

**MINUTES OF A REGULAR MEETING OF COUNCIL**

**CITY OF GARFIELD HEIGHTS, OHIO**

Monday, March 24, 2008

**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,  
Suster, Mahoney, Abella

**EXCUSED:** Sarnowski

**CLWN MARINCIC:** Mr. Chairman, I would like to make a motion to excuse Councilwoman Sarnowski at this time.

AYES: 6

ABSENT: 1

**READING AND DISPOSAL OF MINUTES:**

Moved by Clmn SUSTER to accept the minutes of the regular meeting of City Council of March 10, 2008 as submitted. The minutes were accepted with six YES votes.

**WRITTEN COMMUNICATIONS TO COUNCIL:** None.

**LEGISLATION OUT OF COMMITTEE:** None.

**REPORTS OF THE MAYOR AND DIRECTORS:**

**MAYOR THOMAS LONGO:** Good evening, Mr. Wagner and Members of City Council. With your approval, on April 10<sup>th</sup> at 7 p.m. at the Performing Arts Center the Heights Congress is going to be directing and guiding the community of Garfield Heights. They will moderate a discussion concerning race and diversity. To give you an idea of what this is all about I'd like to ask Kasey Greer, who is the Director for Heights Congress (she's sitting in the audience) to come up and give you a brief outline of what's going to happen and if you have any questions she could try to answer them now or you could call her during the week. This is Kasey Greer.

Kasey Greer. Good evening, Members of Council, Mayor Longo and your Staff. Thank you very much for allowing me to have a few moments to talk to you about two of the upcoming events that Heights Community Congress will be hosting. The title of both of these programs is "Perception vs. Reality. How do We Talk about Race, Class and Diversity in Our Community?" So it's a pretty self-explanatory title. These are a series of forums that Heights Community Congress has been hosting throughout Cuyahoga County. This funding that is allowing us to do this is actually provided by the Cuyahoga County Department of Development. So each year, since we're such a small non-profit organization and we only have a certain amount of capacity we are asked to come to different communities. And when I say asked it's not always officially by the City itself although it has been. In this instance we hosted some forums last year in the City of Maple Heights and a few of the staff members of the school district of Garfield Heights, as well as residents independently. They either read about it in the newspapers or attended our forums or both and they contacted me. I have to admit it was an overwhelming response and I kept hearing Garfield Heights so I was really pleased to be able to have a support network that helped introduce me to Mayor Longo. I would say for

about the past six months I've had the opportunity to meet with many of the residents in Garfield Heights and work on moving towards hosting these forums. That will be April 8<sup>th</sup> and May 10<sup>th</sup> at the Performing Arts Center from 7 – 9 p.m

**MAYOR THOMAS LONGO:** Isn't it April 10<sup>th</sup>?

**MS. GREER:** April 10<sup>th</sup> and May 8<sup>th</sup>. Sorry about that. April 10<sup>th</sup> and May 8<sup>th</sup> from 7 – 9 p.m. at the Performing Arts Center. Just to give you an idea, if you're not familiar, we have been doing these forums since January 2007. Heights Community Congress has been doing diversity work or community engagement work for a very long time. This is actually our 35<sup>th</sup> year in existence. Unfortunately what happened is it got to be the same old talk and we weren't getting anywhere. We weren't making any headway. That's something that the staff and I at HCC really care about. It's not putting on programs for programs' sake, but making an impact and making a difference. In January we decided to revamp our entire program. We wanted to make it open not just to separate communities but open to anyone and everyone who wanted to attend. Primarily we've been attracting people from Northeast Ohio but in January 2007 our first event was held at Cleveland Heights Community Center and it attracted over 500 people on January 24<sup>th</sup>, so that sent us a powerful message that we were somewhat on the right track. Since then we've hosted about 12 forums similar format, different locations. The overwhelming response and the overwhelming message that we kept trying to bring to the community is that we do want people to start thoughtfully thinking about how we relate with each other when it comes to really tough issues that we don't always want to talk about openly. We try to create a very safe setting, a safe environment. We actually do have some rules—not rules per se—but guidelines to have productive and meaningful conversation. So far it's been working. We're not trying to solve the race relations issue overnight. I don't think there will be any memo sent out in the near future saying it's all resolved. But if you don't work on it, it won't be worked on. That's pretty much the basic and simple philosophy to keep at it.

At this first forum we do have panelists set. The format is primarily a group of panelists which are discussion leaders. This is by no means a lecture type of atmosphere. We don't want people to come and sit and fall asleep and try to wake them up while trying to listen to four people pontificate. We really want to have engaged dialogue. We do try to choose experts from the wealth of resources that we have. This particular forum we have a moderator from Case Western Reserve who is a diversity specialist, Amanda Schaefer. Our program participant's community leader, discussion leaders, whatever you want to call them, panelists are Dave Brunelle, who is a pastor at Rock Community Church, Shelby Freund who is a community activist in the Catholic Church. We had two others that I'm a little nervous so I'm blanking on right now. But we will have this information out. There is a flyer that's been somewhat circulating. As we get closer to the event we will be publicizing this in the Plain Dealer, the local newspapers. We've just been trying to get the word out to engage people. Garfield Heights is such a wonderful community. I've had an opportunity to drive out here several times, which I'm ashamed to say I've lived in Cleveland Heights for over 25 years and I haven't ventured this way in a long time which speaks to that as well. We tend to separate ourselves so I'm hoping that with this forum it's just the beginning. It's certainly not the end, but the beginning of an opportunity for people to start to know one another. That's pretty much all I wanted to say in describing the forums, but I'm open for any questions. I have business cards if you didn't get one. I'll leave them with you, Mr. President and feel free to call me, as the Mayor said.

**MAYOR THOMAS LONGO:** Anybody have any questions at this time? There are no rules as to how this unfolds, so there is no set outcome. If you're going to come to this you have to listen, be flexible and understand what people are saying and how this eventually evolves it's the public will decide how this is all going to unfold. Thank you, Kasey. Why don't you leave the cards for them? Mark your calendar and if you have any questions, give Kasey a call. Since I started this at the last meeting, I think it's only apropos that we go back into our snow report by Mr. McLaughlin. Don't get too excited.

**SERVICE DIRECTOR TIMOTHY McLAUGHLIN:** I could give the same report that I gave you two weeks ago. Snow, patch, snow, patch. A new record has been set for the month of March—over 30”. Most snow ever. Last year at this time there was 63.1”. We used 5,767 tons of salt and the top overtime was 101.25 hours. This year so far is 77.2”, 5,832 tons of salt and 144.75 hours of overtime. We’ve had some breakdowns. On the road the other night it was kind of wild because it was Friday night going into Saturday morning. We had cleaned up by 2:30 and all of a sudden the skies opened up again so it was another seven hours before we got out of there. In patching, we have a couple calls into the asphalt companies. Kokosing is hoping to open the first of week of April, weather permitting, and we talked to another company in Bedford Heights but the sooner the better they get open because the cold patches. We’re putting it in as fast as we’re putting it in it is coming back out. Some cities have stopped even doing it because it’s wet. You put it in one day and it’s gone the next day but we’re trying to get the big holes for the safety so nobody gets hurt. Hopefully I can get all the crews out when the patch starts and get the City buttoned up. That’s the end of my report.

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

**CLMN SUSTER:** Not that we’ll need it, but you hear from a lot of other communities that they don’t have any salt. What kind of shape are we in salt wise?

**SERVICE DIRECTOR TIMOTHY McLAUGHLIN:** We are in the same boat as the rest of them. Last time our bin was down to 150 to 200 tons. We had 1,000 ordered 10 days before the last big storm and we got that delivered so we probably have 700 – 800. Don’t have it in front of me, what we used Friday and Saturday, but I would have to say we have 700 or 800. I know that Mr. Obert approved 500. Whenever that happens the State gets priority on salt. We call every morning and ask if they’re going to make deliveries and try to put a little pressure on. We should be all right for now.

**CLMN SUSTER:** OK. Thank you.

**PRESIDENT WAGNER:** Any questions?

**CLWN MARINCIC:** Mr. McLaughlin, the stretch of road that I’m getting, not that you’re not following it, well, that has the worst potholes is McCracken from Broadway to the Cleveland borderline. Is there anything we can do with that until hot patch comes in?

**SERVICE DIRECTOR TIMOTHY McLAUGHLIN:** I have a crew on it every day. One of the other things that I found out is a lot of people don’t realize where Garfield Heights ends. After you get past Lee Road part of that’s Cleveland and there are massive holes there. We’ve called it in. People call and complain up by Lee Road there’s a hole and they say it’s ours. We have patched a few up there because people from Garfield Heights drive on that street but it does belong to Cleveland. Every morning I got a crew on there. As soon as they make hot patch that’s one of the first streets (all the mains will be first) but that’s one of the first streets that we’ll hit with hot patch.

**CLWN MARINCIC:** That’s good to hear and by the way, good job.

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

**MAYOR THOMAS LONGO:** In referring to tonight’s agenda, Ordinance 8, which of course is our 2008 appropriation budget, is being presented and this is, of course, after all the Council Finance Meetings and if you have any specific questions about how that’s been put together, Finance Director Dick Obert can handle that accordingly.

Resolution 13-2008 is a drug free workplace policy for the City’s workforce. This includes everything from drug testing to, especially for new employees and also, random testing for existing employees. There’s one thing that you must understand. This policy does not replace the Union contract. So whatever is in the Union contract is applicable. Anything that’s not part of this is covered by this. If you have any specifics about the

policy, our Law Director Dave Mack, who worked very extensively on this, has put this together and that concludes my report.

**LAW DIRECTOR DAVID MACK:** As the Mayor indicated we ask you to pass Resolution 13-2008. The question came up in Caucus if we had a drug free policy for all these years. I think Mr. Obert and I answered that. We said yes. In every Union contract that covers Union workers there's a drug policy and in the employee handbook it covers non-Union employees. Workers' Comp just came up with an organized policy for all cities, not just Garfield Heights and they're willing to give us and other cities a reduction in our premiums which Mr. Obert can address because it is a substantial savings. I have been working with the Unions on this. They are very cooperative and indicate their acquiescence and as the Mayor said, at this point in time Union contracts take precedence, however, I don't think there's going to be a problem since most of them come up for renegotiations in the next 12 month period.

Also the Administration received a notice from Mr. Lou Tissler of the Executive Director for the Neighborhood Housing Service of Greater Cleveland about the foreclosure crisis which everybody's been talking about and asked that if we know anybody that is having trouble paying their mortgage if they face foreclosure that the Neighborhood Housing Service of Greater Cleveland can offer some help at the number 216-458-HOME that's 216-458-4663 or 888-995-HOME that's 888-995-4673. So this is another tool that may be utilized by those of your constituents that are facing foreclosure problems. We're passing that on to you for your information. That concludes my report.

**PARKS AND RECREATION DIRECTOR JAMES BUKAC:** No report.

**BUILDING COMMISSIONER WILLIAM WERVEY:** There was some discussion a couple meetings ago about what could we do with the people that put trash out early and after some discussion with the Courts I believe some people from the Ward 3 Block watch may have talked to the Courts also. We believe we have come upon a strategy that will work. In the next couple weeks we'll be out citing some people and the Court will see what happens.

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** I received a letter from Key Bank. This year they have changed the Neighbors Make a Difference Day to spring. It will be on Tuesday May 20<sup>th</sup> in the afternoon from 12:20 to 4:30 p.m. If you have any residents or you know of any neighbors who need assistance with some projects, please send them to me. I have to respond by April 11<sup>th</sup>. It should be a project that can be easily completed in four hours, rain or no rain.

Also I know a lot of people are starting to look at their houses now that the weather is cooperating. Just to remind you that if you have any residents who need home improvements or repairs, refer them to me. That concludes my report.

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

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

**CLWN MARINCIC:** Mir. Obert, just for the record, could you let us know what the reduction would be in the premium?

**FINANCE DIRECTOR RICHARD OBERT:** The first go around we'll get a notification from the Bureau, we got the 10%. That is about \$135,000.00. The Phase 2 Plan, which is a 10 point plan, we did this several years ago. It's basically on worker safety. That's worth 25% so it should be well in excess of \$300,000.00. Everything is a go. I went to six hours of training down here. I was very impressed. I learned quite a bit. I didn't realize what the drugs can do to you. Thank you.

**CLWN MARINCIC:** Thank you.

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

**COMMENTS BY CITIZENS:**

**PRESIDENT WAGNER:** That concludes the reports of the Mayor and the Directors. Next we'll move on to Comments by Citizens. Comments shall be strictly limited to a brief statement not to exceed five minutes with comments limited to legislation on the current evening Council agenda and no citizen shall speak more than once. Is there anyone wishing to address Council on tonight's agenda? *(None.)*

**COMMITTEE REPORTS:** None.

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

**ORDINANCES AND RESOLUTIONS:**

**PRESIDENT WAGNER:** We'll begin with Ordinance number 8-2008. Will the Clerk please read the title?

**ORDINANCE NO. 8-2008**

**APPROPRIATION ORDINANCE:**

**TO MAKE APPROPRIATIONS FOR CURRENT EXPENDITURES FOR THE CITY OF GARFIELD HEIGHTS, OHIO, DURING THE FISCAL YEAR THROUGH DECEMBER 31, 2008.**

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

Motion to WAIVE RULE 24:

AYES: 6

ABSENT: 1

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

**CLWN MARINCIC:** Before I vote I just want to say for the record that Mr. Obert told me this budget is only about \$4 million higher than last year. Correct, Mr. Obert?

**FINANCE DIRECTOR RICHARD OBERT:** Yes.

**CLWN MARINCIC:** And I vote Yes.

**PRESIDENT WAGNER:** Before I announce the vote I'd just like to let everyone know that the Council Finance Committee, led by Clmn Suster, worked very diligently with the Finance Director. The Finance Director came and they discussed the budget and they put together this budget so this just didn't happen overnight. You guys worked over a month and a half, Joe? At various meetings. With that I'd like to announce that Ordinance 8-2008 stands adopted with six Yes votes.

AYES: 6

ABSENT: 1

**RESOLUTION NO. 13-2008**

**A RESOLUTION ADOPTING THE CITY OF GARFIELD HEIGHTS DRUG-FREE WORKPLACE POLICY AND PROCEDURES.**

Moved by MAHONEY to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

AYES: 6

ABSENT: 1

**COMMENTS BY CITIZENS:**

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

Mike Nenadovich: 4625 Horton Road. I came here a couple weeks ago to complain and Council apparently did something. Bill, thank you very much for your input of what you told me today. You know, we come up here and yell. I want to thank you, Tim. Thanks.

**MISCELLANEOUS BUSINESS:**

**PRESIDENT WAGNER:** We'll move on to Miscellaneous Business, starting with Ward 1.

**CLMN DUDLEY:** One of the things I wanted to mention. Like he said it was a record snow. I think they done a good job. A couple driveways were blocked. It was no big issue. We explained to the people that there was nowhere for the snow to go. I'd like to say to the Service Department you've all done a great job this year.

**CLWN MAHONEY:** I want to thank Mr. Nenadovich for saying thank you. You always do that and that's very nice.

**CLMN ABELLA:** Thank you, Mr. Nenadovich. I want to thank everybody who didn't get thanked. I'd like to make a motion that we thankfully adjourn.

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

AYES: 6

ABSENT: 1

**MEETING ADJOURNED AT 7:27 p.m.**

**APPROVED:**

**RESPECTFULLY SUBMITTED:**

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Frank J. Wagner  
President of Council

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Barbara Molin  
Clerk of Council