

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, August 9, 2010

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

INVOCATION BY: Councilman Michael Dudley, Sr.

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

EXCUSED: Mahoney

CLMN SUSTER: Mr. Chairman, I make a motion we excuse Clwn Mahoney tonight. She was under the weather.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

READING AND DISPOSAL OF MINUTES:

Moved by Clmn SUSTER to accept the minutes of the Regular Meeting of City Council of July 12, 2010 as submitted. The minutes were adopted with six YES votes and one ABSENT vote.

WRITTEN COMMUNICATIONS TO COUNCIL:

CLERK: Mr. President, we received a letter from retired Coach Markiewicz, which I will read. It is dated July 9, 2010. The subject is Thank You and it's addressed to Mayor Collova, the City Council and Members of the Cabinet.

"I just want to thank all of you for the award and kind words that were given to me at the Council Meeting.

It is with humility to receive this award for the City of Garfield Heights. I will always remember the great times with the students of Garfield Heights. It is with great pleasure working with Garfield Heights City Schools, Little League, and the City of Garfield Heights, to improve the fields and working with great families.

I will never forget these times. Thank you for the honor, and Resolution.

Sincerely Yours,
Coach Markiewicz"

PRESIDENT GERACI: Thank you, Barb.

LEGISLATION OUT OF COMMITTEE: None.

REPORTS OF THE MAYOR AND DIRECTORS:

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

MAYOR VIC COLLOVA: Thank you, Mr. Geraci, Council. A few things to report on tonight. First off the Juvenile Diversion Program and the County Program has been underway for three to four weeks. They have done an outstanding job. They have cleaned up under the bridges and on the streets. You may have seen them out there with green vests. They have done a great job around the Recreation Center, around the City Hall and we're very fortunate to have those young people here so that program's working out very well.

For those of you who may not know, the Summer Concerts are underway on Sunday evenings from 7 – 9 p.m. We have some great bands with great entertainment. We've been averaging about 100 people there each Sunday so it's a good place to come. If you know anybody that wants to stop by, please stop by. We've got some great entertainment.

I want to talk a little bit about Bridgeview. I talked a little bit about Bridgeview the last couple of Council Meetings. I'm very excited. I was excited then. I'm even more excited now. It looks like things are progressing at Bridgeview great. We have developers that I understand are getting ready to, if they not already have, to put in bids on Bridgeview. It's very exciting. I hope this is going to happen very soon. As a matter of a fact I hope at the next Council Meeting I can report some really good, positive news, but it's a great thing what's going to go on over there. It's going to help the city immensely.

City View. Unfortunately City View is not quite as prosperous. Things are sort of stagnating there. We still have to work out some problems with the EPA and instead of getting better they always seem to be getting worse. Not the EPA problems seem to be getting worse but the communication problems in trying to get everything together. We're still pushing forward on City View but right now it's a slow process.

The next thing I want to report on is speed cameras. The refunds that I spoke about at the last Council meeting. Everybody that has a speeding ticket from the speed camera from the mobile van and that was doing 10 mph over the speed limit and not 11, but 10, in the normal (I'm not talking about school zones) but in the normal zones, they will receive a full refund. We're not exactly sure how it's going to come or when it's going to come but it's going to be a full refund. We hope to get you that very soon also. If you haven't paid for your 10 mph over ticket, don't. If you have paid for it we will be getting you a refund soon. We just have to work out the logistics about how we're going to do it. So that will be coming shortly.

The speed camera and rubbish fee, as you know, will be in front of Council today and I'm assuming for all intensive purposes they will be on the ballot in November. I want everybody to know that I appreciate everybody's right to vote. I think it is America's right and that's what we practice here. I want everybody to vote what they feel. If you oppose the vote, vote No of course, if you are opposed to one and not the other vote accordingly. I have no problem with anybody's vote, but what I need to tell everybody today is that when you vote you need to know the facts. So far the facts have not been presented accurately and that's what I want to do here tonight. Lately we have had some people on the radio and television talking about why they're opposed to this and some of the statements they're making is because the city has done some things that have cost the city money and they should have not done that; they wouldn't have had to do the speed cameras and rubbish fee.

Actually, on the Lanigan show Mr. Wagner made a statement that because this Council put on and this Mayor put on an Assistant Law Director, Mr. Weiler, and kept an additional foreman on through the winter (a third foreman) that it cost the city \$300,000.00. That's what was reported on the radio to the public. I want everybody to know that when this came about, putting an Assistant Law Director on, this was presented to Council. When I presented it to Council that I was going to do this Council said wait a second, Mayor. This has not been approved by the State. You have to show the State that this isn't going to cost us any money. So I came to Council and I told them why it was going to save us money. They're after me already. The reason it saves us money is because we have chosen not to use an outside counsel. We're going to do it in-house. Outside counsel costs us about \$250.00 an hour. When they negotiate a contract it costs us about \$200,000.00 or \$250,000.00 for outside counsel. At that time that was going on we had a full staff of legal people here. We're not using outside counsel. We have not used anybody other than the bond attorney which we have to use. Not one penny has been spent that we used an attorney this year. Not one penny. So we chose to bring on Mr. Weiler for a wage of \$46,000.00. We have a top notch attorney for \$46,000.00 that is handling stuff that would have already cost us \$50,000.00 maybe \$70,000.00 up to this year with the lawsuits and the other things that are going on that we are not using outside counsel for.

The other part of this is the third foreman that we kept. Again, this was questioned by Council and presented to the State. The reason that we were allowed to do this and the State allowed us to do this, because they're making the calls, is because in the winter time with the snow plowing you need three foremen. You can't do it with two. When winter ended that third foreman was gone. We are now operating with two. We will be operating with three again come this winter and the State is aware of that. That costs the city \$1,603.00. So you take \$1,603.00 for a foreman that we had to have that was approved by the State and an additional \$46,000.00 or \$45,000.00 for Mr. Weiler plus benefits. That certainly doesn't come up to \$300,000.00. We're probably saving \$150,000.00 for outside counsel. So I wanted to set those facts straight because when they come out on the radio they sound real good, but you need the facts to back them up. By the way I have all those facts if anybody would like them I'm more than happy to give them to him.

The second thing that's been going on and I think again only for the fact that this Council is aware of it, everybody here should know, Mr. Wagner has said on numerous occasions—TV and radio--he's quite a celebrity lately—he's on TV and radio every day. He has stated that he has never voted for the red light cameras. Never voted for them. He said it numerous times. I'm sure everybody here remembers him. I want to talk a little bit about the Financial Plan. Just give me a minute and bear with me. The Financial Plan that was put together March 23, 2009. At that time Mr. Wagner was President of Council and also sat on the Board Commission (the State board). Part of this Financial Plan shows Recreation Department fee increases, Building Department fee increases, talks about Fire Department ambulance fee increases and then it talks about "the city is in the process of installing red light cameras and speed citation systems. The recommendation was six fixed and one portable. This should be in operation in the fall of 2009. These systems are estimated to generate \$236,000.00 in 2009 and \$945,000.00 for 2010". That was the Financial Plan that was presented. This Plan that was presented was signed on March 23, 2009 by Mayor Tom Longo and President of Council Frank Wagner. The Minutes from that meeting when it went in front of the city commission. This is the "Minutes from the City of Garfield Heights Planning and Supervision Meeting April 23, 2009 5 p.m." here at Turney Road, Garfield Heights. They talk about what's in the Financial Plan. When it comes to time to vote what I would like to do because I don't want anybody to think I'm reading what's not in here, I would like those passed out (printouts). You'll find highlighted on this, "Mr. Wagner noted that the Commission has to look at the Recovery Plan and vote on it in its entirety. There are parts of the Plan he has concerns about but the responsible thing to do is to support the Plan because it has been looked at by the State Auditors and recommended as a workable Plan." They go on to the roll call. "Mr. Wagner. Yes." That's for

everybody to see. Now the thing that has me stumped is that when Mr. Wagner was on the State Committee Mr. Wagner was President of Council and Mr. Wagner was candidate for Mayor of the city of Garfield Heights, he felt it was the responsible thing to do. After he lost his bid for Mayor he's changed his position and it must not be the responsible thing to do now. The responsible thing to do now is stop them. So I just wanted to clear the air on that. Again how you vote is your position. It's you're right to vote and if you feel that it's important enough to stop, by all means, vote against it, but vote with the facts. Vote with whether you like the position or not. Don't vote on what people are telling you from the outside because it's not true. If they tell you something please come to this office or come to me. We will get the documentation to show what actually happened.

OK, next I want to do one other thing. We've been talking about the financial situation in Garfield. I know it sounds like doom and gloom every week. Every week I'm here talking about the kind of trouble we're in and I certainly would like to be talking about the trouble we're not in, but unfortunately we are in trouble. Please pass this out (printouts). I'm going to read you the Five Year Forecast that was given to the city of Garfield Heights by the State of Ohio. You'll see a copy of it. This is not the Mayor's Projections. This is not the Finance Department's projections. This is not Council's or the Administration's projections. This is the State's projections which oversees our books. There are two pieces of paper here in this pamphlet. The first one you're looking at is *with* the rubbish fee. This is not the red light fee because the red light camera fee was already taken out by the State starting next year. So this is just with the rubbish fee. The forecast projection for the end of 2010 is *minus* \$60,825.84. In 2011 it's projected we will be in the black \$476,000.00. In 2012 it's projected we'll be in the black \$1.3 million. In 2013 they project us to be in the black \$1.8 million and in the year 2014 (five years) they project us to be \$2.5 million in the black. That's the State's projection with the rubbish fee.

Now the second page has these same projections *without* the rubbish fee. If you take a look at them you'll see the first year we're in the red \$783,000.00. Then we go to \$2 million, then \$3 million, then \$4.8 million and then \$6.1 million. There's a difference of \$8 million at the end of the five year prediction. This is what has been told to us by the State. When they handed me this they asked, "Mayor, what are your plans?" That's what they asked me. So when I start doing things to try to save money and bring more money into the city this is the reason I'm doing it. It's not because we put a foreman on for \$1,600.00 that we had to have. It's because we're projecting to be \$6 million in the hole at the end of five years. Now again, it's still your choice what to do. I want you to know why we're doing what we're doing. We're trying very hard to keep everything afloat and it really isn't easy because you're either battling against whoever. You always seem to be battling against somebody, we'll just leave it at that, but I thought it was important for all of you to know that.

I'm going to get into the ordinances now. Ordinance 46 is to prepare the necessary construction plans and specifications for the resurfacing of the Garfield Heights section of Rockside Road. Mr. Krock can get into that a little more during his report if he chooses, but this is that Rockside Road resurfacing that we are teaming up with Maple Heights and Bedford to get done and is going to happen about a year sooner I believe than it was originally anticipated. We're looking forward to that. Ordinance 47. Library transfer the deed. What we're doing is the library is coming in next door. They chose this place. They're going to do it. I don't think I'm out of school for saying that this time. They're definitely going to do it. What we have to do is we have to transfer the deed of the land to the Cleveland Public Library for as long as that is a library in Garfield Heights, for as long as that is our library that deed will remain with them. Once it's no longer a library for whatever reason, the deed reverts back to Garfield Heights. So we're looking forward to that to get started next year and that is going to really put a nice visual aid to this area here. Ordinance 48. What we're doing is exempting the Land Bank from the point of sale because of all the work they're doing in Garfield. They're doing tremendous work. They've demod a couple of houses, they're reconstructing a couple of houses, they're doing a good job so we are asking Council to exempt

them from the point of sale. Ordinances 49 and 50 talk about the three fire positions; two captain positions with the fire employees. We struggled with this very hard, making this decision. It was my decision. I don't want anybody to think anything else. It was totally my decision. Quite honestly it's just a matter of dollars and cents. We have what we feel is a workable force of fire and police. If we don't take from the bottom if we try to take from the top and keep the same people on the street as we had before, we think it's a workable solution and so I'm asking Council to go along with that. At which time, and I know I've said this before but I do mean it, at which time the city would be financially in better shape we would certainly be willing to reinstate those positions but right now it's all a matter of dollars and cents and with this we're still keeping the same people on as we've had previously. Ordinances 51 and 52 is about the Charter amendments for the speed cameras and rubbish fee.

Resolution 37. This is just a resolution allowing us to go after some Title III Grant funds. Any questions, Noreen could respond during her report. Resolution 38 is the company I spoke about at the last Council Meeting or Council Meeting before that is looking to put their world headquarters in Garfield Heights. They're called OverDrive. We're working real hard at bringing them in. I don't want to call it a contest but they're trying to decide between us and Valley View. They have checked the building. There is some asbestos so we are going to support their application for redevelopment funds through Brownfield. We're really looking forward to them coming and we're working real hard. We're doing some innovative things to get the tax credits, etc. to try to get them here. Hopefully that will be a good report at the next meeting. And with that, Mr. Chairman, you have my report.

Excuse me. One more thing. I wanted to tell everybody I just found this out today. Mr. Terlop, a long time architect from Garfield. I'm sure many of you know him, passed away I believe yesterday or the day before. Just recently passed away. It was in the paper today. He certainly has our condolences. He was a great employee for Garfield and everything I heard about him was good. If anybody would like, check out the paper and visit him.

PRESIDENT GERACI: Thank you, Mayor. Do you have also Ordinance 35 on your agenda? There's been a new agenda printed with Ordinance 35.

MAYOR VIC COLLOVA: Yes. That's the Third Reading about the rubbish containers.

CLMN DUDLEY: Mr. Chairman, I have a question for the Mayor. My question is with from the rubbish and stuff not passing and there are red lights and the vehicles not passing there what are we looking at as layoffs down the road for our city manpower? I mean across the board? What are we looking at?

MAYOR VIC COLLOVA: You know, Mike, we have dived into it a little bit. We're going to have massive layoffs. I can't give you any exact number but we are looking at mass layoffs. We're looking at talking to other communities about mutual aid, even extending the mutual aid further to police and fire. The Service Department, I mean, we're looking at things and I know everybody's going to get all the calls next week. Everybody's going to hate me again but what we're looking at is sewer calls, we're not going to do anymore, patching we're having a hard time doing that now, keeping up, leaf removal. There's so many things that we're not going to be able to do to make up that kind of money, it is unbelievable. But we will get it done. We'll make it up one way or the other.

PRESIDENT GERACI: Any other questions for the Mayor?

CLWN MARINCIC: Mayor, going back to what you said is going to be the refund on the traffic tickets, has the city actually received any of the funds from the tickets yet?

MAYOR VIC COLLOVA: No, we have not received them but they are being held in abeyance for us. We have reports on what is our end, what is other ends.

CLWN MARINCIC: What is our end? Do you have any idea?

MAYOR VIC COLLOVA: Probably in the area of \$175,000.00 of what we have in our kitty now but that's a very vague figure.

CLWN MARINCIC: And anybody who got a ticket going 10 miles or less is going to get a refund for the whole amount?

MAYOR VIC COLLOVA: Let me qualify that. That would be with Council's approval we would give those refunds back. I would assume Council would certainly be in favor of them.

CLWN MARINCIC: Finally, what if the person who got the ticket doesn't live in Garfield Heights?

MAYOR VIC COLLOVA: He will be refunded also.

CLWN MARINCIC: They'll get theirs back too?

MAYOR VIC COLLOVA: I told everybody, Nancy, and so did you. You reported in your paper that 11 mph started. Whether we were right or wrong or where the mistake came we have to do the right thing. It's going to cost the city money. There's no question about it.

CLWN MARINCIC: I understand. Thank you.

PRESIDENT GERACI: Any other questions?

CLMN SUSTER: Mayor, you had mentioned City View about the EPA. They just have one more hoop to go over by the gas station, right? And they're still playing with that?

MAYOR VIC COLLOVA: There are some reports that came back that cause another delay with the leaching that comes off of that mound so what we have done is after we received the letter we have said we're going to start contacting the EPA, the Sewer District, the Receiver and have another meeting to see where we go from here.

CLMN SUSTER: OK. One other thing. The good part was Bridgeview. You said that there's people looking at taking over the project. Is there any timetable on it or does anybody have any type of idea when something could be going on there?

MAYOR VIC COLLOVA: I can tell you that what was told to me is that there is a chance that the bank will sell/relinquish this to a developer within a couple of weeks. That's a possibility. That certainly isn't something I want to report on, but let's say that that happens in the next two to four weeks, we'll probably be looking at 12 to 18 months down the road before we start seeing some real construction going on up there. Of course there's a lot involved, but we have to start somewhere and the quicker we start the quicker we get the buildings up and start receiving tax money.

CLMN SUSTER: Is there still any possibility of the same stores that said they had contracted with Snyder/Cannata of going in there?

MAYOR VIC COLLOVA: Actually when Noreen and I met with Huntington Bank they told us that Target, Penney's were still at the doorstep waiting to come in if the numbers were right. They also said something about Lowe's. They were getting reports about that so according to the bank it's still an active project.

CLMN SUSTER: Lowe's is on hold throughout the country with all their stores. OK. That's all I have. Thank you.

PRESIDENT GERACI: Any other questions for the Mayor? If not, well move on. City Law Director Mr. Riley.

LAW DIRECTOR TIM RILEY: Thank you, Mr. Chairman. I have no report tonight.

PRESIDENT GERACI: Any questions for Mr. Riley?

CLWN MARINCIC: Mr. Riley, the two pieces of legislation tonight the one for the traffic camera to put that on the ballot and the one for the trash? Council has to pass these, right?

LAW DIRECTOR TIM RILEY: Right, according to our Charter once the petitions are submitted and verified it's a "shall provision" that Council "shall" put it on the ballot. So once they've properly gone through these steps to get the petitions certified by the Board of Elections the Council has a legal duty to put them on the ballot.

CLWN MARINCIC: So personal differences aside, Council has to vote Yes on these?

LAW DIRECTOR TIM RILEY: Right.

CLWN MARINCIC: OK. Thank you.

PRESIDENT GERACI: Any other questions?

CLMN VAUGHN: A couple for Mr. Riley. Mr. Riley, the people that have submitted these petitions have met all the criteria of the Codified of the city of Garfield Heights, correct?

LAW DIRECTOR TIM RILEY: Yes.

CLMN VAUGHN: And they are within the laws of the Constitution of the State of Ohio, right?

LAW DIRECTOR TIM RILEY: Right.

CLMN VAUGHN: OK. Thank you very much.

LAW DIRECTOR TIM RILEY: Where there seems to be some confusion is that this is a Charter change as opposed to a referendum or an initiative. If you look at the way cities operate probably the proper method to have done this would have been an initiative or referendum, but the parties chose a Charter change. The problem there is the Charter of the city of Garfield Heights is much like the US Constitution and you shouldn't change a Charter lightly. You should do it carefully and rarely. The Charter is set out not for legislation. It's set out to determine how a city operates. It sets up your Council, your Mayor, the powers of each of those. It's not legislation and that's what these are. These are legislative moves. This should be done carefully when you're changing your Charter. This shouldn't be done to put new legislation in or to advance a political agenda or

anything like that. They should be taken very seriously. But they are properly presented Charter changes. That's what I can tell you.

CLMN VAUGHN: Thank you, Mr. Riley.

PRESIDENT GERACI: Any other questions for Mr. Riley? Service Director Mr. McLaughlin.

SERVICE DIRECTOR TIM McLAUGHLIN: Thank you, Mr. President. As the Mayor mentioned we are still continuing the patch. We are down to probably the last four or five streets before we get through the city for the first time. We wanted to be done by the end of May but without paving streets the last couple of years and winter conditions, etc. we had a lot more patching to do, but we're almost done with it. I took some of other crews that were on the patch off on to other jobs. The street sweeper's been out for three weeks straight. The tree truck is out. It hasn't been out all summer. The tickets were starting to pile up. We're doing things by priorities. Hopefully next week I could get a crew out that can stripe the crosswalks before school opens. We haven't done it yet either. The water break road repairs which we need to get into Cleveland probably in September to get paid, I have 100 of those to do. I'll be getting into those as soon as possible.

The Mayor mentioned about the County job program with the kids. Mr. Dobies has a set of them and I have eight of them that we used in different areas cleaning up. They're not allowed to use any equipment and stuff so we had them do clean up. Like the Mayor mentioned they were very good at what they did. We had limited problems. These kids came to work and did a good job.

The last thing I have is Hazardous Waste Round Up. This will be the second one of the year. It starts on Tuesday, September 7th 7:00 a.m. to 3:30 p.m. daily. You can bring it to the garage 13600 McCracken. Also it will be two weeks. The second week is September 13th through the week and then it will be on Saturday, September 18th from 8:00 a.m. until 12:00 noon. You can bring pretty much everything—batteries, etc. They make room for all that stuff so you bring it to the garage and we break it down, put it into boxes and they give us a date to take it out to the fairgrounds and they dispose of it. That's all I have.

PRESIDENT GERACI: Any questions for Mr. McLaughlin?

CLWN MARINCIC: For the record, so everybody can hear, leaf pickup? Will there be one this autumn?

SERVICE DIRECTOR TIM McLAUGHLIN: As far as I know now there will be. I haven't been told anything different. The mechanics are working on the leaf machines right now to get them ready.

CLWN MARINCIC: I just wanted to know if it's safe to put in the Grapevine?

SERVICE DIRECTOR TIM McLAUGHLIN: Yeah, as far as I know. I don't see anybody yelling No.

CLWN MARINCIC: Thank you.

PRESIDENT GERACI: Any other questions?

CLMN SUSTER: Tim, you had mentioned the striping in the schools? What about the rest of the city? When are we going to have that done?

SERVICE DIRECTOR TIM McLAUGHLIN: We had that discussion today at the Staff Meeting and it's a matter of trying to negotiate a better price for the overall striping. They're working on that right now. Chief Murphy and Piasecki and them are working with a couple companies trying to get there.

CLMN SUSTER: How many people do you have in your department now versus what you had last year?

SERVICE DIRECTOR TIM McLAUGHLIN: I think last year at this time I still had around like 32 and I had 13 part-timers to clean the buildings, etc.

CLMN SUSTER: What do you have now?

SERVICE DIRECTOR TIM McLAUGHLIN: I have about 24 and there's three scheduled to go in the next six weeks. Two of them are the foremen and the Animal Warden.

CLMN SUSTER: OK, what about part-time people?

SERVICE DIRECTOR TIM McLAUGHLIN: I cut down on the party staff. I only have two instead of four but the cleaning staff is still the same so I have two less. I have 11.

CLMN SUSTER: OK, thank you.

PRESIDENT GERACI: Any other questions? If not we'll move on. Recreation Director Mr. Bob Dobies.

PARKS AND RECREATION DIRECTOR BOB DOBIES: Mr. President and Council Members, good evening. I'd like to say pool attendance is great but pool attendance is adequate. I learned that attendance normally takes a dip after July 4th and historically it continues this year. You would think with all the warm weather we're experiencing we'd be wall to wall with people but that's not the case. With school starting on August 25th our last day for the pool to be open will be Sunday August 29th. This past Sunday ended another successful Girls' Softball season with their All-Star Games played at Congers Field. Congratulations go to all the participants. Thank you to all the coaches who volunteered their time and my staff for a flawless season. We had two makeup days this season due to the weather which was pretty good. Our champions in each divisions are Division A, is our eight to 10 years old were the Mets, B, the 11 to 13 years olds were the Tigers and our C Division our 14 to 17 years olds, our Angels. Along with our slow pitch champs our 14 and under Girls fast pitch champs had a phenomenal season. They went on to be champions in an undefeated 21 – 0 season. Again, congratulations to all our girls.

The Rec Center is now in the process of taking registrations for the following programs: our 2010 Fall Soccer Program which is for ages 6 to 14. That's August 2nd through September 11th. The Learn to Skate and Muni Figure Skating Program sign ups started last Monday and continues. The in-house Hockey Program for beginning players age 4 though 9 started signups August 2nd and we'll go through the start of the season which is September 12th. Also Municipal Hockey signups are August 28th and 29th at the Rec Center 10:30 a.m. through 1:30 p.m. For additional information please call the office or visit our Website.

At the last Council Meeting I reported that we had physically reviewed the designated playground areas which were included in the County Development Grant. Anderson Recreational Designs submitted a quote and it came in under the prescribed allotted grant amount. After review with Mr. Tomola and Ms. Kuban I drafted a letter to accept the Anderson Recreational quote so the project may go forward. Thank you. That concludes my report.

PRESIDENT GERACI: Any questions for Mr. Dobies?

CLMN SUSTER: You say attendance is down for this year as far as the pool goes?

PARKS AND RECREATION DIRECTOR BOB DOBIES: I'm probably averaging 80 to 100 people a day. And you got me baffled with all the hot weather we had.

CLMN SUSTER: You don't seem to have a reason for why this happened?

PARKS AND RECREATION DIRECTOR BOB DOBIES: I found out historically that's always been the case after July 4th.

CLMN SUSTER: Because you always hear people say we don't have enough things for the kids to do throughout the summer months and that would be the perfect place for them to go and yet the parents aren't sending them. Is the total number of family passes down for this year?

PARKS AND RECREATION DIRECTOR BOB DOBIES: No. On average we're probably about the same and it's just, you get cloudy days, Councilman, and they don't show up. You get threatening weather. I've only impacted the opening time twice this year because of rainy weather. Opened at 4 p.m. If those clouds don't dissipate they don't come. I left today because before the Council Meeting I had to review some papers I had at the office and there was only five people left at 6:45 p.m. So whatever the answer is, it's probably one of the best priced things within this city is \$90.00 pass for a family to swim almost three months. If you had a family of five that's \$1.00 a day. You know it's probably one of the best values in the city.

CLMN SUSTER: OK. That's all I have.

PRESIDENT GERACI: Any other questions for Mr. Dobies? We'll move on. Finance Director Mr. Tomola.

ACTING FINANCE DIRECTOR RON TOMOLA: Thank you, Mr. Chairman. No report.

PRESIDENT GERACI: Any questions for Mr. Tomola? City Engineer, Mr. David Krock.

CITY ENGINEER DAVID KROCK: Thank you, Council President. A few notes on Ordinance 46 regarding Rockside Road. That's a \$5 million construction project that the Federal Government and the County is picking up. Our share is \$65,000.00 or less and that is only for our share of the design and Maple Heights will be leading that design effort. A couple of other construction projects. Henry Street or Northeast Regional Sewer District. We still don't have a firm date when that street's going to be closed but we continue to meet and talk with them. There are also a few other sewer projects coming--Thraves and Grannis. Also East 88th and North Granger are a couple of other projects. We're going to get some improvements and we'll let everybody know what type of traffic impacts that will have. I'm working on some funding efforts of the library and OverDrive as well with Noreen. Thank you.

PRESIDENT GERACI: Any questions for Mr. Krock?

CLMN SUSTER: You say with the Rockside Road project that the city's cost is \$65,000.00. Is there any way we can apply for a grant to pay for that?

CITY ENGINEER DAVID KROCK: There is actually a grant at this point that covers 35% of the design cost. The original design cost was \$400,000.00 split between the three cities so there was a significant grant in place already. We would have been \$100,000.00 without that grant.

CLMN SUSTER: But aren't there more monies that we could go after in order to makeup another part of that \$65,000.00?

CITY ENGINEER DAVID KROCK: That's something I can check into but this is the OPWC Grant which is typically where we go for that money.

CLMN SUSTER: OK. Thank you.

PRESIDENT GERACI: Any other questions?

CLWN MARINCIC: I would just like to thank Dave for all the work he has done and several meetings he has had regarding McCracken and Henry. Just for residents here, to be aware sometime within maybe a month or two, they will close Henry Street from Southern to not quite all the way past the Dairy Mart there. Right?

CITY ENGINEER DAVID KROCK: Yeah. Basically between McCracken and Southern. It will be closed about four months.

CLWN MARINCIC: You won't be able to pass through on Henry from McCracken to Southern but you will still be able to get access in and out of all the little stores in the strip there and these will still be accessed off of Henry into that strip of stores at all times?

CITY ENGINEER DAVID KROCK: Yes.

CLWN MARINCIC: In a month or two? Probably?

CITY ENGINEER DAVID KROCK: Best case end of August at this point.

CLWN MARINCIC: And it will be closed for a minimum of four months?

CITY ENGINEER DAVID KROCK: Correct.

CLWN MARINCIC: Thank you.

CLMN VAUGHN: On the Rockside Road construction. You said you're moving that up? When actually are they looking at doing that?

CITY ENGINEER DAVID KROCK: The funding was originally set for fiscal year 2013 which basically would have been the summer of 2012 but they are talking like beginning next summer providing there are no delays in approvals.

CLMN VAUGHN: How long do you think the Garfield Heights portion of that project will take?

CITY ENGINEER DAVID KROCK: This is a resurfacing project for the most part so I would expect within a couple months they'll be in and out of Garfield.

CLMN VAUGHN: And we will be able to notify the citizens and the businesses along there?

CITY ENGINEER DAVID KROCK: Absolutely when we get closer.

CLMN VAUGHN: Thank you.

PRESIDENT GERACI: Any other questions?

CLWN MARINCIC: Mr. Chairman, may I go back to Mr. Tomola for a second?

PRESIDENT GERACI: Go right ahead.

CLWN MARINCIC: Mr. Tomola, regarding the fact that Rockside's resurfacing may be bumped up to next summer do we have the money?

ACTING FINANCE DIRECTOR RON TOMOLA: Rockside Road was a part of the extra \$500,000.00 that was approved by Council in the bond issue that we're putting out this fall.

CLWN MARINCIC: All right. So that's what the bonds are going to be used for?

ACTING FINANCE DIRECTOR RON TOMOLA: That's where the funds are coming from for our portion. Yes.

CLWN MARINCIC: OK. Thank you.

PRESIDENT GERACI: Are there any other questions? If not we'll move on. Economic Development Director Ms. Kuban.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Thank you, Mr. President. A couple things. I just wanted to urge Council's support for Ordinance 47-2010. This is to enter into an agreement with the County Library for their plans to construct a new building in Garfield Heights. This will be an investment of \$11 million and they will increase the square footage of the building to 30,000 square feet. Also I would like to urge Council's support for Resolution 37-2010. This is our annual application to the Western Reserve Area Agency on Aging. This allows us to do lunches, for Seniors and to do homebound meals. For Resolution 38 we've been working with a company for several months now and since last year and they want to apply for assessment funds, grant funds to assess whether they have environmental issues at the building and if they do this will also enable them to apply for loan funds through the County to clean up the property.

A couple other things. The Solid Waste District has executed their lease with the Dalad Group. They'll be opening the office in the fall. They are leasing a building that is north of the BWC building on East 131st Street. They'll be moving the operations there. The Dalad Group will be investing about \$1 million into renovating the building. Also I wanted to note that I just received notice that the State of Ohio is now included in the Hardest Hit Housing Market fund. That's when Congress passed \$1.5 billion in February. Only five States were eligible. Ohio was not one of them. However Congress has expanded to include the State of Ohio and four other States and the five States are eligible to get \$600 million and this is to specifically assist homeowners who are struggling to make their mortgage payments because of unemployment or because they have a reduced income because of reduced hours or reduced hourly rates. The State of Ohio intends to assist homeowners with bringing mortgage payments current, they will help unemployed borrowers to pay their mortgage up to 12 months while they search for a new job or participate in a job training program and the State will also create incentives for lenders to reduce the homeowners' mortgage principal balance so that their payments will be more affordable. I'll pass out the press release I got. Also in conjunction with foreclosures Jim Rokakis's office will be holding a

foreclosure event here on Tuesday September 21st from 4 in the afternoon to 8:30 p.m. It will be in Room 018. This is in addition to our usual housing counseling that's available every Wednesday.

I wanted to make a comment about the County Land Bank. They have taken down a couple of houses so far. The theater building on Turney Road is slated to come down by the end of August. They will first do remediation for asbestos and after that they will do the demolition. They also have about seven more houses in the queue to transfer the title and we're expecting that to occur in the next couple months. They are working directly with lenders who are giving property to the Land Bank or property owners who are donating property. I am working with one homeowner who wants to give her mother's house to the Land Bank. Finally we had a Landlord Fair Housing event last Thursday. We got about 13 or 14 people attending. This past Thursday. We'll be holding some more fair housing events in the future.

Finally for Senior citizens we'll be holding our Senior Picnic next Wednesday at Klima's Gardens and we still have room for reservations so if you know of any Senior who would like to join us, plus have them call and reserve. Reservations will close by Thursday so tell them to call right away. That concludes my report.

PRESIDENT GERACI: Any questions for Ms. Kuban?

CLWN MARINCIC: In regards to the old theater coming down, on behalf of the residents of Ward 2, Alleluia. Are they going to let us know the demolition day?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: They will as they get closer and firm up plans with the contractor.

CLWN MARINCIC: I would like to be there.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Yeah, we'd like to hold a party actually.

CLWN MARINCIC: I'll bring the chips.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: I'll put you down for chips.

CLWN MARINCIC: Thank you.

PRESIDENT GERACI: Any other questions? We'll move on to the Building Commissioner Mr. Wervey.

BUILDING COMMISSIONER BILL WERVEY: Noreen gave all my good news. I don't have anything tonight.

PRESIDENT GERACI: Any questions for Mr. Wervey? If not we'll move on.

COMMENTS BY CITIZENS:

PRESIDENT GERACI: Comments from the Citizens On The Agenda. The rules are 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. Only five minutes to speak. Thank you.

Bob Halen, 12416 Oak Park Blvd. Regarding what's on the agenda, Mayor, on your projected increase in money coming into this city it shows a camera revenue for five months period projected of 2010 was \$502,885.00. The report in the Neighborhood News for a grand total of two months of ticketing was roughly \$612,000.00 due the city. That's after the \$100.00 fine deduction from the camera company. Therefore in projection it was listed for five months and the actual revenue is \$612,000.00 which exceeds your projection. If this continues within the next five years this city will be in the black, not in the red. It may be a feather in your cap but sure is a hell of a lot taking out everybody's pockets here and the given is 10 miles but if the vote turns in favor of the city n November you're going to have a good cash cow.

PRESIDENT GERACI: Thank you.

Fire Chief Tom Nemetz. 5115 Turney Road. Good evening. Thank you Council Members for hearing my take on the firefighter layoff and also on the three lieutenant positions that we could lose. Thank you for hearing me. Thank you, Mayor Collova, for hearing me also earlier this week on these two subjects. Mayor, can I ask you to clarify when you say that we'll lose these three positions through attrition? We now have 14 per shift and that's including one captain, two lieutenants and 11 firefighters. Were you planning on rehiring a firefighter in place of that lieutenant to maintain the shift at 14?

MAYOR VIC COLLOVA: It would depend on the attrition. Right now as I believe, nothing's in stone, but as I believe, there's one officer leaving coming up the end of this year. Is that correct?

FIRE CHIEF TOM NEMETZ: Yes, one officer is leaving.

MAYOR VIC COLLOVA: The other two lieutenant positions I have no idea when they're leaving. It could be 10 or 15 years down the road. Is that correct?

FIRE CHIEF TOM NEMETZ: No, I believe one's leaving in two years and one is three years down the road.

MAYOR VIC COLLOVA: I would certainly say at that time we would look at the finances and we would definitely do what we needed to do at that time but at this time I have no idea what the finances are. To tell you that I'm not going to replace them wouldn't be fair. To tell you I'm going to replace them isn't going to be fair either. We have to see what the finances are at that time.

FIRE CHIEF TOM NEMETZ: OK. Thanks, Mayor. I'd like to make a statement now knowing the facts. Had I talked to you all earlier you would know where I'm coming from on this. I can accept losing three lieutenant positions through attrition, but I am totally against losing any firefighters as it will directly affect the service we provide to our residents, which is in agreement with the State Performance Audit. Now, Mayor, again, I'm coming at you. You put a lot of stock into the State Audit on the rubbish fee and the red light cameras and also I know you read the reports the Audit Performance they did on the Fire Department and they recommended that none of the firemen get laid off and since then we did lose one through attrition (that was our captain in charge of training) and now August 22nd we will be losing our second firefighter and that is going against what the Performance Audit said. So I just wondered what your take is on that?

MAYOR VIC COLLOVA: Let me respond this way. Presently we have, and correct me if I'm wrong, Chief. Presently we have three shifts. We have one captain on each shift and two lieutenants on each shift and that doesn't count for fire prevention, correct?

FIRE CHIEF TOM NEMETZ: Correct.

MAYOR VIC COLLOVA: OK. Now I know according to the Union contract, which is very strong at the Fire Department, I can appreciate that, they call for three fire prevention gentlemen that go to the businesses and check out the establishments. We have three. If you were to replace one of the firefighters with one of the fire prevention people you wouldn't lose anybody from the street. If you could do it, correct?

FIRE CHIEF TOM NEMETZ: If we would take one from on shift and put him in fire prevention?

MAYOR VIC COLLOVA: No. What I'm saying is if you took one of the fire prevention guys and put him on shift you would no longer be one guy short on shift.

FIRE CHIEF TOM NEMETZ: Correct.

MAYOR VIC COLLOVA: That was one of the reasons. We did a little research on this, Chief, and I understand that there's not a lot of cities that have two lieutenants per shift. It came back to me that usually it's a captain and a lieutenant. I don't have a problem with two lieutenants and a captain because I know it can only help us but what I'm trying to do is and it's not an easy thing to do is streamline how much money we're paying out which eases the effect on the residents on what we have to take. We have to take it from somewhere. Even though there's not a rainbow in the sky where we can get money so we're trying to do it through employees. You heard the Service Department is way down. We are not going to replace all the guys that are leaving. We understand your point of the fire drill and the police. What we're trying to do is minimize the impact on the public and I think we can.

FIRE CHIEF TOM NEMETZ: I can go along with the plan of losing those—no losing them but temporarily losing those three lieutenants and that would be saving us \$21,000.00, but as far as losing any firefighters the survey that I performed and the State Audit were identical saying that we definitely should not lose any firemen. It will definitely affect the public. Like I've made known to Council Members that the whole difference is that it would be two on our ambulance service versus three. With everything that our paramedics are performing, there's a lot of duties that they have, when they get in the back of the ambulance on the way to a hospital they have to give a report to the hospital. Also they're looking at the cardiac monitor and as soon as that changes they're reaching into the drug box and giving a drug. If they don't have that intervention immediately these patients' outcome is not going to be good at the hospital. That's why the paramedic service was started so that there was early intervention. When there's only one paramedic in the back it's very difficult and they cannot do what they can with two. This number right here with just this one layoff on shift is taking us to that point.

MAYOR VIC COLLOVA: May I ask you a question, Chief?

FIRE CHIEF TOM NEMETZ: Yes.

MAYOR VIC COLLOVA: We have presently three paramedics on a call?

FIRE CHIEF TOM NEMETZ: At Station 1, yes.

MAYOR VIC COLLOVA: Station 2, how many do we have?

FIRE CHIEF TOM NEMETZ: We have two.

MAYOR VIC COLLOVA: At Station 2 we can operate with two but we can't.

FIRE CHIEF TOM NEMETZ: At Station 2 we have the ladder truck there with two. We send the ladder truck when there is a call that's more of an emergency nature. So we send that, but here at Station 1 we do, since it's covering 84% of the city, we do need to keep one engine company back to protect for fire. So that's where we run into the problem and that's why we want three on the squad at Station 1.

MAYOR VIC COLLOVA: I would certainly like to run three and if possible four on each run, but right now we're doing three at Station 1 and two out of Station 2.

FIRE CHIEF TOM NEMETZ: With the help of ladder two.

MAYOR VIC COLLOVA: I understand but you got help at Station 1 too. I'm not trying to argue, Chief, with what you're saying. I'm saying that we have a situation. It's not an easy remedy. We have to find a way to balance the budget and we want to do it in a way we don't put anybody at risk and I believe we've accomplished that.

FIRE CHIEF TOM NEMETZ: Thank you for your time.

PRESIDENT GERACI: Thank you, Mr. Nemetz. Anybody else?

Linda Martino, 9717 Park Heights. I just wanted to say to the first gentleman who spoke about all the citizens paying for all the traffic tickets. Well, if you don't speed through the city it doesn't come out of your pocket. And if you are speeding through our city then you deserve the ticket because we don't want anyone killing our kids. Also I want to say that to our residents please, as Mr. Collova says, know your facts. Be careful for what you wish for. You want to get rid of the cameras, you want to get rid of the trash, well it's coming out of all of our pockets, mine too, and believe me I'm on a limited income. But you have to understand one thing. If people aren't going to pay for this and we're not going to have the trash pickup money and we're not going to have the money, our city is going to fall into ruins. I don't know if anybody's listened to the news today but the city of Akron is going to be right behind us right now. They're losing all kinds of people now too and they're projecting and our projections should be, as Mr. Collova said, in the black, not in the red. If this red light camera and all the people who speed through our city help make us in the black then so be it and if we have to pay for the trash collection I think almost everybody it's coming to the whole world paying for trash collection. So we might as well just get used to it now rather than later. Hopefully our city will come out of ruins and come back to the city that it used to be. Thank you.

Frank Ottobre, 4927 East 93rd Street. I got just one question about these SUVs that you have on the street, Mayor? Why don't they follow Ohio law?

MAYOR VIC COLLOVA: In what respect, Sir?

MR. OTTOBRE: One, do we agree that they're there for traffic purposes only? Traffic laws?

MAYOR VIC COLLOVA: I would agree with that, yes.

MR. OTTOBRE: Why don't they have a red light on top of their vehicles?

MAYOR VIC COLLOVA: I'll let the Law Director answer that because he's more familiar.

LAW DIRECTOR TIM RILEY: They don't have to have a red light. It's not a State law.

MR. OTTOBRE: According to 4549.13 the marking says it does. As any vehicles.

LAW DIRECTOR TIM RILEY: I'm not familiar with that. I'd be happy to review it.

MR. OTTOBRE: It's on the paper right here.

LAW DIRECTOR TIM RILEY: It also says the offense is punishable as a misdemeanor and it's not punishable as a misdemeanor. I'm looking at the first sentence. It doesn't apply.

MR. OTTOBRE: I don't understand why it doesn't apply?

LAW DIRECTOR TIM RILEY: Because the ticket you receive is not a misdemeanor. It's not punishable as a misdemeanor. It clearly states here.

MR. OTTOBRE: It's a moving violation.

LAW DIRECTOR TIM RILEY: No, it's not.

MR. OTTOBRE: Speeding is not a moving violation?

LAW DIRECTOR TIM RILEY: You receive no points with the State of Ohio. It's a civil penalty.

MR. OTTOBRE: If you get a ticket by an officer for being speeding you go to Court.

LAW DIRECTOR TIM RILEY: Right.

MR. OTTOBRE: You're telling me that's not a moving violation if you're speeding and get caught by this camera in this SUV?

LAW DIRECTOR TIM RILEY: No, it is a civil penalty.

MR. OTTOBRE: I don't see how you can contradict both of them? How can one be and one not be?

LAW DIRECTOR TIM RILEY: Because of the way it is set up. It's not set up as a misdemeanor criminal penalty as it says in this section. If you read the Code section on it, it's not set up as a criminal penalty.

MR. OTTOBRE: You're contradicting Ohio law is what I'm saying—plain and simple.

LAW DIRECTOR TIM RILEY: I'm sorry you don't agree with me but the way I read it it's pretty clear.

MR. OTTOBRE: According to that it sounds like that SUV is out of the law district. And then another thing why are they parking where they're not supposed to park? One hour parking? On private property? No parking zones?

LAW DIRECTOR TIM RILEY: I believe that they are parked in safe areas wherever they are parked. I'm sure the police do that.

MR. OTTOBRE: I've seen them on private property, on no parking zones, in one hour parking parked there all day with their engine running and nobody there.

LAW DIRECTOR TIM RILEY: Have you ever seen a police car parked by the side of the road?

MR. OTTOBRE: They're not police cars. You just said they're not police cars.

LAW DIRECTOR TIM RILEY: OK.

MR. OTTOBRE: That's all.

LAW DIRECTOR TIM RILEY: I'll check with our police department and make sure that they are parked in a safe area, OK?

PRESIDENT GERACI: Thank you.

Steve Prokay, 9801 Sladden Avenue. Is your watch working, Frank? It is? You need to have a Swiss guy check it out. Ladies and gentlemen, as I understand from hearing Mr. Dudley tonight

(and you don't have to comment on it) that if you're against something that we're not with you and therefore we're the ones that are trying to do harm to the city because we view something differently than the Council and the Mayor does that passed this legislation.

CLMN DUDLEY: Not to interrupt him but, excuse me, Mr. Chairman, if you're going to single me out and you're going to mention my name then you're going to have to allow me an opportunity to respond to you. Don't say I don't have to comment. I will comment. But I do not speak for them when I spoke on my behalf. I never mentioned any other Member of Council. Just be careful. Go right ahead.

MR. PROKAY: You can respond to someone else, but not me. The people have spoken. You have signatures of 2,200 people that want that law repealed. The same people put you in office want you to put this on the ballot. Now I understand Mr. Dudley has a problem in his neighborhood, so do I. He's commented on it ever since this legislation come up about cameras. Get the people on 131st. We have a police department. They have radar. We can help people without having a camera, getting a guy like me and the lady said if you speed one mile over. This is what irks me about this and all the people that signed the petition. Safety? I didn't know that the Mayor changed it from 10 to 11 or 11 to 12 or whatever. I don't plan on paying this ticket and there's quite a few other people. Not having a raise in two years from the Federal Government I'm watching TV there's a place in California that the absurdness of this you could understand is that they were making a half a million dollars the police chief of this city. I ask you people not only to put this on the ballot but to take a minimum wage effort from every one of you, not the Mayor because I understand you are up there, but I ask everybody else to take a wage cut. Show us that you're sitting there to represent us. Not take our money. We never had a garbage fee and nobody seems to say because we don't have a garbage fee everybody else does so come on, bring it on. Others have made a comment I'd like to pay more. Let's get the legislation going and let them pay more.

Mayor, I have to tell you I wish you would put this thing to bed with Frank Wagner. I don't come here to hear Frank Wagner. I come tonight to get a piece of legislation that you people are passing. I couldn't get it, but sure enough I got your big boy that you Xeroxed and passed out. It's not right. I live in Garfield Heights. I don't care about Frank Wagner and I don't care about what you're doing now because it's just a personal vendetta and it's got to stop, ladies and gentlemen. Please. I told you before two years we haven't had a raise to pay for these \$100.00 tickets, \$35.00 or whatever the garbage. The people spoke. Follow us. For the people. By the people. Please. Thank you.

CLMN DUDLEY: I'd like to comment before the gentleman sits down. I want to mention something. I went over there today and I went through every petition of the 2,000 signatures that were turned in and out of the 2,000 signatures that were turned in only 23 of those signatures came out of my Ward. Only 23. Nobody came and knocked on the doors in my Ward. Another thing I'd like to mention to this gentleman when I was coming out of the Mayor's office when they was up there turning their petitions in, I wanted to ask him a question what did he mean since he wants to speak so much when you looked at me and you said, "Councilman, you need to watch your back". The gentleman that was just up there with Frank Wagner when he came up to the Mayor's office the day they filed their petitions. You said, "Councilman, you need to watch your back". I want to let you know one thing, Sir. I don't worry about the drug dealers on my corner making me threats, I don't worry about the gang members on my corner and you're not going to bother me a bit neither, OK? I wanted to let you know that. I don't need to watch my back and you don't need to threaten me. Don't send a threat towards me. Don't write a check you're not going to cash.

PRESIDENT GERACI: Clmn Dudley.

MR. PROKAY: I never said that. I swear to God I never said anything and I never seen you.

PRESIDENT GERACI: Mr. Prokay. Please sit down.

CLMN VAUGHN: As I'm reading this ticket here the vehicle was operated at a speed of 37 mph in a posted 25 mph zone. So that's 12 miles over—not one. Wait a minute. I was not in favor when they voted this in last year but honestly 12 miles over the speed limit and not one. I'd like you to show me where you're seeing one mile. Oh, is that what he means? OK. Does he want this back?

PRESIDENT GERACI: Any other citizens wishing to speak on the agenda items only?

Joe Turik, 5119 East 131st Street. I just want to comment on the red light things. The vehicle they have that's keeping an eye on us has license plates from Arizona. Arizona did away with the red lights. They don't allow no red light cameras in Arizona. They shipped them out so we got them here now. They don't want any red light cameras in Arizona. I understand there's several other cities that don't want them either. I want to comment on Ordinance 50 abolishing two first lieutenant positions. Does that mean you're going to fire them, Mayor?

MAYOR VIC COLLOVA: Would you repeat that please?

MR. TURIK: You're going to abolish three fire lieutenant positions. What happens to these three lieutenants?

MAYOR VIC COLLOVA: This is through attrition, which means when the lieutenant leaves that post is vacated. It will not be filled. The person that is in that spot today can work there for the rest of their life with no problem. Once they leave that position will not be filled. All I'm trying to do is reduce the top end of safety forces. At the same token I'm not chasing anybody or forcing anybody out.

MR. TURIK: So it's three lieutenants that been on the force for 30 years and ready to go or?

MAYOR VIC COLLOVA: Joe, I know that one is leaving at the end of this year. I think the Chief just said a little while ago one was leaving in two or three years and another one in whatever.

MR. TURIK: Why didn't you put that on this sheet here? You're not being candid here are you?

MAYOR VIC COLLOVA: Joe, honestly I can't tell these people to leave. They may say they're leaving tomorrow and decide to stay. How can I write that in there? It's their choice whenever they decide to leave. It's their job. Whenever they decide to leave that position will not be filled.

MR. TURIK: You make it look like it's some kind of tragedy coming in. These guys are probably gong to retire because it's time to retire, right?

MAYOR VIC COLLOVA: I would imagine. Correct.

MR. TURIK: You got the same thing with two captains that are going to leave.

MAYOR VIC COLLOVA: I would imagine. Yes, Sir.

MR. TURIK: The way you put this in this paper here makes it sound like there's an emergency here. We don't want to pay two captains and three lieutenants. You're kind of slanting this.

MAYOR VIC COLLOVA: I'm glad you came up and asked the question because now everybody has the understanding right.

MR. TURIK: Everybody understands it but me.

MAYOR VIC COLLOVA: I just explained it to you and you agreed.

PRESIDENT GERACI: 30 seconds.

MR. TURIK: You always try to cut me down. Can I bank it for the next session?

Joe Lamalfa, 13205 Silver Road. I don't know where to start. I'm going to start with Mr. Dudley. That was a heck of a prayer that you let out today, but usually you make a prayer like that and then you turn around and do the wrong thing. OK? You should vote against 49 and 50 and for 51 because we can't afford to lose any police officers or any firemen. They do a good job. They're very intelligent people. So I don't know where you get off saying that and the worst part about it is, the Mayor, last Tuesday or Wednesday at Ward 2 he said it's about safety, safety, safety. The red light cameras. He turns around and lays off police officers and firemen. How is he worried about safety? What he meant was when they do their jobs the city doesn't get any money so we don't need them. We need something that pays the city. That's what he meant. I can't figure out this thing here. Whatever these people are smoking they ought to cut their dose in half. Because in 2010 you're going to be bare minimum \$1.2 million in the hole. Does that throw your whole numbers off at the end of 2010? You're saying you're going to be a negative \$60,000.00 with the rubbish. Where's the lady in red? Back there. She thinks that this includes the red light cameras.

MAYOR VIC COLLOVA: The red light cameras are a portion of it is generated in 2010. The reason it wasn't put in in 2011 is because if it's voted out in November they don't want to put that in.

MR. LAMALFA: OK. With the red light and with the rubbish it's saying we're going to be \$60,000.00 in the hole?

MAYOR VIC COLLOVA: That was the projection, yes.

MR. LAMALFA: OK. You ought to say a prayer that that's true, because if it's true, that's good. You're going to be \$1.2 million in the hole by the end of 2010. I got real high doubts about the State with their audits lately. As far as what you said about Frank Wagner going on TV. I don't know where you got your numbers from, but what he was talking about was your first three moves as Mayor. You hired a Director of Recreation that used to be a bus driver. You hired Tim McLaughlin back after he retired and you brought what you call a first class lawyer which is a husband of a Judge. How ridiculous can that be? Then you let this gambling in our city. You don't fight that. You get rid of police officers. He's making \$100,000.00. He's making \$100,000.00 and the guy you say is making only \$49,000.00. That's what they were talking about. That's \$250,000.00 that we didn't need to have added to our bill. Those numbers are closer than the \$1,600.00 that you were trying to throw out here. Instead of laying off a Recreation Director and closing the Rec Center you lay off a police officer for the same amount of money. What are you concerned about? Are you concerned about safety or making the city money? You said you were concerned about safety at that Block 3 Block Watch. Different things are coming from different people. Whatever you want to say. Again, I think Tom Longo was sitting there and he said whatever he wants to say and I don't understand? Is it safety? Is it money? What is it? You got a comment on that?

MAYOR VIC COLLOVA: I certainly do. Are you finished?

MR. LAMALFA: Yeah.

MAYOR VIC COLLOVA: First of all I want you to know two things. First of all you promised me after the election you would leave me alone for a year and a half. You lied.

MR. LAMALFA: I did, but I thought eight months was enough.

MAYOR VIC COLLOVA: I am actually glad that you came back because now that I know you know more than the State Auditors I am going to turn your name into them and maybe you'll get a job? We need somebody with your ideas and your mentality to run this city because you're on top of things. Let me tell you something, Joe.

MR. LAMALFA: I'm only six months off.

MAYOR VIC COLLOVA: Here's the problem I have when you come up and Mr. Prokay comes up and when Mr. Wagner talks. I said earlier today and if you had to go back on the Minutes you could listen, I said I don't care how you vote on this, but know the facts. If you don't agree then vote No. I said that. But know the facts. The facts are Joe, and it's very simple. If I ask anybody to get on the Lanigan show, to get on the e-mail, play this interview back he only spoke of the Assistant Law Director who saved the city money and he spoke about a third foreman. Now if he meant to speak about the directors I didn't know that and that's where your brilliance comes into play because you know that. I don't know that. What I'm saying is, people, whatever it is let's keep the facts on the table. I don't want to bring up the Lanigan show and when Mr. Prokay comes out and says why are you bringing this out? It's like the old days. When I sit at home and have people calling me because people on the radio are saying that I'm spending \$300,000.00 that I'm not, do you think that I should respond or just let it go because they are who they are?

MR. LAMALFA: If it's true yes you should respond.

MAYOR VIC COLLOVA: I should respond? That is my response. When they get up and red light cameras and if I don't have documentation I don't say anything but when I get the documentation to say they did I bring it out only because if he's right then I'm lying. All I'm trying to do is get the facts on the table. If you don't like the red light cameras vote No. If you don't like the rubbish vote No, but understand the problem that there is. Because of the money situation, Joe, which you don't believe me because the State's lying, because of that situation I have to find ways to save money. Employees. I look everywhere I can. Grants to Dennis Kucinich. To Obama for the stimulus trying to find money for Garfield Heights. The problem is when you don't find the money you have to take it from somewhere, Joe. You have to get it. Don't tell me safety isn't a factor because I'll tell you what. You drive down Turney Road right now and you'll see how slow everybody's going. If that's not a plus for our kids and our citizens in this community that alone makes me happy. So if you guys vote it down, if the residents decide to vote down the red light cameras I don't have a problem. I think it's a mistake but I don't have a problem because it's like waving the green flag at the Indy to start people speeding again, But right now when school starts in September those cars are going slower and that's what I want.

MR. LAMALFA: Why did you pick on the police and fire the first thing? Tom Longo did the same thing. He tried to hold the city up by saying. You don't say I'm going to start with my staff, work my way down and eventually we're going to get to the police and fire. You didn't say that. You left your staff alone and you went right to the police and fire.

MAYOR VIC COLLOVA: Joe, I appreciate your comments. Now listen to me. Mark this down if you have to.

MR. LAMALFA: OK.

MAYOR VIC COLLOVA: We have taken such a staff cut it's unbelievable since these finances have begun. You've heard that 100 times. There's ways we could have gotten around it but we couldn't work that out between the Unions and myself. So we have to save the money somewhere. I went to the city, I went to the residents. The red light cameras were brought in by Longo. I got a three-year contract I couldn't change it if I wanted but that's another story. But the red light cameras are hitting the citizens hard. The rubbish fee is hitting the citizens and it's hitting them hard. What do you suggest I do now? I got to go back to the employees. I have nowhere else to go. I'm not going to hit the people any harder. It's my choice. That's exactly what I have to do. I'm trying to run this city so we're not bankrupt and we're this close. We have bills behind three months. Three months we got bills behind. I present a proposal to the police and firemen to save us \$110,000.00. It wouldn't cost them a penny. They didn't want to do it. That's OK. They didn't want to do it, they didn't have to do it because their contract said they didn't have to, but I have to make that money up somewhere, Joe. You can't just keep saying no, we don't want the red lights. No, we don't want the rubbish fee. No we don't want any police and fire gone. Just find the money somewhere else. Maybe you got a rich uncle? You can send him to me. Right now I got to deal with the facts I got.

PRESIDENT GERACI: Thirty seconds.

MR. LAMALFA: OK. Why would you not at least look at another avenue. I don't know if there are other avenues to try to earn money for the city? Didn't you just jump into this right off the bat without looking at everything?

MAYOR VIC COLLOVA: Joe, I've been here eight months. I've had this thing on my back since the second day I was here. How much more time do I have to give it to try to get the money? Give me an idea. What would be your recommendation? What would you tell the State Auditor since they're not doing so good? Would you say nine months? Ten months? You have to have a solution. You can't just talk. You have to have a reasoning.

MR. LAMALFA: What I want to know is if the State Auditors are wrong what are you going to say to them?

MAYOR VIC COLLOVA: What I also have here in the paperwork is if I don't do what the State Auditors say and if Council doesn't do what the State Auditors say we could go to jail. We could be fined and incarcerated. That's what we could do.

MR. LAMALFA: One last comment. I'm sorry I lied about it, but I did keep it for eight months.

MAYOR VIC COLLOVA: Thank you.

CLMN DUDLEY: I don't have a clue what he's talking about. I believe I have one of the best relationships with every department in the city of Garfield Heights from the Police Department to the Service Department so I don't have a clue what he was talking about.

CLWN MARINCIC: I make a motion we take a 10 minute recess.

CLMN NENADOVICH: I second it.

PRESIDENT GERACI: Roll call.

AYES: 6

ABSENT: 1

(The Council Meeting was recessed from 8:25 p.m. to 8:40 p.m.)

PRESIDENT GERACI: Are there any more comments on the agenda items?

Bob Suter, 4964 East 90th Street. I've listened to this on TV about the money and the cameras and I want each and every one of you to seriously think about it. What if you were driving and somebody came recklessly and carelessly at a rate of speeding and he hit your car and you had children in the car and your child was crippled, maybe for life or your husband was crippled or maybe they were killed or seriously injured or you were seriously injured? How would you feel about that driver that hit you? How would you feel about how fast he was going? He was driving recklessly and carelessly. I see them go through red lights after the light has changed to red for four or five seconds and it was red and they went on through. I've seen them go through stop signs. That's carelessness. I had a stroke about three months ago and I had to take three tests to get my driving back again. I had to take an inside test, a simulator test and I had to look at a graph at a distance and be able to read the numbers, etc. Then I had to go out and take a test on the road. I get out on the road after I passed all those tests and I said to myself why did I have to take all those tests? The way these guys are driving out here is crazy. They have no responsibility, no consideration for anybody else. They just have on their mind where they're going, how fast can I get there and no respect. Now I want you to seriously think about how would you feel if your child or your wife or your husband were crippled for life or killed because of some irresponsible careless driver. It can and does happen when people are careless and don't obey the laws.

Those speed limits were established by laws and they were established for a purpose, for the safety of the people, for the safety of your family, for the safety of the children, for the safety of drivers. It's not a privilege to drive. It's a responsibility. I think it's the safety of others and that it could be you or your loved ones. That's what the real issue is here. It's safety and it's the safety of people and innocent children, innocent people in other cars and it's an issue of people driving responsibly and according to the law and how it was established and set up. That's how I feel on it. I'm not perfect, but I try to stay within the speed limits and I try to think of the other person driving. I don't just drive down the road like I'm drunk and I've been in a carnival or circus with bumper cars. It's responsibility when you're behind the wheel and people have to realize that it's a money issue and that comes along with it, OK, if you break the law you have to pay for it and it's a money issue. But mainly and most importantly if you really think about this it's a safety issue that protects you and your children and your family and laws were established and made for this. They didn't pick it out of the air. OK? So that's what I feel and I feel the Mayor feels that it's a safety issue and I do too and I feel strongly that you really should think about this issue in a correct way and not let money rule your thoughts. People have lost sight of a lot of valuable things in life that God gives us. They don't even pay attention to them anymore, just walking through the park, enjoying the animals, enjoying Nature. Things that don't cost you anything and yet people are running down the road with their computers and their telephones. You got to think the right way on this and think about your family and the children and other people and get back to driving correctly and not recklessly and be conscious when you're out there driving of what you're doing. Try to think about and drive respectfully. That's what I have.

PRESIDENT GERACI: Thank you. Anybody else? We'll move on.

COMMITTEE REPORTS: None.

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

ORDINANCES AND RESOLUTIONS:

ORDINANCE NO: 35-2010

AN ORDINANCE AMENDING SECTION 1411.11 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS RELATIVE TO THE STORAGE PLACEMENT OF TRASH CONTAINERS.

(The Clerk read Ordinance No. 35-2010 in its entirety.)

Moved by NENADOVICH to ADOPT ON A THIRD READING:

CLWN MARINCIC: Before I vote, I would like to clarify something. I had a resident call me today who thinks that this ordinance if it passes means she has to go out and buy all new garbage cans. That's not true. The garbage cans you have are just fine. This ordinance just says they have to be closed and to the furthestmost boundary of your property and with that I vote Yes.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

ORDINANCE NO: 46-2010

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY OF MAPLE HEIGHTS ENGINEER TO PREPARE FOR NECESSARY CONSTRUCTION PLANS AND SPECIFICATIONS FOR THE RESURFACING OF THE GARFIELD HEIGHTS SECTION OF ROCKSIDE ROAD.

Moved by VAUGHN 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:

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

ORDINANCE NO: 47-2010

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH CUYAHOGA COUNTY PUBLIC LIBRARY FOR CONSTRUCTION OF THE CUYAHOGA COUNTY PUBLIC LIBRARY–GARFIELD HEIGHTS BRANCH EXPANSION AND DECLARING AN EMERGENCY.

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

CLWN MARINCIC: Before I vote, I want to clarify things for the residents here. This is actually a rebuild of the library in the city of Garfield Heights. It's an \$11 million investment that the city's not paying for and the library's going to be about two and a half times the size it is right now and I vote Yes.

CLMN NENADOVICH: Definitely Yes.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

ORDINANCE NO: 48-2010

AN EMERGENCY ORDINANCE EXEMPTING THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION FROM OBTAINING THE MANDATORY POINT OF SALE INSPECTION ASSOCIATED WITH THE PURCHASING OF PROPERTY LOCATED WITHIN THE CITY OF GARFIELD HEIGHTS.

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.

ORDINANCE NO: 49-2010

AN ORDINANCE ABOLISHING THREE FIRE LIEUTENANT POSITIONS IN THE CITY.

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

CLWN MARINCIC: I make a motion to pass for a Second Reading.

Motion to PASS FOR A SECOND READING:

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

ORDINANCE NO: 50-2010

AN ORDINANCE ABOLISHING TWO POLICE CAPTAIN POSITIONS IN THE CITY.

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

CLWN MARINCIC: I make a motion to pass for a Second Reading.

Motion to PASS FOR A SECOND READING:

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

ORDINANCE NO: 51-2010

AN EMERGENCY ORDINANCE TO PROVIDE FOR AN ELECTION ON THE ADOPTION OF A CHARTER AMENDMENT TO LIMIT THE USE OF PHOTOMONITORING DEVICES TO DETECT CERTAIN TRAFFIC LAW VIOLATIONS.

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

CLMN SUSTER: Before I vote, I'd just like to say on this ordinance it says sponsored by all of Council. I was not in favor of sponsoring this but according to the Law Department it has to be all Members of Council so that's why it says all of Council but like I say I did not want to sponsor this and also I wasn't going to vote and they told me I had to vote and I was going to vote No, which they said we can't do so I am going to vote Yes just because it has to be that way.

CLMN VAUGHN: Before I vote, I asked Mr. Riley the Law Director those two questions, that the criteria was met according to the Codified and it has been met. It does not interfere with the Constitution of the State of Ohio. Everything has been met. People have asked us to do this, so the people of Ward 7 will vote Yes on this.

CLMN DUDLEY: Before I vote, I have to concur with Clmn Suster. Everybody knows exactly how I feel about this but you know, even though I look at the fact that only 23 people out of the Ward 1 area (they were not even polled in our community) had signed that and two of whom I talked to are not in agreement now but that makes no difference. They signed. I ask that you even though we vote Yes because we have to, there's no choice you have to vote Yes on this that the people understand that when it comes time in November none of us is required to vote Yes. You don't have to vote Yes. You have to really understand the consequences of the ratification that can come should this pass and they take away and say hey, we're not going to pay the taxes no more. You cannot afford to lose nobody else and I'm seeing some people smirks and they think it's amusing to see the city go down, but you can't afford to lose your safety forces. I can't imagine Fire Station No. 2 closing down. My colleague mentioned with Henry closed off how would the truck get from Fire Station No. 1 over there? It could be me up there and my family in emergency and somebody can die waiting for somebody to come from Cleveland if they go on 131st or if they go downhill from Broadway. That would be an issue.

There are people not aware that we have some issues going on. We got a little more trouble in this city than we probably had in the past with individuals moving into this community. Some of the things we thought as a courtesy from snaking your drain or laying traps or cutting the grass and bless they heart some times from 60 to 70 yards a week they are cutting at vacant homes up there in the community. We can imagine them grass being two and three feet tall. I tell you we stand to lose a lot, people. And I tell you whether I stand. I ask you in November even though I vote Yes tonight that is not what I am agreeing on. In November we got to make sure that we hold that garbage. We got to keep all our services intact. Service Department needs to clear roads in the wintertime so the safety forces can get to you. With that I have no choice but to vote Yes, but my heart says No. But I vote Yes.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

ORDINANCE NO: 52-2010

AN EMERGENCY ORDINANCE TO PROVIDE FOR AN ELECTION ON THE ADOPTION OF A CHARTER AMENDMENT TO ABOLISH THE TAX ON TRASH COLLECTION ENACTED BY COUNCIL AND PREVENT ANY SUCH FUTURE ENACTMENT.

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 6

ABSENT: 1

Motion to SUSPEND THREE READING RULE:

AYES: 6

ABSENT: 1

VOTE ON ADOPTION:

CLMN SUSTER: Before I vote, I'd just like to say I feel the same way about this ordinance that I did with Ordinance 51. I have to concur with Mike Dudley and what he just said. It isn't something that we really relish on doing like charging people for trash collection, but it's something we had to get into in order to keep the city going. Remember one thing too, that the people that went out and got all these signatures they have no ideas about how the city's going to make any money. Some of them had sat on this Council as President and for two years did not lend one idea. He was asked many times at many Finance Meetings what his ideas were for the city to come out of fiscal emergency and he had none and yet he voted for the cameras and would also be with the trash. You knew it's a hard thing to do but here again I have to vote Yes because I was told I had to. I vote Yes.

CLMN DUDLEY: My heart is still going the same way and I'm going to ask them people once gain that you should really only consider this in the month of November. We pride our city. I mean when I moved to the city of Garfield Heights and I want to say this. I wasn't use to getting nothing that I had here. I didn't know about no leaves being picked up. I was still bagging leaves. I went out and rented a snake because I didn't know I could call somebody in to bring a snake. I didn't know you could have them bring a trap up to your yard and catch the animal and come back the next morning and pick it up for you. I wasn't used to it. I didn't know honestly what it was calling a police officer and seeing him there within a couple hours. I called one of them in the city I came from, like I said, at 12:00 noon and I told you about that and I didn't see him until 1 a.m. the next morning asking me if I still needed a patrolman. I forgot what I called him for. That's what I was used to. I feel safer with my family here. Honestly. I've lived in three different countries and I don't know how many different. This is the first city in my life honestly when I worked the night shift and I was gone

12 hours at ODOT I never lost no sleep. I didn't call my wife every morning. I knew in my heart honestly they was OK and they was safe my kids. I raised nine kids in this community. Nine of them. Two of them is still at home. Just got rid of one—24. In all honesty, this has been the safest environment. I didn't use the services or call in emergency services. They responded to two of my family members I believe last year. I mean less than about two minutes they at the house and I never second guessed them. You know when I think about our streets being plowed, I mean I'm not used to seeing a plow truck come down as often as they came down the streets. I can just picture all of that gone. I'm not used to like I said when we have problems on the corner, issues with individuals when you call they respond and take care of business. There's a lot things I wasn't used to and that's why I stayed in the city.

I tell you we cannot afford. I'm not going to point the finger. Maybe those individuals think what they're doing is right? But they also know what's going to happen to the city in regards to what they trying to push through. I'll say today. Had them individuals been elected officials in this city I honestly believe that these petitions would not have been circulated. That's what I believe. I believe this is just a response to not making it. When I didn't make it in my life I just moved on, but I'm going to say one thing. I'm going to vote Yes but I ask the people when it comes time don't send this through. Keep it the way it is. Keep our services intact and I vote Yes.

AYES: 6
ABSENT: 1

PRESIDENT GERACI: That passes 6-0.

RESOLUTION NO: 37-2010

A RESOLUTION AUTHORIZING THE ECONOMIC DEVELOPMENT DIRECTOR TO APPLY FOR GRANT FUNDING FOR TITLE III GRANT FUNDS THROUGH THE WESTERN RESERVE AREA AGENCY ON AGING, AND DECLARING AN EMERGENCY.

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: 38-2010

AN EMERGENCY RESOLUTION SUPPORTING THE APPLICATIONS OF OVERDRIVE, INC. TO THE CUYAHOGA COUNTY BROWNFIELD REDEVELOPMENT FUND COMMUNITY ASSESSEMENT INITIATIVE AND BROWNFIELD REMEDIATION FUNDING IN THE CITY OF GARFIELD HEIGHTS, OHIO, AND DECLARING AN EMERGENCY.

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.

COMMENTS BY CITIZENS:

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

Rick Farone, Granger Road. Mayor Collova, I have to commend you on the Website. It looks better. I sure hope you didn't pay \$40,000.00 for that modification? I was on Brunswick's Website last night and I was wondering what the hiring period is here as far as open jobs within the city?

MAYOR VIC COLLOVA: I haven't had too much experience in hiring people.

MR. FARONE: What's the practice?

MAYOR VIC COLLOVA: The practice is we have in a couple situations posted that there would be an opening and people have sent in resumes. We sat down with them and discussed it.

MR. FARONE: Brunswick offers to residents of the city and not necessarily people who had held positions within the city as councilmen, retired, etc. I wonder if that is available to the residents of Garfield Heights also, not just people that have held positions within Garfield Heights?

MAYOR VIC COLLOVA: No, not at all. When we post it anybody is more than happy to send in a résumé.

MR. FARONE: Clmn Dudley, that's really not the responsibility of a city. You could call the County to come in and lay rodent traps for you. If the city's doing that maybe it's out of courtesy or the love for the city but they're not responsible for it. I would have to commend everybody. There was a representative here that posted a letter at one of the meetings in 2008 and was telling the city at the time take care of the little things so his grandson could have a safe environment. I was wondering if we're all doing the little things? When we talk about running a tight ship, we talk about overtime. How much overtime is posted within the police department and fire department?

MAYOR VIC COLLOVA: Right now the police department is running about normal to what they have run in the past. I don't have an exact figure. The dispatchers are up somewhat and the jailers because we are so understaffed that we have to have somebody there manning that 27/7. They do a great job and there is overtime being used there but nothing excessive.

MR. FARONE: I'm told that you're a Union man?

MAYOR VIC COLLOVA: Correct.

MR. FARONE: I was a Union brother and a management personnel and I know when times were slow in the private sector. In a city like this I'd probably say the police and the fire department

would classify. I'm sure that there are areas that the Mayor or the Governor or whoever's in charge of something like this. It's almost like the school board when they don't get a levy passed the first thing they go after is the sports programs. They don't go after any personnel. They keep all the parents that are working there employed but they are out for the sports program. I think it's a governmental ploy to put a scare into the residents. I don't think that's a good idea neither. Thank you.

PRESIDENT GERACI: Thank you. Anybody else?

Bill Timko. I'm here for my mother Janice Timko. She lives at 4840 East 81st Street. I travel on my job and her garbage is picked up on Mondays. Last Sunday I took her garbage out between noon and 1 o'clock. She received a warning from the Service Department that you get another warning and you're going to get fined. She's 78 years old, she has heart problems, she has asthma, her leg is in a brace, she's going to have knee surgery in a couple weeks. The woman across the street I also take her garbage out. She's in her 70s. I don't know exactly how old she is. She has asthma. She just had surgery. Something has to be done about that. I took the garbage out at noon for her. The Service Department come around and issue a warning. I guess you get two warnings and you're going to be fined? The city's getting a lot of bad publicity with the traffic cameras, etc. What's the next thing? Are you going to be ticketing handicapped little old ladies because the garbage is out a few hours early?

MAYOR VIC COLLOVA: I would like to respond with a question. I don't normally like to do that but I would like to respond with a question. What would your alternative be? That we allow the rubbish to come out as early as possible?

MR. TIMKO: No, but I know two years ago she was getting her driveway plowed. I guess you guys cut that out, but how about for handicapped Senior citizens they could put a little sign in the window or whatever so the police and the Service Department can bypass these people? Mayor, what would you do if it was your mother?

MAYOR VIC COLLOVA: I would make sure she got the rubbish out on time. But that's regardless. Let me ask you this? Let's say we made allowances for these people? Would you suggest a certain time that we allow would be noon because that's when you do this? Should it be eight in the morning? Sir, the problem is I'm not trying to be difficult. The problem is that we have people complaining rightfully so because rubbish is brought out two days in advance and people complain about that and they complain about it being left out afterwards. As representatives of those people we have to make regulations to fit the city. One of those regulations was about the trash. I have no problem trying to talk to Council and the Administration about allowing handicapped people but the question's at some point they're going to have to say OK handicapped can bring it out at noon and we'll have somebody here saying why not 10 in the morning because he's 92 and not 82? It's difficult. It's not an easy thing to do but we can look into it.

MR. TIMKO: Can you look at it and can you get back to me on that? I'm not trying to be a bad guy or anything like that.

MAYOR VIC COLLOVA: I understand that. We certainly don't want to see your mother out there taking the rubbish out, but you have to understand this. it's not as easy as just doing it.

MR. TIMKO: You can come by next week at six o' clock at night you can see her with her cane and her leg brace on taking it out.

MAYOR VIC COLLOVA: Can't you hang around till six?

MR. TIMKO: No. I'm on a plane most of the time, Mr. Mayor. OK. That's it guys. Thank you.

PRESIDENT GERACI: Thank you. Anybody else?

Ron Finnerty, 8025 Garfield Blvd. First, I want to thank you folks for doing what you were supposed to do and voting for those two things to be put on the ballot. I am disappointed in you, Mr. Suster. I am disappointed in Mr. Dudley because your vote was to put it on the ballot to let the people vote on it. It wasn't how you feel about it. I'm ashamed that you would go that route. OK? If you read what the Mayor handed out he handed out something that says if we vote in favor of keeping the trash we're in the green, even if we throw out the cameras. That's what your projection says. I personally and this is going to shock you am in favor of paying the trash tax. I think that's not unreasonable. Everybody's been paying it. Yes, I know that's the way that goes. But I'm in favor of the people getting to vote on what they're willing to support. I'm in favor of the people getting the right to have laws that are reasonable. The ordinance that was put in place. I've got a question. The Rockside Road? That's State funded?

CLMN VAUGHN: State and County, isn't it?

MR. FINNERTY: Is it a State route?

CLMN VAUGHN: No.

MR. FINNERTY: Why does it have a sign that says Truck Route 17?

LAW DIRECTOR TIM RILEY: From all the information I've been able to find it's a County road.

(Comments from audience.)

PRESIDENT GERACI: Let's not get into a debate with the people in the audience.

MR. FINNERTY: Mr. Riley and I had a conversation two weeks ago.

LAW DIRECTOR TIM RILEY: Can I stop you right there? We did not have a conversation. You approached me in a parking lot and kind of jumped all over me asking questions so I don't consider that a conversation.

MR. FINNERTY: Excuse me. You responded words to the words I spoke to you.

LAW DIRECTOR TIM RILEY: I tried. You weren't listening.

MR. FINNERTY: Did we discuss State route 17?

LAW DIRECTOR TIM RILEY: You brought it up.

MR. FINNERTY: Yes. Did we discuss the classification of those SUVs as safety vehicles?

LAW DIRECTOR TIM RILEY: Yes, you asked me what I thought was a question but apparently you already had an answer to it so you were not asking me a question, you wanted to argue with me. I gave you my opinion and you didn't like it.

MR. FINNERTY: You said you classify it as a safety vehicle. When I asked you about the signs whether the city had complied with 45113094 b1 b2 which required a sign placed on all State routes prior to issuing the first ticket you responded the police chief told me we were in compliance and I responded to you saying aren't you the Law Director who tells them whether we comply?

LAW DIRECTOR TIM RILEY: Yes, but I didn't put the signs up personally.

MR. FINNERTY: The signs aren't up so we are not in compliance.

LAW DIRECTOR TIM RILEY: They are on the State routes 17 and 14.

MR. FINNERTY: They're not on route 17.

LAW DIRECTOR TIM RILEY: So you're back to arguing that Rockside Road is 17?

MR. FINNERTY: No there is commercial traffic 17 yes.

LAW DIRECTOR TIM RILEY: You don't like my interpretation. I'm sorry.

PRESIDENT GERACI: One minute, Mr. Finnerty.

MR. FINNERTY: OK. Different issue. I want to make sure we get all the facts straight. We're going to put this thing to bed about Frank. I think it's disingenuous to have brought up that thing from the Commission meeting because if we go a little bit further back at the time that Frank voted in favor of the budget and not the cameras but they were part of the budget OK, so it's not exactly firm that he voted for cameras. It was just part of the budget. This Council had a month earlier responded to Mayor Longo that the cameras were included and they were all shocked. Council was shocked and they said, "You're forcing us to pass this at gunpoint, Mayor." That's what they said. That's how they felt. That is what happened with this city. Lets be honest about what happened. The only time it really came up to a vote on the specific cameras that Frank could vote on because as Council President as I'm sure you know, you can't vote anything.

PRESIDENT GERACI: Wrap it up?

MR. FINNERTY: I'm trying to. The Board of Control when they voted on the contract and Mr. Suster said, "Hey that's a seven to zero vote in favor." Or whatever it was. Unanimous. Frank said, "Hold on. I voted against it." You can check the Minutes please. Because that will set your record straight on that issue.

MAYOR VIC COLLOVA: If I may and I know that your time is up. but I would like to respond if I can. A couple of things. First off, I appreciate what you just said about Frank voting No and I'm curious why Frank didn't say that? Your explanation why he voted for on the State Commission? He did not say that but you responded for him very well. You did a very good job. I'm proud of you. Actually I'm proud of a lot of things you've been doing lately. You really have. You're sort of like the city superhero. Batman and Robin all rolled in one. I don't say that in a bad way. I mean it because you write all this great stuff like, "Don't pay your citation—Vic Collova". That's what you reported on your Website. And if I may go further it says, "I admit the headline was just to get your attention and not exactly a full quotation. That's called framing an idea." Mr. Finnerty, are you running for a political office right now?

MR. FINNERTY: Yes, I am.

MAYOR VIC COLLOVA: Are you running for District 8 Council?

MR. FINNERTY: Yes, I am.

MAYOR VIC COLLOVA: Are you going to frame ideas to your residents? To your constituents? We speak the truth here.

MR. FINNERTY: Sir, anytime anyone talks they put things in a wording and manner that people can either understand or that gets their interest.

MAYOR VIC COLLOVA: I understand that.

MR. FINNERTY: Let me ask you this. Did you say that?

MAYOR VIC COLLOVA: Did I say what?

MR. FINNERTY: Did you say, "Do not pay your violations"?

MAYOR VIC COLLOVA: For 10 mph over. You forgot that little point. Trust me. I understand that's how your crew operates. I'm not trying to be confrontational. All I'm trying to say is why is it when your crew and I consider your crew as the people who all seem to be on the same page. Why is it you have to frame ideas and talk non-truths and talk about spending \$300,000.00? You have one of the reasons was that I brought back the law director to cost the city money but in fact I saved the city money. But it really doesn't matter because it's what's read. It's framing an idea. Isn't that right? You have to start telling the truth, Ron. You're a pretty brilliant guy and I really give you a lot of credit because you do a lot of research, etc. You don't need to frame ideas. Tell the truth. It's not that hard.

MR. FINNERTY: Can I ask one question?

PRESIDENT GERACI: No, you're done. That's it. Sit down. Thank you.

CLMN DUDLEY: Mr. Chairman, I just want to comment when he mentioned that Council. I don't never remember being caught off guard or said I was forced to do anything or anything was given to me on short notice or anything. I wasn't a part of that. I don't remember that.

PRESIDENT GERACI: Anybody else?

Joe Turik, 5119 East 131st Street. Something I'm not clear on here? I'm not so sure that we all understand it? The emergency ordinance to provide for the adoption of a Charter amendment to limit the use of photograph monitoring devices to detect certain traffic violations. OK. So if you vote Yes you're limiting the number of photographs? You're giving the authority to people to install the traffic lights, right?

LAW DIRECTOR TIM RILEY: No. That's not correct. If you vote Yes you're eliminating the traffic cameras. If you vote No you're keeping the traffic cameras.

MR. TURIK: It doesn't say that here.

LAW DIRECTOR TIM RILEY: It's not in the title. It would be in the full text of the whole ordinance.

MR. TURIK: Well all I got is these three lines here. It seems like it's got two answers. You vote Yes you're going to vote to limit the use of cameras, right?

LAW DIRECTOR TIM RILEY: Yes, you're going to get rid of the cameras.

MR. TURIK: That's not getting rid of them. That's limiting the use of them.

LAW DIRECTOR TIM RILEY: It will eliminate them.

MR. TURIK: Why didn't they put that in to eliminate instead of limit? It looks like we don't need an election in November for cameras.

LAW DIRECTOR TIM RILEY: The police use radar and laser to do it and it would not limit that.

MR. TURIK: I have trouble hearing my right ear, Sir. Would you speak up please?

LAW DIRECTOR TIM RILEY: The police would still be able to use radar and laser guns to control traffic if that's what you're asking? I'm not sure what you're asking?

MR. TURIK: You're not sure? I'm not sure what we voted on here tonight because the way I interpret it if you vote Yes you're limiting the use of photo cameras. If you vote No you're giving the go ahead to take all the pictures you want. Are you all clear? Where's my Council lady? Do you understand that?

CLWN MARINCIC: Yes. If you vote Yes the red light cameras will disappear. If you vote No the city will keep them.

MR. TURIK: Yes, so you're going to limit the number of cameras. Is that right? If you vote Yes the cameras will disappear? It says here it's going to limit the cameras.

LAW DIRECTOR TIM RILEY: You need to read the whole text of the ordinance.

MR. TURIK: I don't have the whole text of the ordinance. They don't have it either. How come we don't have it and they got it? I think this is something that should have been discussed. You should not have been so hasty in passing this. Either way we're going to have the cameras. According to what I see here if you vote Yes you're limiting them and if you vote No you're not limiting them.

MAYOR VIC COLLOVA: If I may, Joe, before you leave tonight I have the entire ordinance here that all of Council has read before they voted. Many of those people out there also have a copy of it. Unfortunately you didn't get one. I'll give it to you. It will show you that all of the cameras will be eliminated as will speed vans are in their entirety and that once you read it you will see that the reason the language is in there about limiting it is because they are still allowing in that language for people to use radar guns and mechanisms like that. But as far as being in an unmarked van and giving you a ticket without a police officer issuing it, that will be gone with this legislation if the people vote Yes and I'll give you a copy of that so you can take a look at it.

MR. TURIK: Yeah. Looks kind of fuzzy to me.

PRESIDENT GERACI: Thank you, Mr. Turik. Thank you. Anybody else? Anybody else? We'll move on. Thank you. Miscellaneous Business.

MISCELLANEOUS BUSINESS:

CLMN DUDLEY: Mr. Chairman, you want me first? I'll make it short, but I have to say I honestly believe I've done something right tonight because I notice my name was mentioned a majority of times if somebody came up to the mic. So if they mention my name I know I'm on the right track because I know you're going to try to stop what I'm trying to do. But once again people you know you have to be careful for what you wish for. Be careful on how you vote. Your vote is important. But I'm going to say one thing since that vehicle's been on 131st the traffic is a lot better. It's not so much a race zone as it used to be and I tell you I see people going through there like the semi followed me and I had to call the police department while I was in my car and I told you the story about me and my sons. That semi when I pulled over I was doing 30-35 to get out of his way and he went by me like I was standing still, just laying on the horn because I wasn't going fast enough. I had to go 30-35 to get out of his way, But I tell you it's a lot better up there. I tell you once again in November and you know where my heart stands, I don't want to lose none of the service. I think taking the Seniors plowing away from them was enough and we don't have to do no more. I want to keep it intact and I look forward to everybody's support in November. That's all.

CLWN MARINCIC: I just want to let the residents of Ward 2 know that the Ward 2 Block Watch Picnic is next week Wednesday on the 18th. It's going to be at the Debelak Gazebo at 6:30 p.m. We'll be serving up hot dogs and anybody who wants to bring a side dish, maybe a dessert, is welcome to. Everybody is invited in Ward 2. My Council Members are invited too, of course.

PRESIDENT GERACI: Thank you, Clwn.

CLMN NENADOVICH: I have a very short comment. It is very easy to run a city when you've got full coffers. It's very easy. You can spend. You provide services. You make the citizens a Senior Center. You take care of your residents. It's a hard thing to do when you don't have the money. Very hard. Our Mayor, he's pulling us out, but every step he takes forward two people yank him back a couple. We got an idea. Nobody's coming up with ideas to make money. You're telling us what we can't do. We can't ticket the people for breaking the law. We can't ticket the people for putting their trash out too early. We can't ticket people for letting their grass grow as high as this counter. But what we could do is just let the city go to hell. In plain English. It's easier to run it when you've got money. Give us some ideas. Get a petition to get an idea on how to bring money into the city. Thank you, Good night.

CLWN SARNOWSKI: I have nothing this evening.

PRESIDENT GERACI: Thank you, Clwn.

CLMN SUSTER: I'd just like to say that I agree with what Mr. Suter said as far as people obeying the law and just go down the different streets at a set standard. You know everybody doesn't seem to understand that the city of Garfield Heights does not set the speed limits on Turney Road, Granger Road, etc. that's all set by the State. They decide what it's going to be. Mr. Finnerty had said that Mayor Longo had forced us at gunpoint. I never saw Mayor Longo with a gun at any meeting I've been to. He brought a gun in? I don't think so. The thing of it is we need to keep the trash ordinance and we also need to keep the red light cameras if were going to pull the city out of financial difficulty. When times were good as Mr. Dudley said everything went well. We weren't laying off policemen, we weren't cutting back people in the Service Department, who probably right now are operating at half of what they had five or six years ago. You think that services are not going to suffer when people don't get their snow plowed this winter? They may get the main streets done but the guys that went ahead and got these petitions they don't care. You think they're worried about what you really think? They wanted to get this done in order to make Mr. Collova look bad. The sad part about it is Vic's making everything look very good. We have meetings. He keeps us informed about everything that's going on. If we get to where City View and Bridgeview

go ahead and flourish, the people that were laid off will be brought back. The fire department won't have to worry about laying anybody off. The police department they'll get the people they want. We're not doing this just for the next 20 years that we're going to let these people go. We'll put these people back on as soon as we can get the money. That's all I have. Thank you.

CLMN VAUGHN: Thank you, Mr. President. Real quickly. Sometimes we concentrate more on the negative than the positive. I'd like to say a couple positive things tonight before we leave. I won't be long. I promise. I want to thank the police department for an excellent job they did over the last weekend in July when St. Monica's had their carnival. This past year we had less problems, incidents than we've had probably in the past 10 years and it was due to our police department presence, our auxiliaries and Mayor, I thank you for your involvement in making that happen. We didn't have a good fiscal year with the carnival due to weather but everybody felt safe and the comments came back to us and we want to keep that program going and no, Nancy, you did not win the car. Because I know that's the next question.

My next thing is we heard tonight that we're going to get an \$11 million library. That will be a great plus to this community and I hope it's something that we'll be able to feature soon on our new Website. Maybe the plans? So people look forward to something. There's a lot of good here. We're still the best location in Cuyahoga County. We've got a lot to go on and we've got to work with our positives. We have good neighborhoods, good neighbors and let's remember we'll get through this. We've been through worse before. With that, Mr. President, I say we depart.

CLWN SARNOWSKI: Move to adjourn.

PRESIDENT GERACI: Roll call.

AYES: 6

ABSENT: 1

PRESIDENT GERACI: The meeting is adjourned. Next meeting--September 13, 2010.

MEETING ADJOURNED AT 9:32 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Frank J. Geraci, Jr.
President of Council

Barbara Molin
Clerk of Council