you. Anyone else wishing to address Council this evening?

Rebecca Burkey, 9707 Plymouth Avenue. I'm a citizen and a City employee and I wanted to rehash for my own personal understanding. You voted tonight so tomorrow or Wednesday night when I go back to work I'm not in fear of seeing my name on the list for the 15% through the Council and the Mayor? The 26<sup>th</sup> it goes to the Commission who then evaluate what they think and we won't hear a Yay or Nay from them until the 1<sup>st</sup> of April?

**PRESIDENT WAGNER:** My understanding is the April meeting. Mayor, is that your understanding?

**MAYOR THOMAS LONGO:** We'll see.

**PRESIDENT WAGNER:** We'll see at the April meeting on Thursday.

**MAYOR THOMAS LONGO:** He has not set the meeting yet.

**MS. BURKEY:** OK. So basically now we're waiting for the Commission to make their choice to see if they accept what the Mayor gave? If they do not accept it, how long do you have to regroup and come up with something else?

**PRESIDENT WAGNER:** I had a conversation with Trish Turner from the Auditor's Office and she had explained to me that if the Commission doesn't accept the Plan they'll send it back to the Administration and my understanding of my conversation with her (if I'm accurate in reporting what her and I had said), is that the City would have 30 days to address any concerns the Commission has. So the Commission's not just going to make cuts at that particular point.

**MS. BURKEY:** So basically we would have a month for everything to be rehashed and come up with another Plan?

**PRESIDENT WAGNER:** We could address any concerns that the Commission has. Not knowing what those concerns are right now I can't.

**MS. BURKEY:** Right. Not knowing what their concerns are, if it came back to us and more planning had to be done would there be enough time for you at that point for everyone in Council to sit down and possibly think of the trash problem? That was brought up a couple times before, are there other things that you can throw around that would be passed with the Commission? Because I'll tell you my main concern is I'm a person that I want to know the facts. Be it Yay or Nay for my job. I need to know. I can't work under this stress. I mean I will, I have to, but it is very stressful. I've got other people's lives at stake. Sometimes I have to keep a happy morale. I pray every morning. I come to work. Just focus on doing what you do, Becky. But each time I come to a meeting I find out it's even another period of time I'm waiting to get any confirmation on which direction I have to look in.

**PRESIDENT WAGNER:** Quite frankly, we can come to Thursday's meeting and Trish Turner's staff may have everything together and they may give the Plan a green light. We don't know until we get to Thursday's meeting.

**MS. BURKEY:** OK. So either we're going to know Thursday or we have till the April meeting and from then at least 30 days?

**PRESIDENT WAGNER:** Correct.

**MS. BURKEY:** OK.

**PRESIDENT WAGNER:** Excuse me one second. Not to ask a question from the audience but one of our Commission Members is there. Did he set a date for the April meeting?

Unidentified Audience Member. I believe it was the 16<sup>th</sup>.

**PRESIDENT WAGNER:** OK.

**MS. BURKEY:** OK. So basically I have the confidence to know that Council passed. I thank you. And we just have to wait it out through the other course

**PRESIDENT WAGNER:** As it takes its course.

**MS. BURKEY:** All right. Thank you.

**PRESIDENT WAGNER:** Thank you. Is there anyone else wishing to address Council this evening? There being none that concludes Comments by Citizens. We'll move on to Miscellaneous Business beginning with Ward 4, Clwn Sarnowski.

**MISCELLANEOUS BUSINESS:**

**CLWN SARNOWSKI:** I have nothing.

**CLMN SUSTER:** I know there was a lot of time put in to putting all this information together for this Plan and no matter what a lot of people think that it isn't something that just started three weeks ago. There was a lot of time put in through the Finance Meetings and also meetings with the Unions, etc. Like I say, the only thing I want to say is there was a lot of time put into it. The one big thing that the Members of Council had talked about when this all initially started was we did not want to lose any employees. We're trying our best for it not to happen. Like the Mayor had said earlier had we not passed this tonight tomorrow morning probably 15 people or more would have lost their jobs and there's a lot of work that has gone into this. There's a lot more work that's going to have to go into this.

So I also want to say I'd like to thank everybody for the cards and the phone calls and the visits, etc. for the couple weeks that I was gone, but I would just like to say thank you very much. That's all I have.

**CLMN OTERO:** I'd just like to add that working under a multi-structure with an organizational structure that's quite complex every single piece of that organization needs to make an input. It takes a little bit of time for that to go around and I compliment everybody that's involved in all those different areas. No one single person can ever pull it together including that person who is ultimately responsible and know the outcomes of all those things until the final step is taken. I think this is a tremendous process that went by and all the Departments and all the people that participated did an outstanding job. Now the problem is to go forward and see what the issues are that come back and see how we can address those to continue developing the best process for the City. No further comment.

**CLMN DUDLEY:** I'd just like to clarify something and I shouldn't really have to, but I do believe that I thank everybody including the Unions and non-Union employees, everybody who made sacrifices including I would just say all of the Garfield Heights city employees. Everybody I believe gave, some way; somehow, hopefully. Also we have to remember that, this being a political year, that there's going to be a lot of negativity that's going to be thrown back and forth and we have to realize that too. But it is not to figure out to think about how we got into this mess; it's we have to work on how to step out of it. Actually when this body came in I believe what was going on was already waiting for us because we went back several years before we actually took place here. And for some reason everybody's not up to date and some people even in my Ward honestly believe it was something that materialized within the last two years and that was not the issue. It had already been waiting. I say I think we worked hard and we gave a lot of our time and a strong consideration and we all looked out for the best interests of everyone including mainly the employees because I didn't want to see nobody lose their jobs. Like I said a thousand times there's a tough market out there and employment is not just waiting for nobody. You lose your job today, even with some help from some program to get in the housing market it's just like a band-aid on a bad bleeding wound. It holds the blood back temporarily but the wound is going to open back up again. We

did put a lot of hard work in it. I know each and every one of us made several meetings and we went back and forth to the Mayor and discussed with him. I know I received it Friday and it took some hard reading and myself I worked Friday night from 7 p.m. till 4 a.m., Saturday night from 7 p.m. till 4 a.m. and Sunday night 7 p.m. till 4 a.m. and I'm just getting off in the morning. So between my breaks I read. When I was off. I read. And like I said my biggest concern was we can't predict what's going to happen in nine or ten months from now, but I wanted to make sure that everything was done on our part to ensure that all possible has been done that every employee here gets to maintain their job. That's the main focus here. Not to let ourselves get twisted in and caught up in some of this hoop-la that goes back and forth. Like I joke about it saying I'm not a politician. I'm a concerned citizen. I never changed anything. I still shovel aprons for Senior citizens in the winter time and work on scraping the garage. You'll catch me doing that in the summertime. Nothing in my life has changed. I just ask you to believe that what has been done and think of it in a positive way that it's going to make a difference. Try to get that negativity out of your head--we are not going to survive. I know we're going to survive. I don't have a doubt we're going to make it. I just say I keep our community in my prayers; I keep all our Departments and one Department ain't no more special than another Department, whether it is Service, police, fire or just the person sitting in the office typing up letters. Somehow we're all intertwined to make a group so each and every one of your jobs means a lot to me. That's all I have to say.

**CLWN MARINCIC:** Today was the last day that the City Council had to pass the Mayor's Financial Recovery Plan or else, as what's been said by several entities tonight, the State would come in tomorrow and they would cut the City's finances by 15%. There's a part of the Plan that I was not in complete agreement with and that was the section dealing with the buyouts of some City full-time non-Union employees. My reason for this was mainly because when a new Administration comes in in December many of these employees would leave the City's employment without being given the additional benefits. When the legislation was presented to City Council weeks ago regarding the employee buyouts I voted No then and my opinion still has not changed about the buyouts, but as I said, I had no choice but to vote for the Mayor's Financial Recovery Plan tonight even though the buyouts were a part of it. Also about 10 years ago a City Council I was not a Member of allowed the City to begin to pay both portions of most of our full-time non-Union employees' PERS. I believe over the past 10 years that this has cost the City almost \$2 million. By coincidence the City's deficit is \$3.5 million or approximately that. That's almost of our deficit. I'm still hoping my fellow City Council Members will support the legislation that I have in Finance Committee at this point in time and allow me to pull it out and revoke this benefit that the City could not afford then and most certainly cannot afford now. That's all I have tonight.

**CLMN LIOTTA:** I have nothing. I make a motion to adjourn.

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

AYES: 7

**MEETING ADJOURNED AT 8:25 p.m.**

**APPROVED:**

**RESPECTFULLY SUBMITTED:**

Frank J. Wagner  
President of Council

Barbara Molin  
Clerk of Council