

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, April 12, 2010

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

INVOCATION BY: Councilwoman Nancy Marincic

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

EXCUSED: Dudley

CLMN SUSTER: Mr. Chairman, I'd like to made a motion to excuse Clmn Dudley this evening.

PRESIDENT GERACI: Roll call.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

CLWN MAHONEY: Mr., Chairman, I'd like to make a motion to take Resolution 17 out of order and place it on the floor at this time.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

CLWN MAHONEY: Mr. Chairman, I'd like to make a motion to have this read in its entirety.

AYES: 6

ABSENT: 1

(The Clerk read Resolution 17-2010 in its entirety.)

PRESIDENT GERACI: Thank you.

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

CLWN MAHONEY: Before I vote, I would like to offer my sincere condolences to the Gorman family. With that I vote Yes.

CLMN VAUGHN: I'd also like to extend my sincere condolences to the family and I also vote Yes.

CLWN MARINCIC: Carl was a good man and there's a special place in heaven right now prepared for him. My sympathies to the family and I vote Yes.

CLMN NENADOVICH: My sympathies to the family also and I vote Yes.

CLWN SARNOWSKI: My sympathy also to the family. I vote Yes

CLMN SUSTER: I'd like to offer my sincere condolences to the Gorman family and I vote Yes.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0. I would like to extend my condolences to the family.

READING AND DISPOSAL OF MINUTES:

Moved by Clmn SUSTER to accept the minutes of the Special Meeting of City Council of March 15, 2010 as submitted. The minutes were adopted with six YES votes and one ABSENT vote.

Moved by Clmn SUSTER to accept the minutes of the Regular Meeting of City Council of March 22, 2010 as submitted. The minutes were adopted with six YES votes and one ABSENT vote.

WRITTEN COMMUNICATIONS TO COUNCIL: None.

LEGISLATION OUT OF COMMITTEE: None.

REPORTS OF THE MAYOR AND DIRECTORS:

PRESIDENT GERACI: We will move on to the reports of the Mayor and the Directors. Mayor Collova, do you have a report?

MAYOR VICTOR COLLOVA: Thank you, Mr. Chairman, Council. I want to talk about a few things today. First off, I wanted to talk a little bit about the Court Community Service Program that has been started recently in Garfield Heights. This is a program that has been headed up by Vince Liotta, Frank Salera and Vince Vartorella under the supervision through the Building Department's Bill Wervey and what they have been doing is working on some of the County offenders. Some people that can't pay fines. Their fines have been delegated to community service. So they're working in Garfield Heights through the Courts, through Vince and they have been doing some great work. They've worked on a house on Forestdale. They've worked on a house on 88th Street. They cleaned up the bridge area on Granger Road under the 480 overpass. I had some before and after pictures taken. I certainly don't have enough for everybody but take a look and pass it on. This is an unbelievable program that's going on in the city and it's going to become more and more visible as more and more houses are done. So as quick as we can get them through the Courts, we'll be fixing up quite a few of these houses.

The other program that got started today is the Grass Cutting Program under the direction of Rick Bluso. Today he did their inauguration. They did 13 lawns. As much as I'd like to see those 13 lawns making the neighborhood look good, I like better the fact that we're going to be charging \$200.00 for those vacant homes for those 13 lawns. That's certainly going to help. Those are some of the programs that are going on.

Another program that's going to get involved in the same type of work is the County Youth Opportunities Program. This is a program where the County is sending us young men and ladies to come in and work for free to the city to do whatever odds and ends. Cleaning up, painting, what we see fit for them to do. They are giving us 20 of these young ladies and young men. Ten will be working out of the Rec Department and ten will be working out of the Service Department. These are some good juvenile programs. This is also going to help make the city look better. If you have a problem area. If you have something that you think should be cleaned up, under a bridge, etc., get a hold of the city hall. We'll get these kids out there and we'll clean things up. I think things are going to look a lot better this summer than normal.

or more. That's quite substantial. If we could do something to knock that down, we might just be able to save someone's life in this town. I know there's a lot of questions about it and I don't want to get in a big discussion. This is fact. You can hear about all the different rumors, all the different nay-sayers and pro-sayers. This is fact. This is exactly what happened. I thought that was interesting.

Let me get into some of the resolutions. First off, I would also like to give my condolences to the family of Carl Gorman. He certainly was a great city activist. He worked delivering Meals on Wheels for 14 years and he's going to be sorely missed, so my condolences to the family. Resolution 19 actually passed at the last Council Meeting. There was one or two names that were not involved in it. One or two young men whose names were omitted so we're putting it back up just with the addition of those names. Resolution 25 is Charter Review. This is something that comes up every four years. It's time for it to come up again, We're putting a review committee together.

Resolution 26. Dick Obert. Our Finance Director is, in fact, retiring and I want to take a minute to talk. You know everybody that comes to these Council Meetings on a regular basis knows Dick very well. We have seen all his outstanding work. We've seen some of the work that we sort of belittled him on and it was through no fault of his own. I got to tell you what. In the four months that I've been here Dick Obert has done a fabulous job helping me get through this. Dick Obert, when the State was in last week going over the numbers of what kind of deficit we were in and Dick told the State that her numbers were wrong, then she said I beg to differ with you. My numbers are not wrong, Dick. She sat down and listened to him go over the numbers and she said Dick, you're right. My numbers were wrong. The guy is phenomenal with numbers. He's done a great job and we're going to sorely miss him. He also will be a phone call away in case we need him. Thank you very much, Dick. Resolution 27 is about Peggie. I talked about her at the last meeting. She has retired. She's done a great job and we're certainly going to miss Peggie. I don't think she's here today, is she? She has really done a great job for many years.

Resolution 28-2010. Mr. Jack Hartman. I know Mr. Hartman's family is here. I see Kevin sitting there and his family. I've known Jack Hartman since I've been a young boy. Jack Hartman was the Finance Director for my father-in-law who was Mayor of Garfield Heights many years ago. Jack Hartman lent me the money to buy my first car. He lent me the money through St. Monica's to buy my second car and my third, fourth, fifth and every car I got. I was able to talk Jack Hartman into giving me the loan even though my jobs were not all that great. I will never forget Kevin and his family. The smile that was on your father's face every time I saw him. He certainly was a great guy, a great man. I'm going to miss him and everybody else here and I want to give him my deepest condolences and I mean that sincerely.

Moving on, Resolution 21-2010 is about the Internet café that is scheduled to go in at 5637 Turney Road. I'm certain that it's going to make somebody in this room happy. I talked with them today. Because of the problems that some of the neighbors feel would be generated for this place, they are looking at two different locations, one being Medic Drug on the corner of Garfield Blvd. and Turney Road. The other one being the Dollar Store that has recently been vacated in Turneytown. They will get back with me in a day or two to talk about what their final decision is, but it looks like they are vacating that area. With that, Mr. Chairman, you have my report.

PRESIDENT GERACI: Any there any questions for the Mayor?

CLWN MARINCIC: Mayor, are you going to withdraw Resolution 21 since they are looking for a different location?

MAYOR VICTOR COLLOVA: No, we're not going to withdraw it. If we go through fine. If we have to amend it at the next one and address change. Nothing is final yet. This is still on the table.

CLWN MARINCIC: OK. Thank you. That's all I have.

PRESIDENT GERACI: Any other questions? If not, we'll move on. City Law Director Mr. Riley.

LAW DIRECTOR TIMOTHY RILEY: No report.

PRESIDENT GERACI: Any questions for Mr. Riley?

CLWN SARNOWSKI: I have a couple questions. I was looking into the Internet cafes, some of the literature we got. Do we have authority to regulate the business in our city?

LAW DIRECTOR TIMOTHY RILEY: Yes, we do.

CLWN SARNOWSKI: So that's different than in a village, etc. Do we also have the ability to charge a licensing fee?

LAW DIRECTOR TIMOTHY RILEY: Yes.

CLWN SARNOWSKI: This is stated here that some of these games of chance are legal, but is the Internet café legal as you know?

LAW DIRECTOR TIMOTHY RILEY: Every decision we've seen so far has indicated at this point it is legal because it is not a game of chance.

CLWN SARNOWSKI: Thank you.

PRESIDENT GERACI: Any other questions for Mr. Riley? If not we'll move on. Service Director Mr. McLaughlin.

SERVICE DIRECTOR TIM McLAUGHLIN: Thank you, Mr. President. We are currently still working on cement at the Rec Center in conjunction with Mr. Dobies' group on the pool deck and the pump station. We've been repairing some tree lawns from snow plow damage. We had the sweeper out. The Vac-Haul's out cleaning the catch basins. We're still using cold patch. I called both asphalt plants. They were supposed to open on Monday. It's day to day. One of them might be open. Soon as we get that we'll start in the main streets with hot patch and then go into the side streets.

I'd also like to mention that again the Household Hazardous Waste Round Up will be at the Service Garage on 13600 McCracken starting next Monday, April 19th. You'll be able to bring your hazardous household products to the garage starting at 7:30 a.m. until 3 p.m. They're also going to be open Monday April 26th for the week. Same hours. On Saturday May 1st we'll be open from 8 till noon. That's all I have.

PRESIDENT GERACI: Any questions for Mr. McLaughlin?

CLWN MARINCIC: Tim, I want to thank you for your quick attention when that tree branch came down during the storm. My resident was very pleased. Mayor, I thank you for calling the resident personally. I talked to her later on. She said the Mayor called me. It was wonderful that you did that. Thank you. That's all I have.

PRESIDENT GERACI: Any more questions for Mr. McLaughlin? If not we'll move on. Recreation Director Mr. Dobies.

PARKS AND RECREATION DIRECTOR BOB DOBIES: Mr. President and Council Members, good evening. Let me begin by saying if you didn't attend this weekend's 42nd Annual Municipal Ice Show, you missed out. There were outstanding performances by our troupe of skaters. This year's theme was My Generation. I know it brought back a lot of fond memories as our skaters performed. Attendance was over 400 for two days. Our municipal program emerged with the tireless efforts of Miss Betty Bosell who we all knew as Miss Betty and coach for over 40 years. Her legacy remains strong and will continue into the future. Mayor Collova presented Miss Nikki Coyle with the 2010 Mayor's Trophy. Let me add since we tout our good students and good young individuals as citizens, Miss Nikki Coyle is employed part-time as a skating instructor at the rink. She also is a top 10 student at Garfield Heights High School and I believe she has a full scholarship to Cleveland State after she graduates. It's a pleasure to know her. With that, Ms. Pam Giglio,

Ms. Betty Bosell's daughter, along with myself, presented the 2010 Betty Bosell Outstanding Skater Award to Miss Amanda Lime. We also had the company of Miss Katie McBeef who was the 2009 Great Lakes Region Medalist in the Junior National Competition in 2009 which was just at the end of 2009. She was the first participant from our Garfield Heights program ever to attend a national event. She placed. I would like to thank all who gave up their time from our skaters, parents, grandparents, family members. We estimated the show a success. Ms. Holly Grey, our skating professional and her staff for taking the program to a level it is and helping our youth to excel. Also Ms. Mary Nichols and my entire staff for making it happen. Thank you.

As the Mayor reported, the residential grass program got off the ground today. No real hitches. We have started with two crews at this time. We'll have a third at the beginning of May. We have a couple of college students coming on to enhance that program. From what I understand they'll go and cover the foreclosed and neglected homes every two to three weeks. It seems to be working already with 13 properties already in the books.

Over the last month we have taken on a joint effort with the Garfield Heights Little League and school district to refurbish baseball fields in the city. The Little League is providing manpower and buying needed supplies and providing equipment while the city and schools are complementing the efforts with some of the same. This is basically a freebie to the city. To enhance and make the baseball fields in the city look the best they can be for our children. I thank the effort of the Little League and I thank you.

I'd just like to add my congratulations to Mr. Obert for his years of service to our city, Mr. Obert, and I wish you well in your retirement. I would also add that as a School Board Member, on the May ballot we will have a renewal levy. Mr. Soluka and Ms. Reid are here to speak to that point tonight. I would ask for your support in the future renewal. That does not bring any new taxes. That concludes my report. Thank you.

PRESIDENT GERACI: Any questions for Mr. Dobies? Finance Director, Mr. Obert.

FINANCE DIRECTOR RICHARD OBERT: Well, since this is my last Council Meeting I just wanted to thank everybody. I have worked with some great elected officials as well as employees. You're probably only as good as your staff. (That was from Dale Carnegie). My wife told me, who is in the audience tonight I think for the second time in 27 years, keep it brief. Nobody wants to hear a sermon. So with that, I bid you adieu.

PRESIDENT GERACI: Are there any questions for Mr. Obert?

CLWN MARINCIC: Richard, do you have any idea how much we're going to lose in tax dollars because of Collinwood?

FINANCE DIRECTOR RICHARD OBERT: I know for a fact they are not on the top 25 list. OK? It would be mediocre if anything. We've got other businesses starting to come in now. We've noticed. On the sheet. We're really not down that much. We're only down 4% this year and last year we were down at this time almost 15%. I promised I wouldn't do this but the Mayor's kind of opened it up a little bit. I had to do a 56 page report. When you're dealing with the State officials, I wanted to conclude my career where we're done with this whole thing--this emergency thing. I think we've been able to accomplish that. But they just will not accept your word. It's got to be black and white. Lists of computers with rates, etc. I can understand their position, You know? We've got sub-plans in there. If this one don't work we've got another way to go. But that's what they were looking for. It was extremely difficult. I have to say that to appease them, but the loss of Collinwood I would not be concerned with. I really mean that. Very narrow.

CLWN MARINCIC: Thank you, Richard.

PRESIDENT GERACI: Any other questions for Mr. Obert? I have one question. Mr. Obert, in regards to the Five Year Forecast? Is that completed now? Being that before you leave?

FINANCE DIRECTOR RICHARD OBERT: I really don't want to get into that. I said I wouldn't to the State. I think if everyone comes on the 27th at 4 p.m. that they will be surprisingly pleased as to the report which I was privileged to already hear. OK? I'll leave it go at that. OK?

PRESIDENT GERACI: Any other questions for Mr. Obert? If not, we'll move on. Economic Development Director Ms. Kuban.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Thank you, Mr. President. I just wanted to make note that we received one of our Community Gardening Grants. It's from Ohio State University Extension Service. That grant will be at the School Board site. So I am glad we have officials from the School Board here. That's the location of where the schools had previously had a garden. We'll find out the end of this week or next whether we received the other grant funding for the other garden sites.

I'd just like to wish Mr. Obert and his wife, Barbara, good luck in their retirement. I know Dick has really done a lot to keep everything afloat for many years in this city. It's been a tough job. He's worked very hard at it. I wish him the best. You can have a well-deserved retirement and hopefully you'll travel and take some vacations now. That concludes my report.

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

BUILDING COMMISSIONER BILL WERVEY: To add a little to what the Mayor and Bob said about the grass crew. The other thing that this will help us with is that it frees us up so that our billing can stay current on that. We will be able to catch and charge people for grass cutting when point of sales occur rather than waiting and putting it on the tax assessment at the end of the year. We should know by the end of the week whether or not Baumann Enterprises has received the grant for recycling that you approved our sponsorship for a month or so ago.

Other than that I'd just like to say Dick, we'll miss you. It's been richly deserved. Barbara, what are you going to do with him all day? I don't know? I have nothing other than that.

PRESIDENT GERACI: Any questions for Mr. Wervey?

CLWN SARNOWSKI: Mr. Wervey, where did you get the names of all the people that you put in the paper? How did you come up with that?

BUILDING COMMISSIONER BILL WERVEY: I came up with a list of (we didn't use names. We used properties, addresses or parcel numbers) properties that I considered to be at risk, I guess. Anything that was in foreclosure, any stage of foreclosure, anything that was bank owned, anything that was vacant, and there were a couple other criteria. We made sure that when we put the legal notice in the paper that we did not say that anybody was in violation at the time. We were basically stating what the law said in saying you must keep the house free from violations. Because we've gotten some calls. Why did you put my name in the paper? Why did you put our address in the paper and accuse us of doing that when our grass isn't long and we clearly did not do that? I compiled the list from properties that I considered to be at risk.

PRESIDENT GERACI: Any other questions?

COMMENTS BY CITIZENS:

PRESIDENT GERACI: Now we'll move on to Comments from the Citizens On The Agenda only. This portion of the meeting is for the residents' comments on tonight's legislation only. Comments are limited to five minutes. No one can speak more than once. Please raise your hand to be recognized.

Mary Rose Papa, I would like to refrain from adding my address.

PRESIDENT GERACI: You are a resident of Garfield Heights?

MS. PAPA: Yes, I am.

PRESIDENT GERACI: OK.

MS. PAPA: I have to say as far as the Mayor's comment about the gambling café on Turney Road might move elsewhere. I had something prepared to say so I might have to take some of it back. OK? Anyhow, myself and my neighbors are here to protest the opening of the Internet Café at 5637 Turney Road. We are appalled, even outraged that the city would even entertain the thought of placing this café in an area where many homes surround it. This type of establishment does not and I repeat does not belong in a residential area. It belongs in an adult entertainment area. Like downtown. We know that it still attracts some decent people but it will also attract some undesirables. Perhaps maybe undesirable? It can very easily become a hangout for trouble, especially the different scenarios that can take place in the parking lot. There is enough crime in Garfield Heights without adding more to it. Case in point. In the Neighborhood News of April 7th there were two items in the Police News of two separate incidents that took place at Turney and Woodward. One block away from the proposed site. When the children get out of Maple Leaf School and the junior high school there are three or four police cars patrolling the area and this is for children. You are trying to tell us there will not be young adults coming and going in this establishment perhaps intoxicated or on drugs? That there won't be any problems? Absurd. This will be a hangout for trouble with a capital T. Why did the city state that if problems start they would shut it down? Because the city knows the many problems that go along with these cafés. And to compare what goes on in Norton, Ohio at two o'clock in the afternoon and what goes on in Garfield Heights with all the crime we already have is ludicrous.

I will not continue with what I have here. I just want to mention the safety of the children that have to walk past this café right on Tunney Road. The children that come out of school. I also want to mention the difficulty those of us that live around this area. We already have enough difficulty getting in and out of our driveways and in and out of the side streets without adding more traffic to it. And the fact that those of us who live around this café will take a hit of thousands of dollars in our personal property. I would like to address Mr. Mercer and Mr. Simon. We have been advised by counsel that if negative incidents start happening in and around your site by your patrons I can make you not just a statement but a promise of this for the neighbors have band together and we will and are more than prepared to sue you. Thank you.

PRESIDENT GERACI: Thank you, Mary Rose. Any other citizens wishing to speak on the agenda items only? We'll move on.

COMMITTEE REPORTS: None.

PRESIDENT GERACI: We'll now move on to Resolutions.

ORDINANCES AND RESOLUTIONS:

RESOLUTION NO.: 20-2010

A RESOLUTION APPROVING A SPECIAL USE PERMIT TO INTERNET ESCAPE LLC FOR THE OPERATION OF AN AMUSEMENT CENTER AT 12532 ROCKSIDE ROAD, GARFIELD HEIGHTS, OHIO 44125 (PP#543-13-010) AND DECLARING AN EMERGENCY.

Moved by VAUGHN to ADOPT ON SECOND READING:

CLWN MARINCIC: Is this to pass or adopt on second reading? So it's adopted tonight? We won't see it again?

LAW DIRECTOR TIMOTHY RILEY: You would need to waive the third reading. So if you wanted to waive the three reading rule I suggest somebody makes a motion to suspend the three reading rule.

CLWN MARINCIC: I don't want to. I want to make sure I'm not adopting it tonight. Yes.

AYES: 5

ABSENT: 1

ABSTENTION: 1

PRESIDENT GERACI: That passes 5 with 1 abstention.

RESOLUTION NO.: 21-2010

A RESOLUTION APPROVING A SPECIAL USE PERMIT TO GH123 GROUP LLC FOR THE OPERATION OF AN AMUSEMENT CENTER AT 5637 TURNEY ROAD, GARFIELD HEIGHTS, OHIO 44125 (PP#545-26-023) AND DECLARING AN EMERGENCY.

Moved by NENADOVICH to PASS ON SECOND READING:

LAW DIRECTOR TIMOTHY RILEY: May I interject. If you want to pass it tonight you would have to waive the three reading rule.

CLMN NENADOVICH: I don't want to do that.

MOVED BY NENADOVICH TO ADOPT ON SECOND READING

AYES: 3

NAYS: 2

ABSENT: 1

ABSTENTION: 1

PRESIDENT GERACI: That fails. 3 Yes, 3 No and 1 Abstention.

CLWN MAHONEY: My abstention would go with the majority.

PRESIDENT GERACI: That would be 4 and 2. That passes.

RESOLUTION NO.: 19-2010 (AMENDED)

A RESOLUTION HONORING THE GARFIELD HEIGHTS BANTAM YOUTH HOCKEY TEAM FOR WINNING THE CLEVELAND SUBURBAN HOCKEY LEAGUE BANTAM A-2 DIVISION AND CITY CHAMPIONSHIP.

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

RESOLUTION NO.: 24-2010

AN EMERGENCY RESOLUTION PROVIDING FOR ONLY ONE COUNCIL MEETING, TO BE HELD ON THE SECOND MONDAY, DURING THE MONTHS OF MAY, JUNE, JULY, AND AUGUST, 2010.
Moved by SUSTER to CONSIDER BY TITLE:

AYES: 6
ABSENT: 1

Motion to SUSPEND THREE READING RULE:
AYES: 6
ABSENT: 1

VOTE ON ADOPTION:
AYES: 4
NAYS: 2
ABSENT: 1

PRESIDENT GERACI: That passes 4 Yes and 2 No.

RESOLUTION NO.: 25-2010

AN EMERGENCY RESOLUTION APPOINTING ALL NINE (9) MEMBERS TO THE CITY OF GARFIELD HEIGHTS CHARTER REVIEW COMMITTEE FOR 2010.
Moved by MARINCIC 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

PRESIDENT GERACI: That passes 6-0.

RESOLUTION NO.: 26-2010

A RESOLUTION BY THE MAYOR AND COUNCIL, ON BEHALF OF THE RESIDENTS OF THE CITY OF GARFIELD HEIGHTS, HONORING RICHARD OBERT FOR HIS OUTSTANDING SERVICE AS FINANCE DIRECTOR IN THE CITY OF GARFIELD HEIGHTS.
Moved by MAHONEY to CONSIDER BY TITLE:

AYES: 6
ABSENT: 1

(The Clerk read Resolution 26-2010 in its entirety.)

PRESIDENT GERACI: Thank you.

Motion to SUSPEND THREE READING RULE:
AYES: 6
ABSENT: 1

VOTE ON ADOPTION:

CLWN MAHONEY: Before I vote, I would like to wish Dick and Barb the very best on their retirement and thank Dick for all the help that you've given me over the past 10 years. It's been a pleasure. Hopefully you'll be able to relax and enjoy and retire. With that I vote Yes.

CLMN VAUGHN: Before I vote, Mr. Obert, best of luck to you. I haven't worked with you that long. You've been helpful in the four months I've been here, but good luck to you in your retirement. I vote Yes.

CLWN MARINCIC: Many years ago in 1989 when I was elected to City Council, I was 31 years old then, a novice Council person, and I lovingly refer to that term as the term from hell. But Mr. Obert was there. That was back when your office was in Maple Leaf, remember? I didn't have a clue what I was doing, especially the city's finances and I spent more time in his office than probably any other Council person has in the history of Garfield Heights. He had the patience of a saint. He led me by the hand through everything and Richard, I don't know if I've ever thanked you enough for that because you've made me the good Council person I am today and you gave me the knowledge of the city's finances that I needed to be that good Council person.

FINANCE DIRECTOR RICHARD OBERT: We were in school, too, right? Literally.

CLWN MARINCIC: Yes. You were really remarkable. And Barb, I wish you and Richard the most happiness. Go out and have a wonderful time and enjoy retirement. I vote Yes.

CLMN NENADOVICH: Mr. Obert, I haven't known you that long, like Mr. Vaughn, just being on Council. I want to wish you a very healthy and a long retirement. Go out there and enjoy because I plan to join the retired crowd shortly too. Good luck to you. I vote Yes.

CLWN SARNOWSKI: I just want to thank you for all the help that you've given me throughout the years. The long conversations we've had on the phone, in your office, etc. I appreciate all the knowledge that you've shared with me and best of luck in your retirement. Much good health and everything else. I vote Yes.

CLMN SUSTER: I see Dick down there smiling. The one thing I'd like to say I've worked with Dick since 1987 off and on and I not only considered Dick the Finance Director but I also considered him as a close friend, as his wife, Barb. I spent a lot of hours with Dick and he taught me a lot and we've had conversations in the morning, in the afternoon and at night. I've always said that if I ever won a lot of money the only person I'd ever let handle my money would be Dick Obert. On that note I would just like to wish he and Barb the best of luck, a lot of health and enjoy your retirement. I vote Yes.

PRESIDENT GERACI: That passes 6-0. I, too, wish you good luck, Dick, and particularly Barb. I wish you the best. Good luck. I went through this. I know.

RESOLUTION NO.: 27-2010

A RESOLUTION BY THE MAYOR AND COUNCIL, ON BEHALF OF THE RESIDENTS OF THE CITY OF GARFIELD HEIGHTS, HONORING MARGARET SIKON FOR HER OUTSTANDING SERVICE IN THE CITY OF GARFIELD HEIGHTS.

Moved by MAHONEY to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

CLWN MAHONEY: I would like to wish Peggie the best of luck on her retirement. I talk to her fairly regular and I know since she has left she is definitely enjoying her retirement. With that I vote Yes.

CLMN SUSTER: I, too, would like to wish Peggie a lot of good luck in her retirement. She did an outstanding job for Mayor Longo and also Mayor Collova for the short period of time that she worked for Mayor Collova. I would just like to wish her a lot of luck and I vote Yes.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

RESOLUTION NO.: 28-2010

A RESOLUTION BY THE MAYOR AND COUNCIL ON BEHALF OF THE RESIDENTS OF THE CITY OF GARFIELD HEIGHTS HONORING THE MEMORY OF JOHN F. HARTMAN AND EXTENDING SINCERE CONDOLENCES TO HIS FAMILY

Moved by MAHONEY to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

CLWN MAHONEY: Mr. Chairman, I'd like to make a motion to have this piece read in its entirety.

AYES: 6

ABSENT: 1

(The Clerk read Resolution 28-2010 in its entirety.)

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

CLWN MAHONEY: Before I vote, I would like to say I loved your dad. I thought he was a great guy. He was always helpful to me and was always kind to me and once in a while he would yell at me but for the most part he was kind to me. He was a great man and our community is missing a great individual. With that I vote Yes.

CLMN VAUGHN: Before I get started, when I attended your father's wake that Sunday evening, I was there with the Holy Name Society from St. Monica's, the Tri-M from St. Monica's, the Parish Council from St. Monica's, the Carnival Committee from St. Monica's and probably 15 other committees from St. Monica's. Every one of those committees your father either chaired, started or helped with at one point or another and I can remember when I took over as President of the Holy Name Society he came up to me and said don't worry, Tom. Just wing it. You'll be fine. He told me the same thing when I became President of the Tri-M. He was the first to always offer advice. In later years when he wasn't able to do everything he was still there helping out in every way. Of course I remember your mom and dad very well from Gallagher's house, from their place up at Bay Point where we were all at during the summer. He will be truly missed. Again, my condolences to you all. The proud people of Ward 7 do vote Yes on this.

CLWN MARINCIC: Before I vote, I would just like to say that John was a kind man and he had a good heart and was somewhat of a legend in this community. My sympathy to the family. I vote Yes.

CLMN NENADOVIĆ> I didn't know this gentleman very much. I was at his wake with the Catholic War Vets. But according to what I am hearing he was a very wonderful person, large family, grandfather, great-grandfather, member of United States Navy and very good person. I vote Yes. Sorry about your loss.

CLWN SARNOWSKI: My condolences to the family. I vote Yes.

CLM SUSTER: I'd like to offer my condolences to the family. I got to know John years ago when I was president of St. Therese's Credit Union. We used to call John many times when they were instituting new programs to find out if they were working for him or if they weren't and which way we would go. He was very respected by a lot of people that had anything to do with credit unions. On that I vote Yes.

AYES: 6

ABSENT: 1

PRESIDENT GERACI>That passes 6-0. I would like to also make a comment. Being that I did work with Kevin as a Board Member for the school district for 14 years we had a good relationship and my personal condolences to you and your family. I wish you the best. I know you're going to miss him. He was a great man. I knew him very well too. With that in mind I'll keep your family in my prayers. Thank you.

COMMENTS BY CITIZENS:

PRESIDENT GERACI> We'll now move on to Comments From the Citizens. The rules are you cannot bring up anything of a first nature. You must have previously brought a problem to a City Councilperson or a City Hall department. You are limited to speaking only once for a period of five minutes. Please raise your hand to be recognized.

Leonard Leone, 11301 Briarcliff Drive. I'd like to send my condolences to the Hartman family and the Gorman family. My deepest sympathy to all.

My concern to Council is this. And this is for your safety as well as the citizens here. I've noticed you have no security here other than a Sergeant-at-Arms and that's not enough. I'm serious. It's not funny because right now you'll have some disgruntled citizens come here--some nut will come in here. There's no protection here. Somebody could shoot you. Think about it. Have some kind of security to make us go through, check us out or something. It's something to consider. That's all I'm asking you to do. I'm looking out for all of you. Or at least have a uniformed officer here at all your meetings? That's my suggestion.

One more suggestion is does the Charter state that we must have a Council President? This is what I'd like to know. If this is true, why from what I understand is that Council all of a sudden now you want to eliminate that position? I don't think it's right. I think you all should think about it. Mr. Mayor, can I have an answer?

LAW DIRECTOR TIMOTHY RILEY: The last election the Council President's position was eliminated. It was part of the Charter, but there was a Charter change. So it will be eliminated next year.

MR. LEONE> Next year. But did the voters vote on it?

LAW DIRECTOR TIMOTHY RILEY: Yes.

MR. LEONE> OK. I stand corrected. Thank you. That's all I have to say. One more thing I want to congratulate all of you for the good job that you are already doing. Recreation Director and Service Director, I'm really proud of our services. Thank you.

PRESIDENT GERACI> Thank you, Mr. Leone. Five minutes. You did a good job, Any other residents wishing to speak?

David Mays, 8250 Green Drive. Mr. Mayor, you at the last Council Meeting expressed that there were several residents that had voiced their opinion about ending the rubbish fees. Am I correct?

MAYOR VICTOR COLLOVA: You want to run that by me again?

MR. MAYS: You, at the last Council Meeting, in your reading of the ordinances, said that several residents had expressed their feelings about you should add something to end the rubbish fees when they are no longer needed. Is that correct?

MAYOR VICTOR COLLOVA: Correct.

MR. MAYS: Am I one of these people?

MAYOR VICTOR COLLOVA: I believe so.

MR. MAYS: You're wrong, Mr. Mayor. I suggested three times that it must be ended, should be amended to where it has to be ended at the end of the fiscal emergency. I didn't say when. Your quote in there was "if we don't need the money any more we'll end it". I have never seen a city that didn't need money, which leads me to believe that in some form this will never be ended. I also heard a comment from a Councilperson that said we don't want to do that. We don't want that in there. We might need the money. That also tells me that it won't be ended. So, I get a feeling that there's smoke being blown here.

MAYOR VICTOR COLLOVA: Mr. Mays, if I can respond to you, OK? I've talked to you numerous times. I've told you and you've told me what you wanted in the ordinance. We tried to put that in there. We said it would be reduced. It would be reviewed each year. It would be reduced or ended after we review it. We could do either or. There is nothing in this world that I can say or do to make you realize that unless it happens. I can't give you a better answer than that other than if we don't need that money we will stop charging. I can't say any more than that.

MR. MAYS: So what they're saying is if we don't need the money? Like I said before that there is never a city that doesn't need money. So you can technically keep that in there for as long as you want even though the fiscal emergency has ended but that's what it was put in for. Am I correct?

MAYOR VICTOR COLLOVA: If you could look at it that way, I guess you can.

MR. MAYS: That's the way that I've had several people mention it to me. That's the way they look at it. It won't be ended. It will always be there. It may be reduced but it will always be there.

MAYOR VICTOR COLLOVA: I can't argue with you. All I can tell you is what my feeling is. And you're telling me what your feeling is. I'm telling you you're wrong. Can I prove it? I absolutely can't prove it, but someday when we take the rubbish away I hope you and I are still here so we can have this discussion again, but right now I can't answer that.

MR. MAYS: I hope we're still friends, but I don't think it will ever be taken away in some form. There will always be something there.

MAYOR VICTOR COLLOVA: I appreciate your feelings.

MR. MAYS: I have no problem with if I have to pay it, I have to pay it, but I dislike being told one thing and have something else happen. That's exactly what I feel is going to happen. That it's never going to be totally taken away. If it was going to be taken away then I think it would have been amended and I believe it's called the Sunset Clause, I'm not sure about that phrasing that would have been put in there when the fiscal emergency is over it must be ended.

MAYOR VICTOR COLLOVA: I never said when the fiscal emergency is over.

MR. MAYS: No, but that's what I said.

MAYOR VICTOR COLLOVA: I said when we no longer need the money. When the city does not need that \$1.6 million we can coast on what we have and I believe that's going to happen sooner than later, that fee will be stopped. This Council is here. They signed that agreement and they have told me at each meeting I went to the first opportunity they can to stop that fee, we'll do it. I listened to what they're saying and I listened to what you're saying. and I don't know what else to tell you.

MR. MAYS: OK. Let's go back to red-light cameras. Some Council people voted on the red-light cameras without realizing what they were voting on, too. Some of them voted on it and I can't say for all, but I know some did because of the running red lights and speeding through red lights. That is not true. They voted on a speed camera. That was in there. It was never laid out. There is going to be speed cameras. Am I correct?

MAYOR VICTOR COLLOVA: Mr. Mays, I can tell you this that the ordinance that was passed is speed and red-light. Whether they read the ordinance or didn't read the ordinance or knew what it was or didn't, I know what was passed.

MR. MAYS: That's what I'm saying. Someone told me they did not understand that was in there. What I'm saying is you know, what has gone down in the past I'm led to believe that this is going to be the same thing. It's going to be as we see fit.

MAYOR VICTOR COLLOVA: OK.

PRESIDENT GERACI: Thank you. Any other residents?

Jim Semanek, Rockside Road.

PRESIDENT GERACI: What's your address?

MR. SEMANEK: Like the other lady I'll leave that anonymous if I can?

PRESIDENT GERACI: OK, you're a resident of Garfield Heights? OK.

MR. SEMANEK: Yes, the Mayor mentioned something about an officer being posted in the high school. I was curious. Isn't there a guidance counselor system already in effect that someone's doing that job there now? Either a guidance counselor or a truant officer? Don't they have a system in place already?

MAYOR VICTOR COLLOVA: I don't believe we have a truant officer. I think they have a guidance counselor but this is a totally different concept that 's been adopted in different locations and works very well. It helps young people and it helps curb problems. That's why we're looking to do it.

MR. SEMANEK: You need to pay the officer to do that job? Couldn't somebody else at a lower pay grade fill that position?

MAYOR VICTOR COLLOVA: At a lower pay grade?

MR. SEMANEK: An officer is highly trained for a lot of other things besides counseling students.

MAYOR VICTOR COLLOVA: This officer will be a trained officer. He will be delegated to the schools. If there's an emergency in the street, he will leave and perform the police duties. This is something that's

good if you've had an opportunity to hear some of the horror stories that have gone on at some of the schools. In many cases an officer like this could have prevented it.

MR. SEMANEK: The other thing about these speed cameras or speed things you're putting in. You know a lot of the streets around here are not speed limits. I don't recall seeing a sign on Antenucci or any of these other streets you mentioned in your comments. Are you going to review all the signs so they have some kind of legal status as far as people going over the limit? If there's no signs posted how you going to ?

MAYOR VICTOR COLLOVA: I will certainly take that into consideration when I talk to the police department. I will assume if it's not posted you have a pretty good argument about getting a speed ticket. We will certainly look into that.

MR. SEMANEK: That's going to be a big expense in signage. One more item.

PRESIDENT GERACI: You have one minute.

MR. SEMANEK: The last meeting I asked you about the NOPEC and you said you were getting \$175,000.00. Do you know that the city of Parma is getting over \$1 million to sign with First Energy in a grant? Why aren't we getting that million dollars from First Energy instead of just \$100,000.00?

MAYOR VICTOR COLLOVA: If I'm not mistaken we're getting nearer \$270,000.00 if we get it. Is that correct, Dick?

FINANCE DIRECTOR RICHARD OBERT: Yes. \$271,000.00.

MR. SEMANEK: Wouldn't you like a million like Parma got?

MAYOR VICTOR COLLOVA: I'd love \$5 million. I'd like to beat Parma five times. You've got some excellent ideas, Sir. I'm going to check into that.

PRESIDENT GERACI: Any other residents?

Joe Turik, 5119 East 131st Street. Congratulations to Mr. Dick Obert. You've done a good job over a long period of time. I don't think we got a full report on the finances of Garfield. Are we still going to be short a half a million dollars? Is that right, Mr. Mayor?

MAYOR VICTOR COLLOVA: At the present time the rubbish fee.

MR. TURIK: So you've conquered this problem? We have no more financial problems? Is that it?

MAYOR VICTOR COLLOVA: It does not mean that things are not going to go bad again.

MR. TURIK: So everything is okey-dokey now? Is that what we're saying?

MAYOR VICTOR COLLOVA: Yes, Sir, everything is okey-dokey.

MR. TURIK: We don't have to borrow from Peter to pay Paul, etc.? I gave this some thought about the shortage of money in Garfield. It's been brought to everybody's attention that safety forces don't reside in Garfield. They live in Parma, Broadview, etc. Is that correct? The majority? Not to sound detrimental to the police and the safety forces. They do a good job. There's nobody I want to see better attacking me or breaking into my house to see a police officer there to apprehend them. But if they're all going to live outside the city and earn their money here and go out and live some place else isn't this a part of the problems why Garfield has these financial problems? I pay for my house somewhere around \$2,300.00 to \$2,400.00 a year for taxes. If you got 100 police officers and firemen living in Parma, they're paying their \$35,000.00 to

Parma. Wouldn't it be better if they paid that money here to Garfield and Dick wouldn't have such a tough time balancing the budget?

LAW DIRECTOR TIMOTHY RILEY: The residency law requiring safety forces or city employees to live in the city was overruled by the Ohio Supreme Court so you can't force people to live in the city if they are employed here. And I believe, Dick, wouldn't the income tax if they were working in the city their income tax is paid to the city?

FINANCE DIRECTOR RICHARD OBERT: Yes. 2% goes to us.

MR. TURIK: Mr. Russo. Every six months we send him our money. That's what I'm talking about. Not personal income tax. We know that has to go to Garfield.

PRESIDENT GERACI: You have one minute.

MR. TURIK: You're going to cut my freedom of speech off? The red lights. Camera lights. Who said hundreds of hundreds of people are going through the red-lights? The survey you read. All these people going through red? It seems like everybody in Garfield is going through red-lights.

MAYOR VICTOR COLLOVA: It wasn't red lights, Joe. It was speeding.

MR. TURIK: It seems like there's so many people just about everybody is a lawbreaker and you only had this survey for one day. Is that correct?

MAYOR VICTOR COLLOVA: It wasn't red lights. It was speeding.

MR. TURIK: It seems to me this is a knock on the police department. I always thought they did pretty good, but if there's people going through red lights at that proportion it seems to me that police should be catching these guys and you don't need any camera lights?

PRESIDENT GERACI: Mr. Turik, your time is up.

MR. TURIK: Why do you do this to me? For a while there I thought you was a nice guy. Why do we have this silly rule of five minutes? I don't come to all.

PRESIDENT GERACI: Does somebody want to address the question?

MAYOR VICTOR COLLOVA: I would ask that someone from Council make a motion to grant Mr. Turik an additional five minutes.

CLWN MARINCIC: I make a motion we give Mr. Turik two more minutes.

MR. TURIK: Thank you, Nancy.

PRESIDENT GERACI: Roll call.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: You've been extended to two minutes. That goes pretty fast.

MR. TURIK: I should think that you would amend this rule? This is unfair. You throw everything off.

PRESIDENT GERACI: Talk about the issues that you came here for.

MR. TURIK: Talk about the cameras. I don't think they're necessary. I think you should outlaw this. Garfield citizens I think, by and large, they drive pretty carefully. This makes your Administration look like you're grabbing for the last dollar from these old folks. These old folks you see sitting out here are retired, they live on limited incomes. They don't have large incomes like most of you guys have here. In the first place you should have put that on the ballot. Let the people vote for it instead of going through the Council. Have I used up my two minutes? Thank you for the two minutes.

PRESIDENT GERACI: Thank you very much, Mr. Turik Any other citizens?

Paul Varati, 5531 Briarcliff. This gentleman needs to live on my street. Ask Lenny. You should put a red light camera on my street. Pass my street on a Saturday afternoon when they come down my street on four little recreational vehicles my wife and me just sit in the front and she shakes her head. This is a side street. It's not a main street. I wouldn't want cops sitting like other cities giving tickets to park there and listening to a police radio. There's a lot of stuff they have to attend to. I don't want cops just sitting there giving tickets out.

PRESIDENT GERACI: Thank you, Paul. Any other residents wishing to speak? If not, the School Board would like to make a couple comments in regard to the renewal.

Allen Sluka, School Board Treasurer. Five minutes? It's going to be tough for me but five minutes is going to be good. If you'll indulge me for two things. I've had a chance to know Dick Obert for a long time and I just want to congratulate him on his retirement and the city of Garfield Heights is losing a good finance person and a good man. I also had the privilege and honor of knowing Mr. Jack Hartman for a long time. My condolences to the family. He was also an asset to the city and an icon here and we will truly miss him too.

Moving on, I wanted to briefly talk to Council about the levy that is coming up for the School Board. Just some quick facts. 1. No new taxes. It is a renewal levy. 2. The levy has been in place and a revenue stream for the schools since the early 1980s and it has been renewed every five years since then. 3. It's \$2.5 million of our budget and it's a very important cog of our budget. It's desperately needed. 4. We've already cut coming into this year we've already cut \$2.3 million out of the budget. We're going to be cutting more. If this levy does not pass we're going to be making additional cuts and it's going to hurt programming. 5. We are moving forward in the right direction. We're taking the school along with the Board and the Superintendent, Ms. Reid is in the audience. We are moving forward in the district. We have to keep this levy in place. 6. No new taxes. 7. No new taxes. 8. No new taxes. 9. We need the levy. It's a renewal of \$2.5 million. We desperately need the support of Council. We need the support of the community. With that I want to make one more introduction, Wendy Nixdorf's in the corner there. She's our levy chair. She's been working tirelessly. You'll be seeing more information coming out about the levy in the next few weeks. We have signs coming out. We ask that you get involved. We ask for the support of the Council and the Mayor.

Lastly, briefly go over, we're going to have two community information meetings on our construction projects that are going to be starting this summer. Maple Leaf's community meeting is tomorrow night at 6:30. Elmwood's is Thursday night at 6:30. So we're going to get that going. Oh did I say about those projects that the district is contributing no operating dollars toward those projects? The State of Ohio is paying \$19 million. Oh did I also say no new taxes for our levy? Thank you.

MAYOR VICTOR COLLOVA: Al, I just wanted to say, and to everybody here that our relationship with the School Board has been very good. We're working on a lot of programs. I told you about the officer, the Juvenile Diversion Program, we're looking at putting a youth program in, we'll get the Intramurals back into play. Everything that we're talking about, partnership is costing the school dollars we're trying to keep it as minimum as possible. I appreciate their efforts. I know the problems they're going through and I don't know if this helps at all but I want you to know as Mayor I fully endorse the renewal levy.

PRESIDENT GERACI: Ms. Reid, would you like to say anything? Anybody that has not met Linda Reid, she is the new Superintendent. This is your opportunity to see the face with the Superintendent.

Linda Reid, Superintendent of Garfield Heights Schools. Good evening, City Council, Mayor Collova. I'll keep it in the spirit of Mr. Obert there. I won't make a sermon. Keep it short. I just want you to know that we as a district are very committed to providing outstanding programs for our young students to prepare them for a life outside of high school. We want to constitute to maintain a rigorous program where they can be prepared for today's work force and also be prepared for we see everybody not necessarily college bound but in this day and age every one of our students needs to be career bound so a high school diploma's not enough to be able to raise a family and have a job so we want to be able to provide educational opportunities to every one of our students that is career bound. I also want everybody to know that as a school district we are very committed to providing these services in the most efficient and effective way and Mr. Sluka and I and our cabinet are always looking for a better way that we can use grant funding so that we are not using general funding dollars to do that. I also want to tell Mr. Collova and the city that we are really looking forward to some of the initiatives that you already mentioned to work on and we look to planning some more initiatives and collaborating with the city. Thank you for your time.

PRESIDENT GERACI: Thank you, Ms. Reid. Any other citizens wishing to speak on the levy? If not, we'll move on. Miscellaneous Business. Clwn Nancy Marincic.

MISCELLANEOUS BUSINESS:

CLWN MARINCIC: Weren't there supposed to be two school members here tonight sitting down there?

PRESIDENT GERACI: I don't think so.

CLWN MARINCIC: Are they not going to come anymore?

MAYOR VICTOR COLLOVA: For the month of April they are going to be off. They are off for Easter so they'll come back in May.

CLWN MARINCIC: What's up with that?

MAYOR VICTOR COLLOVA: They are allowed vacations. I thought we were allowed a summer vacation too, but I'm not sure now.

CLWN MARINCIC: They were actually quite nice to have them here. I enjoyed it. We may have picked on them a little bit. I kept asking them if they had any dirt on you but they don't. I have nothing tonight.

CLMN NENADOVICH: I have one thing. After the Directors' reports I forgot to thank Mr. McLaughlin. I've been pestering him quite a bit about the area over in the Cleveland border where our cities are and he's done a bang-up job cleaning the streets up over there—Bancroft, Jeffries, etc. I really appreciate you going that extra mile for us over there. The citizens over there say that's a forgotten area and you didn't forget them. They like that. They took notice of that. Also over there on Donovan, Doll, those streets over there, it was brought to my attention by one of the residents you did another bang-up job with all that asphalt. I don't know what it is about rocks and kids but they always throw them on the lawn and you stopped that problem. The residents were very happy with that too. I thank you for all your cooperation, Sir. Thank you. I have nothing else.

CLWN SARNOWSKI: Since our students are not here I do have a statement for our Superintendent. I wish we would have known about the School Union address earlier. Our invitations didn't get to us until after the fact. I'm sure some of us would have gone if we had gotten the invitation. If they were sent to our homes directly it might be good too. That's all I have.

CLMN SUSTER: This is for Mr. McLaughlin. I want to thank you for getting that corner of Brunswick and Mountview cleaned up where the city of Cleveland had the two cut outs and left a mess there. And also for checking out on that water that's running down Mountview. I think when that's all said and done they finally plug that up you're going to have to do some major street constructions down there, so that's all I have.

CLMN VAUGHN: I have nothing. I wish everybody a good week and I make a motion that we close this meeting.

PRESIDENT GERACI: Roll call.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: The next Council Meeting will be April 26th at 7 p.m. Meeting adjourned

MEETING ADJOURNED AT 8:25 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Frank J. Geraci, Jr.
President of Council

Barbara Molin
Clerk of Council