

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, September 22, 2008

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

INVOCATION BY: Councilman Vincent Liotta

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

READING AND DISPOSAL OF MINUTES:

Moved by Clmn SUSTER to accept the minutes of the regular meeting of City Council of September 8, 2008 as submitted. The minutes were accepted with seven YES votes.

WRITTEN COMMUNICATIONS TO COUNCIL: None.

LEGISLATION OUT OF COMMITTEE: None.

REPORTS OF THE MAYOR AND DIRECTORS:

MAYOR THOMAS LONGO: Good evening, Mr. Wagner and Members of Council. It's been an intriguing week. As I mentioned at one of the Ward club meetings, the old Chinese curse is so apropos: May you live in interesting times. A week ago today I was up early, went around some parts of the City with all the wind damage, I get home, I'm getting ready to take a shower at 7:20 in the morning, and I get a phone call from a Jason Wetzal, and I said who are you? He was with Wal-Mart. He wanted to meet with me right away. I said I'll be in the office shortly. So at 8:10 in the morning I met him in my office. He came with another gentleman and they were telling me how they were going to close Wal-Mart. I said why? They said well we have an engineering study and it shows that it's not practical to keep it open or cost effective. I said what did the engineering study say? "We haven't read it." I said you're telling me that you have an engineering study and you haven't read what it is and you're coming here telling me you're going to close this store? I knew it didn't do any good to get upset at that point because the two errand boys were from Cincinnati and at the end of the day after they made their rounds they would get in their car and go home and leave the residuals here in Garfield Heights. I used to experience this same thing when I was with the Bell system. You want to close something you swoop into town, shut it down, boom, leave. They had already closed it. And then it started and just kept going on and on and on.

I wound up calling the corporate office in Arkansas Friday. I talked to a vice president in their real estate division. I asked him a simple question. Is this decision irrevocable? No, we haven't reached that yet. But then they asked that any contacts be made with the lawyer. I said that's fine so I passed that back to the owners of the shopping center and John McGill. An hour after that they got a letter from the lawyer saying that they were terminating the lease. What does that mean? I don't know. So now the scenario starts as things are unfolding at City View, as far as addressing the problems and the concerns, the EPA is moving along very, very well. Except that now we have a perception to deal with. All the publicity, all the grandstanding is coming home to roost. New businesses like to work in a very comfortable environment. They do not like surprises. They do not like negative publicity and the door was open. I never in a thousand years envisioned something like this unfolding and there's enough blame to spread around for everyone the way this thing was handled, the demagoguery that has taken place has been absolutely staggering. You cannot expand a tax base

and turn a community into a business-friendly environment, take the burden off your taxpayers by creating havoc such as this. If everything came to a screeching halt right now it would take years to undo the perception. When friends of mine are telling me they won't take their granddaughter because they're afraid the parking lot is going to blow up and you try to say what can you do to alleviate this and the timing just is not right. You can't do it just yet. So anyways that's enough crying about that, but plans are being put in place to change the perception as to the safety. City View is much safer today than it was when we opened it. That's the sad part. We shoot fireworks off down there. The place is going to blow up. When methane gas hits the ambient air it dissipates twice as fast. It's just poof—gone. Anyways, as the owners will put together a game plan for how they want to address this and they would of course get help from the media, the City, etc. there will be a meeting called, and this ain't going to be a 15 minute meeting. There will be two phases of this meeting and hopefully within the next few days I can set something up, maybe within a week or two as to what's been done, how everything functions, all the little nuances, all the details as to what's happening over at City View and that of course would be a public session and there will be an executive session on the EPA lawsuit. As I said this will be more than 15 minutes so I'll keep you apprised as we get into this but it's like 10 to 15 years of work with that announcement.

Those two characters coming into my office. I was really upset and when I was with the Bell system if they wanted to close an office in Coshocton, as an example, because I was getting involved with this way behind the scenes, they had a little commercial office and all the people working there and if you wanted to change your phone service, pay your bill, etc. it was very nice so they decided to cut costs. They go in on Monday just like this; the office is closed, pay everybody off, give them a chance to go down to Zanesville if they wanted a job and shut the office down. Everybody started screaming you can't do this to us. In three weeks it was over and done, bye. They never opened it up again. That's what they did. This is a classic example of how corporations can function. It's all driven by money. Enough of that.

We've been having meetings (and I'll pass this on to Council) with the various Unions. The Union representatives want to form a committee to review medical coverage which we're very amenable to as opposed to negotiating with each one individually and everyone trying to get more, etc. trying to get some kind of consensus and put this so that everyone knows just exactly what we're going to put in to the contract, but to do that the Unions have also offered to renew the contracts for one year. So we're looking at all of this and hopefully we'll have some information for you perhaps by the next meeting as to where we stand and what specifically is going on. I just thought you might want to think all that through so I put that on the table.

Resolution 32, which is on tonight's agenda. Again I'm going to be very parochial. Our library needs to be updated. When you compare it with the state of the arts with what is needed, with what other libraries in the county system have, this building needs to almost triple in size. Part of the renewal would be to have monies available so that the various libraries can be brought up to speed and taken over. In the past it's always been that the communities have put up the money to rebuild the library and of course the county library would come in but here again money being what it is, the timing on this couldn't be better and I know we have two representatives from the library sitting out here and they can pass on the needs for what it does. Besides the operation it also puts in capital dollars and I have found traditionally that people in Garfield Heights will support the library regardless of what others will say so I urge your support on this. This could be a real nice thing for our residents and our kids and a lot of the Seniors who go over there with all the electronics, etc. that they will make available, the study rooms, etc. So these are the kinds of things a community really needs. I urge your support. This concludes my report.

PRESIDENT WAGNER: Any questions of the Mayor on his report?

CLWN MARINCIC: I have two things, Mayor. You had held two different work sessions with Council regarding 2009's budget and you had a lot of ideas on ways to cut. Are we going to have another session where you fill us in on what you're hoping to do and when?

MAYOR THOMAS LONGO: I've still been waiting. We put all those ideas out there for Council but the only one that's given me anything--I mean there was a whole list of things that we gave everybody. There were some comments in the paper that we haven't given you anything. The only one that's given me anything has been Tracy Mahoney. You made some comments about don't lay off any police and fire.

CLWN MARINCIC: I had specifically stated during that meeting that I thought we should meet with the Directors and ask them how they felt they could lower costs.

MAYOR THOMAS LONGO: That's being done. The ultimate responsibility rests with the Administration and we're in the process of working our way through that and there will be some movement taking place relatively soon. A lot of it will have to do with some of the conversations that we've had, but it's still in the formation stage and so we we'll keep you apprised.

CLWN MARINCIC: I know Wal-Mart closing was a shock for everybody in the community, especially you and the Council Members. I would ask if in the future when something like this happens I would love it if you would shoot me an e-mail or Noreen would shoot us all an e-mail because it was rough getting phone calls from residents at twelve o' clock.

MAYOR THOMAS LONGO: You should have been upstairs with all the phone calls that started to come in. They left my office at twenty minutes after eight and they immediately ran to every newspaper. They went to the Chamber of Commerce. They were like a blitzkrieg.

CLWN MARINCIC: In the future when you get news like this if you could just have your secretary shoot us an e-mail I would really appreciate it. That's all I have.

LAW DIRECTOR DAVID MACK: No report.

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: In the last two weeks we've been working on some streets with some patch, finishing off a few more water cut outs, fixing the streets. Last week we spent time cleaning up from the storm. We're continuing that this week. Hopefully we'll have everything back in order by the end of the week. We also planted some trees before the storm and they all weathered the storm. The Household Waste Round Up concluded and we had 10 pallets of products that we took out to the County so that they could dispose of it properly. That's all I have.

PARKS AND RECREATION DIRECTOR JAMES BUKAC: I want to announce that the ice rink is now open for the winter season. Now we are just open for our own hockey and skating programs. The first public session will be October 3rd and our ever popular soccer program will begin playing this Saturday morning with all games being played over at the middle school. Once again we have over 300 boys and girls in that program. That concludes my report.

BUILDING COMMISSIONER WILLIAM WERVEY: No report.

PRESIDENT WAGNER: Any questions of the Building Commissioner?

CLWN MAHONEY: Mr. Wervey, in regard to Wal-Mart, did they follow the specs and designs that were suggested to them in regard to building their property?

BUILDING COMMISSIONER WILLIAM WERVEY: I believe in the initial stages of their drain lines it was suggested by that developer that they use a material other than what they ultimately used. I believe it was suggested by the developer's engineers that they use solvent weld plastic piping and they chose to use hub cast iron fittings.

MAYOR THOMAS LONGO: Let me interject something. A lot of people don't understand this. Wal-Mart owned that building. They went out for bid on that. They re-bid that thing I think three times. Mr. Wervey is absolutely right. Even on the day that it was closing. Our fire department has been in that building two or three times this week. There are no safety issues. There are no structural issues. Mr. Wervey's been through

it. No methane reading inside that building or around it. Nothing. Nothing. They then cut corners. They put in the cast iron pipe. Everybody knew that underneath this ground was going to move. That's why they used the PCV. We don't have problems in the other buildings. This one, it separated and all that had to be corrected. It was corrected. And all of a sudden they closed the building. If we went over there right now with our little meters you would not find any gas in that building. You won't see any structural damage. Mr. Wervey has confirmed that with me so many times. Our fire department has been out there. But again, it just feeds the perception and now we have to let things settle down and try and address them.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: I know I've mentioned this before but we're still looking for ideas or comments or questions, anything about the CDBG Program for next year's grant application. That concludes my report.

PRESIDENT WAGNER: Any questions of the Economic Development Director?

CLWN MARINCIC: Noreen, does CDBG address side streets at all? They used to in years past. Do they still?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: They do but what they prefer to see is complete renovation of a street, not just a resurfacing. So that would be sewer lines, curbs and the street resurfacing. They don't score as well as they used to.

CLWN MARINCIC: Because I have this one tiny little street. I will give you a call tomorrow or you call me when you have some time. It's the smallest street I have. It might be possible to do that on that one? But I'm not sure if that's in the City's budget for next year.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: OK. I'll talk to you tomorrow then.

CLWN MARINCIC: Also same as I just requested of the Mayor, if you hear a big business is closing down if you would shoot us an e-mail as soon as you can, that way we're more aware when we get phone calls from residents.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: OK.

CLWN MARINCIC: That's all I have.

CITY ENGINEER DAVID NEUMEYER: No report.

FINANCE DIRECTOR RICHARD OBERT: I would like to make the announcement that on Saturday, September 27th at 10 o' clock we're going to have our eight ex-police cars on the auction block at Broadway and McCracken down there where the Service garage is. So we're looking forward to seeing anybody that wants to go down there and bid. That's all I have.

CITY ARCHITECT DAVID SPEHAR: No report.

COMMENTS BY CITIZENS:

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

Melanie Weiss, Branch Manager, Garfield Heights Library, 5409 Turney Road. OK. Our issue is 127 and I just would just like to share a few things with you about the library that have been happening recently. In the past year circulation in the Garfield Heights branch has gone up 20%. It's gone up the most of all the branches of the Cuyahoga County Public Library. I believe the economy, the sense that the library is part of the community, support from both Mayor Longo and City Council has helped us increase our circulation and our support. A 23% increase in June, 33% in July and 18% in August. Those numbers are tremendous. We have standing room only at certain times of the day. We are highly used by teens and Seniors and our programs are outstanding. Is there anything else you'd like to know about the library?

CLWN MARINCIC: Just for the record, I asked you back in the Caucus Room what is this going to cost the average household?

MS. WEISS: An additional \$1.76 per \$100,000.00 home.

CLWN MARINCIC: Thank you.

MS. WEISS: You're welcome. If anybody has any questions either on City Council or in the audience, I will be here afterwards and you can please ask me any questions you may have and I would love to promote the library even more. Thank you

PRESIDENT WAGNER: Thank you. Are there any other comments on tonight's agenda items? There being none. I understand there are no committee reports.

COMMITTEE REPORTS: None.

PRESIDENT WAGNER: So we'll move on to Ordinances and Resolutions before the Council and we'll begin with Resolution number 32-2008.

ORDINANCES AND RESOLUTIONS:

RESOLUTION NO. 32-2008

A RESOLUTION IN SUPPORT OF AN OPERATING LEVY FOR THE CUYAHOGA COUNTY PUBLIC LIBRARY.

Moved by MAHONEY to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

AYES: 7

PRESIDENT WAGNER: That concludes the legislation before Council this evening.

COMMENTS BY CITIZENS:

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

Steve Prokay, 9801 Sladden Avenue. I ran for Council some 30 years ago when Mayor Longo was running. Fortunately I didn't win. This problem with City View, and I talked to the Mayor and my Councilperson about it, I'm one citizen that's saying enough is enough. I know what our Mayor is saying and I know what I read in the newspaper. I know what I experienced at the store. This week I found myself taking my three year old granddaughter and driving to Broadview Heights to go to Giant Eagle. For the simple reason if something were to happen to my granddaughter, which is the only one I have, there would be nothing that

would mean as much. The way the cost of gasoline is now it's something that I don't really wish to do, but I drove to Broadview Heights and shopped safely and concernly knowing that there's no particular problem. I know how the Mayor feels about this being a business decision, but when I said enough is enough, 30 years ago there were people trying to stop the extension of this landfill which the EPA was responsible for issuing a permit and letting them do. I know we've had our disagreement Mayor Longo about John Salay who was very adamant with the Neighborhood News reporting stories about what they were putting in the landfill at that time and believe me those things they were putting in was not very good to the community or the landfill where they were doing it. If you had \$20.00 you could put anything you wanted in there. Nobody looked. Nobody cared at that time. OK, so they got the extension of the landfill and now we've built this. I hope you understand that when you go there, I know you, Mr. Longo, you said you took your family there, your grandchildren there and you're safe. But between the stories in the paper, if anybody's went to Wal-Mart you've seen the fans they had there. If it didn't blow you out the door coming in it did for sure going out, which meant one thing. Before they had the fans there I, personally, myself, became light headed shopping there. I knew that something particular wasn't right although I can't afford the money that you people do in the community to spend to find out what's going on. What I want you to do is to get a hold of the EPA and let them tell you either that damn place is safe or it isn't. This guesswork. I got to believe you; I got to believe my Council lady. No. No. I just want to be assured. You said you could go up there now and take a reading and you don't know what it's going to be or you said it would be a reading. Then somebody explain to me why they had 12 pumps out there pumping 24 hours a day which they just took down out of the parking lot? Don't get me wrong. If it's safe I want to shop there and I want to see the community grow, but at the same time the EPA, which is making money by being an organization and people working there, they gave us nothing. They've either got to come out and say close it down or leave it alone and I don't think they've done that. They say they're going to charge people money for violations. Tell us whether it's safe or not. That's all. Can we get an answer like that, Mayor?

MAYOR THOMAS LONGO: Maybe Mr. Mack might want to take up on this? I had several conversations with the Director of the Ohio EPA and he said there is no reason not to go into the stores. He'd go in there and shop. He could shut it down if he wanted. He said there's no reason to. The question about the fans at Wal-Mart. From what I understand every Wal-Mart I've ever been in all over the country all have fans. They have some kind of blower system when you come in.

MR. PROKAY: That seems kind of extreme.

MAYOR THOMAS LONGO: See, That's what happens. You skid into this perception thing and everything starts taking off. When that landfill went in—now I'm going to go back because I wound up getting sued. Seems every time I do something with that landfill I wind up getting sued. I was sued when I was on Council. We said no, we're not going to allow the extension and I had to come up with money out of my pocket that I never was reimbursed for to pay for some lawyer and I didn't even have a vote at the time but we all worked to stop it and then when I was on Council we said OK, we're willing to pay to fight this through legal fees, etc. and we stopped the extension through the zoning. That landfill, when it went in, that mound that's behind that one building there that's on the corner of Antenucci, the garbage was built up where Wal-Mart is and all the way around higher than that mound and within a matter of years it had all settled down.

When we went to do something to get the gas away from the residents. There was a group of about 17 homes living around there. We had to get a Court order to go in and test their basements. We found some gas in the walls. Then they stayed then when we were going to put in the negative extraction system (we put in negative air pressure in to draw the air off and pull the gas away from the houses) we got threatened that they were going to shoot us if we did this and then they sued us because we were in violation that was also residential. There was a safety issue going on here. They were suing us because we were trying to get the gas away. The gas back in '77 and '78 that was coming out of there was enough that you could probably use it commercially to maybe heat a small building or something.

Today there's not enough gas coming out of there. If you could collect it all and concentrate it? But you can't use it so I leveled it. That's when this hysteria comes in. The gas level since this thing has gone in has gone down. Its goes down. Every year it's gone down. You can go to our fire department and see every one of the readings. Every one of them is kept on public record and you could just talk to our inspector that does this. He keeps going down. And we're not talking 50% of the sewers. We're talking maybe 5%, 2%, 1%, sometimes it gets up to 4% so the catch basins where this problem is has been there since day 1, are all being fixed. And as they fix the seals and the construction that was not done quite right in a lot of those catch basins, it goes away. There's no problem.

MR. PROKAY: So in other words, what was reported: the cracks, the toilets that were backing up twice now and they hired a firm that said the gas readings were high.

MAYOR THOMAS LONGO: We haven't seen the report. We've been in that building so many times. We had one reading of gas when they first opened because the cast iron pipes serving the drains separated. So it was sewer gas. When that was fixed—nothing. There are no readings. The problems with the toilet when they have people go in there, they take the coat hangers and wrappers and (I get all these stories now about theft) they flush them down the toilet. That's what they're finding. There's nothing wrong with this place structurally. Again, that man down there, from a structural standpoint, Bill Wervey, our Building Commissioner, goes in there all the time and sees what's going on and he has to write a report if something's wrong. It's structurally sound. But now when you get all this hysteria and everything else that's going on you're a corporation and you just jump on it and you use it. It's extraordinary and this is what sets off and now we got a problem with the public because the public now starts to get it into their minds.

Now Giant Eagle is not built on a landfill. Giant Eagle is built on terra firma (solid earth). There's a basement in that thing so that they can move all their coolers, etc. around and connect from the floor on up. There's no garbage underneath. Wal-Mart has 1,400 steel piles driven to bedrock that that thing sits on. If there was no floor there, you could walk from pylon to pylon and never touch the ground. You could drive an Abrams tank through that place and still ride on that floor.

MR. PROKAY: Would there be any way, Mayor, that you could find out what kind of readings they were getting that they said were dangerous?

MAYOR THOMAS LONGO: You mean from Wal-Mart?

MR. PROKAY: Yes, from the people that they hired.

MAYOR THOMAS LONGO: Wal-Mart? It's a private company. When they come into my office and they say they have not read the report and they were closing it and I said why what's the problem? They said we don't know; we didn't read the report. There hasn't been one person from Wal-Mart that has answered that question.

MR. PROKAY: Could you get them to answer that?

MAYOR THOMAS LONGO: No.

LAW DIRECTOR DAVID MACK: I can't force them. I'd just like to briefly respond. I'm glad you said that you read the articles in the newspaper about Wal-Mart and City View because I was shocked when a day or two after the lawsuit was filed and on the front page of the Plain Dealer it said EPA may close down City View. I started to read through the article and it said that the EPA was unhappy with the developer and with the owners because they did not abide by the mandates set forth by the EPA. But if you go back and look at that article the director of the EPA, Director Korleski, stated, and he was quoted by the Plain Dealer as

saying, there is no danger for employees or shoppers at that center. We want the developer to comply with the directives that we gave him back two years ago. That was a direct quote from the director of the EPA who did say it was safe for shoppers and for employees. So if you want to go back and look at you'll find it there, Sir.

MR. PROKAY: I believe I read that too.

LAW DIRECTOR DAVID MACK: Right. So when you said maybe somebody can ask the EPA, EPA already answered that question.

MR. PROKAY: Thank you very much. I appreciate it.

PRESIDENT WAGNER: Anyone else wishing to address Council this evening?

Henry Warren, 4512 East 131st Street. I rise in regards to an article I, too, read in the paper regarding that possibility of the layoff of possibly some police officers. I come to plead with this body not to consider laying off any police or cutting their overtime. I don't know if you guys realize it or not but it's getting kind of hot in our City in terms of people who do not respect the law, for that matter the police, etc. I would plead with you all, whatever decisions you make in terms of cost cutting, to leave the police department unscathed. The other thing I would like to say is that (I don't know if it's factual or not) but I can just imagine the morale factor that is going on in our City amongst our employees with all of this talk of layoffs. I've heard as high as 33 people could be cut as a result of our present financial issues. Before I go any further, Mr. Obert, how much debt are we looking at?

FINANCE DIRECTOR RICHARD OBERT: \$2.1 million

MR. WARREN: Did you add that part about Wal-Mart closing too in there?

FINANCE DIRECTOR RICHARD OBERT: That will be next year's problem.

MR. WARREN: So we already got the 80 grand from Wal-Mart for this year?

FINANCE DIRECTOR RICHARD OBERT: No, we got about \$73,000. It's an insignificant amount, maybe about \$14,000.00 in payroll. It's not that much.

MR. WARREN: OK. One other thing. Is there any truth to the rumor that if Wal-Mart, being an anchor store, were to close as they did, that the other stores there at City View, Vista View, could also cancel their lease?

FINANCE DIRECTOR RICHARD OBERT: I think that's more of a Dave Mack question. Don't you really think so?

LAW DIRECTOR DAVID MACK: There's no way anyone could know that, because as the Mayor said before, these are private companies dealing with other private companies. I do not believe that's in there but we have no way of knowing what the lease is between these private companies seeing as the City was not part of it

MR. WARREN: That might be true but I was under the impression that the ability of you and the Mayor would have known if something happened to Wal-Mart whether or not those other stores had liberty to get out of Dodge? You know?

LAW DIRECTOR DAVID MACK: No private company is going to turn over their private records to you.

MR. WARREN: I'm not talking private records.

LAW DIRECTOR DAVID MACK: These are private records. They're not public records and therefore we have no access to them unless they're voluntarily given to us. No private company is going to turn over their records.

MR. WARREN: You can't dispel whether that's rumor or fact?

LAW DIRECTOR DAVID MACK: I would suspect that it's not, but I have no way of knowing. Sorry.

MR. WARREN: The other thing I wanted to ask you, Mr. Obert, what is our City's debt at this point?

FINANCE DIRECTOR RICHARD OBERT: It's about \$29 million and some change.

MR. WARREN: You all said \$38 million last year. When I was on Council you said it was \$38 million.

FINANCE DIRECTOR RICHARD OBERT: No, it was \$32 million. We paid some money down over the last two years.

MR. WARREN: Well you gave me fuzzy figures when I was on Council so maybe I hold the two and I might have forgot but I could have sworn we had \$38 million worth of debt.

FINANCE DIRECTOR RICHARD OBERT: No.

MR. WARREN: Well, anyway back to the original point that I was making. The reason I came forth is that I do employ you this Council, I employ you, the Mayor, and your consideration of making cuts and doing what you have to do on behalf of hopefully every resident in this City that we will not have a shortfall or a deficit in terms of our police department. That's all I have to say, Mr. Chairman.

CLMN DUDLEY: I think me and all the colleagues up here, and I even mentioned it that I don't want to see a short fall with regards to our law department. For me, it has done wonders. East 131st is show for hanging out on the corners, they work with me, I have their cells, and I have them on the phone at 9 or 10 o'clock at night when I actually drive through the community looking at some of the troublesome areas. I stated that earlier that I wouldn't want to see nobody laid off, but I say your safety forces are the ones that you don't want to think about cutting any jobs for the safety or the security of the community. I think even before Mr. Warren mentioned that I think that's a concern to share between not just somebody sitting up here but I'm quite sure everybody within the municipality of Garfield Heights. So like I said it's something that we all are strongly considering. They've done a lot.

I've been through a situation where my kids have been jumped in the community. My son, a year and a half ago, I thought we had lost him 10 houses down from Saybrook from gang violence and that's why I'm really making a hard fact of my own that I go throughout the community and I watch them corners and side streets. We can't stop the people who come visiting from other communities and creating issues. That's why myself I work so hard to give them an alternative to the streets and try to provide programs within the community. But I think nobody wants to see a police department cut. Not in this day and time when crime is up and jobs are low and people are substituting robbery as an additional income now. I think we all should have concern. I think we had concern from the first meeting. That's all I wanted to say, Mr. Chairman.

CLWN MAHONEY: I'd like to address Mr. Warren. Mr. Warren, I'm not going to speak for my colleagues, but I can assume that they think along the same lines that I think. I believe that if there's anything that we can do to avoid laying anyone off I think those are the steps that we need to take. I don't think any of us wants to see anyone lose their jobs.

Jane Hubbard, 5119 East 126th Street. Since you brought up the police, I have a question about Officer Beth with the schools. I hear she's leaving in January and that the City is not going to replace her and that we are going to lose the G.R.E.A.T. Program, the D.A.R.E. Program and Safety Town? I want to know why? Our kids need this.

MAYOR THOMAS LONGO: That is something that hasn't been firmed up yet. The police chief is putting together his recommendations as to how we can cut costs and we're going to take that one step at a time. That is one of the programs that has an awful lot of benefits with the kids so the question's not replacing somebody, but to have the proper person go in and then we also have to balance everything off with a lot of the things that the police have done—and I'll be very candid about this--where they go out to meet with groups and organizations. A lot of that will be cut. So we're trying to piece this all together and have their impact where it's going to be most meaningful. She was very unique. It was almost like she was put on this Earth to do that job.

MS. HUBBARD: I think her presence in Maple Leaf (*inaudible*). Kids go to the middle school. It's a different ball game. I think she's made a big presence at Maple Leaf and I hate to see these programs go. Thank you.

CLWN MARINCIC: I would like to ask Mr. Obert, isn't part of our D.A.R.E. Officer's salary paid through grants?

FINANCE DIRECTOR RICHARD OBERT: Yes.

CLWN MARINCIC: How much of it?

FINANCE DIRECTOR RICHARD OBERT: I would guess about \$18,000.00.

CLWN MARINCIC: OK.

FINANCE DIRECTOR RICHARD OBERT: It's not a little bit. Like I was talking with you a few weeks ago, about political capital. I gave the Mayor a list of over \$13.8 million worth of reductions and every time it's like this young woman over here said, it's going to touch a child, it's going to touch a Senior or people are going to pay more taxes through reductions of credits or garbage. It's just like our sister city did over there. But no one tells you we have \$1.1 million missing over the past two months that the County has not released to anybody, even the schools, because they did not collect it. How do you pay somebody if the money ain't there that's supposed to be coming from downtown?

CLWN MARINCIC: Thank you.

PRESIDENT WAGNER: Anyone else wishing to address Council this evening? There being none, we'll move on to Miscellaneous Business beginning with Ward 1.

MISCELLANEOUS BUSINESS:

CLMN DUDLEY: I do want to let everybody know that we're on the right track now currently to be signing up for the boxing program in possibly mid-October in Ward 1. We have Pastor Gibson who is coming from the City of Cleveland; we have several other people that serve the interest so that will really help the kids a lot. So we should be announcing sign-up by the middle of October. I just say keep our community in your prayers. That's me for tonight

CLWN MARINCIC: I have a question for Mr. Obert. You just said that you have a list of \$13 million in reductions?

FINANCE DIRECTOR RICHARD OBERT: If you take everything possibly out of here. You'd need a police department, a fire department and an Administration to pay people. All the rest you don't need. You really don't need it. But everyone became so accustomed to these programs and services over the years.

CLWN MARINCIC: You have a list made up?

FINANCE DIRECTOR RICHARD OBERT: I have it. Yes, I do.

CLWN MARINCIC: Could I see it?

FINANCE DIRECTOR RICHARD OBERT: No. I don't have it. It's for the Mayor. I gave it to the Mayor.

CLWN MARINCIC: Could Council get a copy of that, Mayor?

MAYOR THOMAS LONGO: We gave you something.

FINANCE DIRECTOR RICHARD OBERT: We gave them \$10.5 million, Mayor.

MAYOR THOMAS LONGO: Yes, we gave you \$10.5 million.

CLWN MARINCIC: Yes, but this is considerably higher.

MAYOR THOMAS LONGO: We gave you and we got nothing back from the Members of Council except Tracy and this comment about not laying off any safety forces. We gave you \$10.5 million in possible cuts and then this stuff about oh, the Mayor hasn't given us anything.

CLWN MARINCIC: I didn't say you hadn't given us anything. You've given us quite a bit. The reason I questioned our Finance Director is because the figure he just gave was considerably higher than what I thought. And also I have specifically said to you my idea, too, that I have, first and foremost is to have each Director specifically state ways they feel they can cut their departments because no one knows their department better than the Director and the best ways to cut without affecting personnel. To me, that's the major goal first and foremost. I also feel that the auditors are going to be a big help to us once they complete their audit. I understand they are done? Right, Mr. Obert?

FINANCE DIRECTOR RICHARD OBERT: Yes, they should be about done.

CLWN MARINCIC: So they will be able to tell us whether we are in fiscal emergency or fiscal watch and at that point in time they are going to give us the best ways to cut. That's what I'm looking forward to.

MAYOR THOMAS LONGO: Just one comment on what you said. If we wind up in fiscal watch, which is not going to happen, you're not given a recommendation. You're told what to cut. All your authority, the City, the Administration is gone and this City will not be run like an East Cleveland where they just you'll take your police department down, you'll take your Service Department down, you'll increase fees here, and you won't do this. You won't do that. That's what they do. That's not going to happen here.

CLWN MARINCIC: You're positive that they're not going to find anything?

MAYOR THOMAS LONGO: I said it's not going to happen here.

CLWN MARINCIC: Interesting. Thank you.

CLWN SARNOWSKI: I just want to congratulate Clwn Marincic on her 38th wedding anniversary and also to Tracy Mahoney who's going to be celebrating soon her 28th anniversary.

CLWN MAHONEY: 23rd. Some times it feels like 30.

CLWN SARNOWSKI: 23rd. I'm sorry.

CLMN SUSTER: I know a lot was said tonight about Wal-Mart. I spent 38 of my 45 years of working in retail. Wal-Mart was doomed the day it opened. If anybody had gone into that store. They had a young man that was the manager. I really felt sorry for this guy because he was working 18 – 20 hours a day and he had a young family. They really worked this guy to death. I spent a lot of time in management, being in retail, and you had to take a look at the seasons that they had. The first year they were open two weeks before Christmas you went back to the toy section and they didn't have any toys. There were no bicycles. What do

people buy for Christmas? Toys and bicycles. At Easter time, two weeks before Easter, there was no Easter candy in the store; there were no Easter baskets. You didn't even know Easter was coming.

Last Wednesday we had a luncheon with the Chamber of Commerce and there was a lady that worked for Wal-Mart who left on her own. She said to us they had the worst training people for the people working inside the store if they trained them at all. These are the kinds of things that added up to a lot. When you don't have the merchandise that people need at that time you're losing a lot. As far as returns go, I talked to one of my neighbors and I've talked to several people. If you bought something there and tried to take it back they didn't want to take it back. Yet you could take that merchandise that you bought at this store and take it out to Macedonia and they'd give you your money back without a problem. Another thing you didn't know—our prices at this Wal-Mart were higher than they were at some of the other Wal-Marts. You add up all these things and we will never know why Wal-Mart closed. The City itself was the scapegoat for this whole thing along with John McGill.

I spent a lot of time in that store while it was being built with Fire Chief Tony Collova at that time. Every time they were called out or they went there to take readings, never did they find any methane in that store. They used two meters at the same proximity so that they could tell. Never did they get a reading. One time in the optical department they had a problem which was a sewer that cracked. It was fixed within 24 hours. But these are the kinds of things that happened and they're not going to tell you about. As you heard Mr. Wervey, they built that store themselves. They brought their own people in and they didn't do what they were told. Insult to injury the store closed last Monday and Monday night the signs were down. They were gone. Tuesday they started picking up all the merchandise that was in the store. Then you also had two more stores that opened in the neighborhood, which were Steelyard Commons and the one in Bedford. I think in the interim after they took the young manager out of there they had approximately a four to five month period that they didn't have a manager in that store. There's a lot of things that can happen in that store in that period of time which would reflect in their inventory. Like I say, we will never know why they really closed that store. That's all I have.

CLMN ABELLA: I got to just clarify something here real quick, actually with you, Mayor. You made a couple comments tonight about how Tracy was the only Councilman that gave you actual feedback on this whole budget crisis. Are you looking for a written sheet? Because if you look at the minutes of that meeting, every single Councilperson spoke at length at some of their ideas and proposals to cut costs with the City. If what you're looking for is a formal sheet of paper with our signatures on it with our own ideas we could do that. Is that what you're looking for?

MAYOR THOMAS LONGO: It would be helpful.

CLMN ABELLA: OK. Because if you're sitting out in the audience or you're reading about it or your hearing this meeting it's like you had this workshop and you came out with your little sheet with just this ten item proposal with numbers on it. It was a long meeting we had. We had a lot of ideas that went around. I think this Council here we got together; we threw some good ideas out there. We asked for something for you and you asked for something for us and I think that's why Nancy wants this other meeting and I'm not going to say I don't disagree with her. If that's what you want, I'll come up with a formal sheet and I guess I'll encourage my colleagues to do so and we'll bring them together and then maybe we'll have this extra meeting if you'd like and then we could firm up what we need to do so we could stop everybody guessing what the City's going to do.

MAYOR THOMAS LONGO: Just one comment to parallel what Mr. Abella's bringing up here. A lot of the things that have to be done you just can't do with a snap of a finger. It takes pre-planning and you have to be very conscious of how you're going to approach things and it's always helpful when you can, because there are things we would like to do, say, with hospitalization as an example, but you can't because it's all tied into the contracts. There's a planning process with each one of these items and there's a practical thing

and especially with all the Union contracts coming up for a renewal we're almost at a very good time where ideas and things can be bounced off and gone back and forth especially with the employees. I'm making sure everybody's on the same page. No matter what happens there's going to be winners. There's going to be losers. There's going to be likes and dislikes. You can't win in this environment.

CLMN ABELLA: We're well aware of that. So I don't give out a lot of thanks but I got to thank the Service Department after this big storm. I didn't get a lot of calls because by the time people called me their trees were gone, the branches were picked up. I don't know if you put everybody and their mother on this thing, but, man, it was pretty quick. Other than that, I have one more thing. I'd like to make a motion that we adjourn.

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

AYES: 7

MEETING ADJOURNED AT 7:55 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Frank J. Wagner
President of Council

Barbara Molin
Clerk of Council