

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, December 8, 2008

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

INVOCATION BY: Councilman Michael Dudley, Sr.

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

READING AND DISPOSAL OF MINUTES:

Moved by Clmn SUSTER to accept the minutes of the Regular Meeting of City Council of November 24, 2008 as submitted. The minutes were adopted with seven YES votes.

WRITTEN COMMUNICATIONS TO COUNCIL: None.

LEGISLATION OUT OF COMMITTEE: None.

CLMN SUSTER: Mr. Chairman, I would like to make a motion at this time to take Ordinance 51-2008 out of sequence and put it on the floor now for a vote.

PRESIDENT WAGNER: On the motion by Clmn Suster to take Ordinance 51-2008 out of order and put it on the floor for a vote, will the Clerk please read the title?

ORDINANCE NO. 51-2008

APPROPRIATION ORDINANCE:

TO MAKE APPROPRIATIONS FOR CURRENT EXPENDITURES FOR THE CITY OF GARFIELD HEIGHTS, OHIO, DURING THE FISCAL YEAR THROUGH MARCH 31, 2009.

Moved by SUSTER to TAKE OUT OF ORDER:

AYES: 7

PRESIDENT WAGNER: Motion carries with seven Yes votes. Ordinance 51-2008 is before the Council. Before the Council votes on it though, let's give the residents an opportunity to speak on it. Is there anyone wishing to address Ordinance 51-2008? Your comments shall be limited to a brief statement not to exceed five minutes with comments limited to this particular piece of legislation. Is there anyone wishing to address Council on Ordinance 51-2008? There being none, Mayor, do you have anything you'd like to add before the Council votes on it?

MAYOR THOMAS LONGO: No. It's our way to pay bills.

PRESIDENT WAGNER: We've considered it by title so it's before the Council on the waiver of Rule 24?

Motion to WAIVE RULE 24:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 6

NAYS: 1

VOTE ON ADOPTION:

CLMN SUSTER: Before I vote, I would just like to say that this ordinance has to be passed. It actually has to be passed before December 31st of this year. If it were not passed then as of midnight December 31st which would be New Year's Eve, this City would shut down entirely. That means the police department, fire department, etc., etc. so that's why and this is only put in so that we can operate the City for the first three months of the year. I vote Yes.

CLMN DUDLEY: Before I vote, I want to agree with Clmn Joe Suster that this is just a temporary measure and the actual part would take place in the month of March so with that I vote Yes.

CLWN MARINCIC: Before I vote I'd like to ask Mr. Obert a question? I asked you this in Caucus and I'm going to ask you again just to explain it to everybody here. Why is this for \$4 million more than last year's was for the same appropriations?

FINANCE DIRECTOR RICHARD OBERT: It jumped 50% and I sent all the debt schedules. Last year's, if you want to turn to the budget-- the blue book you received this evening-- you will see that the debt structure was different last year. The debt structure in this ordinance is set at 100%. That's the reason for the difference in the two million. It's in the debt structure.

CLWN MARINCIC: \$4 million, actually. Does it make a difference when it doesn't have the edit emergency in the title of this ordinance anywhere?

FINANCE DIRECTOR RICHARD OBERT: I have to have this downtown, Nancy, by at least Wednesday of this week to the County Auditor. It goes right to the County Auditor's before we can open our books up.

CLWN MARINCIC: OK, but I'm saying it says emergency in the last section but it does not say it in the first. Does that matter?

FINANCE DIRECTOR RICHARD OBERT: No. It's in the back.

CLWN MARINCIC: OK. Yes.

AYES: 7

REPORTS OF THE MAYOR AND DIRECTORS:

MAYOR THOMAS LONGO: Good evening, Mr. Wagner and Members of City Council. Regarding the Ohio EPA lawsuit with City View. We're glad it's over. The settlement indicates what I have said all along, that what I signed was a tool to get the project moving. I knew at the time that it would not increase the liability that the City of Garfield Heights already had. The hue and cry that erupted when this matter began was nothing more than political gamesmanship by those seeking to enhance their own political standing but that comes at a heavy price to the City and has cost our City dearly. Given our current financial circumstances and the State of our national economy we can ill afford these types of political games. Now we must work together to restore the public confidence in the safety of the City View shopping center complex which still represents a tremendous asset for the City and for its future financial health but now we must also continue to address our immediate fiscal challenges.

What I am about to give Members of Council has already been passed on to the auditors and the auditors doing our performance audit so they already have this and they have a lot more stuff. So each one of you is going to get a package. From the performance audit there's a series of items that they have requested which I believe they've already reviewed. Negotiations with the unions are ongoing. There are statistics from the recreation department which have to do with the participants, the revenues generated, etc. There's a whole section in here put together by our Finance Director, Dick Obert, on suggestions for cuts, changes in tax structures, etc. We have a section here on the fire personnel comparisons around the State and of course

within Ohio and the first ring suburbs. The police department personnel comparison, same situation. By the way the performance audit will be measured against three communities: Lakewood, Euclid and Cleveland Heights. Even though they're all larger than us they're going to do some kind of extrapolation because they're similar to the makeup of the community, finance, etc., etc. So the only way that I could think that this could be done is to take the population, add it all up, divide it by three and then take a percentage of what Garfield Heights is against that average, it gives you about 57%. So you can compare that against those communities, we also have a comparison of the Senior transportation comparison. We have three drivers right now. We're going down to two as of the first of the year

We have comparisons for the Garfield Municipal Court. The bookings from Bedford, Rocky River and Garfield Heights. There's only two other Courts that have two judges—Rocky River and Bedford. Case load comparisons per judge (that's all being included) general fund revenue and expense analysis. For example, Bedford, which has two judges, last year lost \$11,600.00. Rocky River made over \$211,000.00. So two judges--very different types of Courts. And they never use the rebill. They never bill any of the other communities. Garfield Heights Court loses on average \$281,000.00 per year and that's going over the last 11 years and I don't know what it was for last year and this coming year. Cleveland Heights, a one judge Court, since we're being compared with them, \$736,000.00 in excess. Euclid, \$28,647.00 in excess for 2007. Lakewood \$166,945.00. So all of this is being put together as a comparison. Again, all this information and more has been shared with the auditors. You know they have the Union contracts, personnel book. The list goes on and on. So what I'm going to do (I think there's eight of you?) Take one and pass it on.

PRESIDENT WAGNER: Mayor, do you have one for the Clerk?

MAYOR THOMAS LONGO: Maybe? Maybe not? We'll try it. This information will be helpful when we put together our fiscal plan for approval by the State of Ohio and of course in the meantime we have the temporary appropriations. Thank you for passing that. We can now function until March 23rd when the financial plan has to be put in place. Again as I say the things that are in there from the Finance Director those are his observations. There are things I could add or delete. I'm sure there are things that you can add and things that you'll want to delete. So you all have a reference point now.

Other items that are on the agenda. Resolution 45-2008 will basically benefit Cleveland. There might be some benefit for us. It's a good idea and we should see how that works out with Jim Rokakis's land bank. We're trying to do something similar. I wish they would have that set up so all the local communities could take advantage of that. Resolution 46 reappoints Marilyn Frejosky to the Civil Service commission. Marilyn has worked extremely well on the commission and we urge support and of course Resolution 47 reappoints Elizabeth Jackson to the Planning Commission. Ms. Jackson is of course an asset to the vital commission and we urge your support. This concludes my report.

LAW DIRECTOR DAVID MACK: I just wanted to follow up a little bit and expand on what the Mayor said regarding well he mentioned the EPA lawsuit. I wanted to talk a little bit about both lawsuits against the City, in particular, the case filed as a taxpayer action by Mr. Raymond Kozelka. Many people have the wrong impression regarding the taxpayer case and why it was recently dismissed. The general belief is that since the EPA case was dismissed this one--the taxpayer action--should also be dismissed but that is incorrect. In September a motion to dismiss the Kozelka suit was filed on behalf of the City of Garfield Heights. The parties both had the opportunity to brief the issues for the judge. On December 2, 2008 the judge dismissed the suit because it was not brought within the applicable statute of limitations. The Court's decision, in effect, in my opinion, says that the plaintiff knew or should have known that the filing of this case was done almost two years too late. Why was the case ever filed in the first place is what I've kept asking myself since the time it's been filed. There's no legal basis upon which to file it and in my opinion I thought it might be filed just to embarrass the City or for political reasons. I still believe that today. The Ohio Rules of Civil Procedure allow defendants like the City of Garfield Heights to seek redress for cases filed that have no basis in law or are deemed frivolous. I am currently considering asking the Court to assess

attorney fees and expenses pursuant to that rule because the case was in fact frivolous. This case should never have been filed at all.

On Thursday I had a long discussion with Attorney John O'Neill about those cases and the EPA case and I understand that Mr. Wagner had a long discussion with him on that same day and invited him to tonight's Council Meeting. Mr. O'Neill indicated to me that he would be glad to come but by the end of the conversation Mr. Wagner seemed satisfied that all of his questions and the facts had been laid on the table and told Mr. O'Neill it wasn't necessary to come. I'm very glad that you, Frank, had the opportunity to speak with Mr. O'Neill to your satisfaction. I was also glad that the EPA suit was dismissed as well as the taxpayer action before the necessity of taking further depositions and further discovery because as you may remember about a month or a month and a half ago I mentioned in Council Caucus that there were three individuals, one a former and two current members of this body, that were being noticed for depositions. Those people being former Clmn Warren, Clwn Sarnowski and Mr. Wagner. Further, Council may recall that shortly after these cases were filed I made the statement on the floor of Council that based on my understanding of the facts and the input I received from the other involved attorneys, I saw no chance of liability on the City. I'm glad that that was the correct assessment because now that we have a very difficult time to restore the confidence in this mall and repair the damage done by very questionable legal proceedings in these matters. Thank you.

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: I want to give you a comparison of salt usage. Last year at this time we were out 11 times, used 1,396 tons of salt, the snowfall was only 4.1 inches. That was last year. So far we've been out 11 times and we're coming out right now so there's the 12th time but we've only used 709 tons and the snowfall has been 13.4 inches so so far it seems like the program that we've tried is working. I've asked and I don't think there's been any real problems. We will continue to do what we need to on the salting and the plowing. I also am still trying to pick up leaves and I would say this week is going to be it. We're out there with shovels and picks breaking the ice on the leaves. It's supposed to get warmer tonight. Maybe we can get a good bump on them tomorrow? We need those trucks to move over for the regular plowing so I think this week's going to be it.

John Becony, a foreman of the Service Garage, is retiring January 2nd. We're having a retirement party for him at lunchtime January 9th at Hoggy's down there and if anyone's interested call Jeanne and myself and make reservations at 11:30.

PRESIDENT WAGNER: What did you say the salt usage was this time last year?

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: 1,396.

PRESIDENT WAGNER: And currently it's at?

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: 709.

PRESIDENT WAGNER: Any other questions of the Service Director?

CLWN MAHONEY: I know that we have the plan in place that the area Cuyahoga County Service Directors have put into place but I notice that you said that they were coming out tonight? That was a decision that you made based on the weather, correct? So they have not taken that out of your hands by any means?

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: No, I made the decision. I called the foreman out because when I got out of the vehicle. He drove the streets before he went to the garage and he called me back that he was bringing out a couple trucks. The parking lots especially were icy to start off with. Some of the side streets are already icing over.

CLWN MAHONEY: OK. I'm just glad that you still have the ability to make the decisions in regard to our community.

SERVICE DIRECTOR TIMOTHY McLAUGHLIN: Thanks.

PARKS AND RECREATION DIRECTOR JAMES BUKAC: If anybody here is into varsity high school hockey we got a couple big games coming up this weekend at the recreation center. Saturday at 7:45 Trinity will be playing Padua and Sunday at 5:45 Twinsburg will be playing Lakewood so these will be two pretty good varsity hockey games. If you're not doing anything Saturday or Sunday, swing over and check it out. That concludes my report.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Absent.

BUILDING COMMISSIONER WILLIAM WERVEY: No report.

CITY ENGINEER DAVID NEUMEYER: No report.

FINANCE DIRECTOR RICHARD OBERT: No report.

PRESIDENT WAGNER: What's the anticipated deficit for the City for this year?

FINANCE DIRECTOR RICHARD OBERT: \$2.8 million

CITY ARCHITECT DAVID SPEHAR: No report.

COMMENTS BY CITIZENS:

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

COMMITTEE REPORTS: None.

ORDINANCES AND RESOLUTIONS:

PRESIDENT WAGNER: There being none, we'll move on to Ordinances and Resolutions.

RESOLUTION NO. 45-2008

A RESOLUTION SUPPORTING OHIO BILL NO. 602 AND SENATE BILL NO. 353 TO AUTHORIZE THE CREATION OF COUNTYWIDE LAND REUTILIZATION CORPORATIONS.

Moved by SARNOWSKI to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

AYES: 7

RESOLUTION NO. 46-2008

AN EMERGENCY RESOLUTION RATIFYING A REAPPOINTMENT BY THE MAYOR OF MARILYN FREJOSKY AS A MEMBER OF THE CIVIL SERVICE COMMISSION OF THE CITY OF GARFIELD HEIGHTS DURING THE PERIOD COMMENCING JANUARY 1, 2009, AND ENDING DECEMBER 31, 2014.

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 7

Motion to WAIVE RULE 24:

LAW DIRECTOR DAVID MACK: Mr. Chairman, there's no Rule 24 on this.

PRESIDENT WAGNER: Does she get paid for serving on the commission?

LAW DIRECTOR DAVID MACK: And that pay is established by City Ordinance passed by City Council.

PRESIDENT WAGNER: All right because the Finance Director said we needed to do that. Dick, we don't need to do that then?

LAW DIRECTOR DAVID MACK: No, we do not.

FINANCE DIRECTOR RICHARD OBERT: We normally in the past have never done them on the resolutions, but you can always do it. You don't get punished for waiving Rule 24, all right?

PRESIDENT WAGNER: Well at the request of the Finance Director we're going to suspend Rule 24.

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

AYES: 7

RESOLUTION NO. 47-2008

AN EMERGENCY RESOLUTION RATIFYING A REAPPOINTMENT BY THE MAYOR OF ELIZABETH JACKSON AS A MEMBER OF THE PLANNING COMMISSION OF THE CITY OF GARFIELD HEIGHTS DURING THE PERIOD COMMENCING JANUARY 1, 2009, AND ENDING DECEMBER 31, 2014.

Moved by SUSTER to CONSIDER BY TITLE:

AYES: 7

Motion to WAIVE RULE 24:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

AYES: 7

COMMENTS BY CITIZENS:

PRESIDENT WAGNER: That concludes the legislation before the Council. Next we'll move on to Comments by Citizens.

CLMN SUSTER: I'd like to make motion at this time that we excuse Clwn Mahoney. She has an appointment.

PRESIDENT WAGNER: On the motion by Clmn Suster o excuse Clwn Mahoney. She has a previous appointment.

AYES: 6

CLWN MAHONEY: Thank you.

PRESIDENT WAGNER: We'll next move on to Comments by Citizens. Comments shall be restricted to any problem a citizen has which has previously been submitted to his or her Councilperson or to the City Hall department directly involved. If the submission of a problem to a City Hall department or a Councilperson is made and there is a lack of service rendered in this regard the problem may then be presented during Comments by Citizens at a future meeting. It is the intention of this rule that no request of a first nature is presented on the floor at this time. 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?

David Mays, 8250 Green Drive. The last few months I'm sure everybody up there has listened to me complain about different things, but this time I'd just like to wish you a Merry Christmas and a Happy New Year.

PRESIDENT WAGNER: Thank you. Same to you and your family. Anyone else wishing to address Council at this time?

Henry Warren, Jr. 4512 East 131st Street. Mr. Mack, you said something that I did not quite understand in reference to me and Clwn Sarnowski being subpoenaed?

LAW DIRECTOR DAVID MACK: Mr. Wagner.

MR. WARREN: Why would I be subpoenaed? I am no longer a member of this illustrious body here.

LAW DIRECTOR DAVID MACK: If I knew the answer to that I would give it to you but it wasn't my decision. It was a decision made by the attorneys representing the parties against the City in the EPA lawsuit and the taxpayer lawsuit. They sent us notice that they wanted to take your deposition, Ms. Sarnowski's deposition and Mr. Wagner's deposition. But prior to that the EPA case was settled and the taxpayer action was dismissed. The answer can only be gotten from the attorneys for the plaintiffs in those cases.

MR. WARREN: That was my first knowledge of it.

LAW DIRECTOR DAVID MACK: I had mentioned that in Caucus but obviously you weren't there.

MR. WARREN: No, I wasn't here.

LAW DIRECTOR DAVID MACK: Right. I understand that, Mr. Warren.

MR. WARREN: Mr. McLaughlin, I had called today regarding the parking lot on East 131st Street. It was not plowed during the last snow that we had. I guess that was just an oversight, correct?

PARKS AND RECREATION DIRECTOR JAMES BUKAC: Mr. McLaughlin--his crew does the streets, etc. my guys do the parking lots and what happened was the one guy. I have two guys that do it and one guy got injured that day. He injured his knee so I only had one guy out, but it will be taken care of you know in the future and it won't be a problem. It was a guy getting hurt and I couldn't get another guy back there. It will be taken care of.

MR. WARREN: OK. No problem, but you are aware that people are parking in that parking lot overnight?

PARKS AND RECREATION DIRECTOR JAMES BUKAC: Yes, that's no different than it's ever been.

MR. WARREN: All day they're parking over there?

PARKS AND RECREATION DIRECTOR JAMES BUKAC: I don't know what the parking laws are but I know we have to plow around cars that are parked there.

MR. WARREN: Cars are being parked there.

PARKS AND RECREATION DIRECTOR JAMES BUKAC: You'll have to talk to Chief Murphy about that. I have nothing to do with who parks where.

MR. WARREN: I'm reporting it to you guys so I guess you guys can handle that. You want me to call Chief Murphy?

PARKS AND RECREATION DIRECTOR JAMES BUKAC: You'll be better off calling Chief Murphy and telling him about the situation. You might be able to describe some of the cars that are parking there or whatever?

MR. WARREN: There's graffiti at the bus stop at East 131st and Maplerow. Who do I talk to about that?

CLMN DUDLEY: Mr. President, can I address that for a second?

PRESIDENT WAGNER: Clmn, can you hold on one second? Mr. Warren, do you want the Councilman to address that?

MR. WARREN: Yes, if he can get the graffiti off.

CLMN DUDLEY: I already made the call. I notified RTA. I gave them the bus stop number, etc. and let them know what was on the building. We're also working to get the graffiti off that building sitting right on the corner by Bob's Deli. RTA assured me they will be up in a couple of days and they will remove the graffiti so that has been taken care of.

MR. WARREN: OK. Thank you.

CLMN DUDLEY: You're welcome, Mr. Warren.

MR. WARREN: I had come to this body before regarding a situation regarding one of the business owners on East 131st, Pete Harwell. He was attempted to be robbed again last week and this is the second time that that has occurred. Mr. Harwell has been there 30 years and he is being targeted by somebody. I'm letting you guys know because I was told that those guys jumped over my back fence which is six feet tall. If I catch them on my yard I can do something to them, right, Mr. Mack?

LAW DIRECTOR DAVID MACK: I'm not going to comment on that because I have no idea what you're going to do.

MR. WARREN: The point is I want to bring this to this body that there are some issues going on. In fact the door at the restaurant, (I can't think of the name of the restaurant across from Harwell's) the door was

shot out last week as well. So there are some issues going on on East 131st and I felt that this body should be aware of. I did talk to Chief Murphy about some of those things that were going on on East 131st and whatever. If this body can solve that problem I deeply would appreciate it. The last thing I suppose I should wish you all a Merry Christmas, etc. right?

PRESIDENT WAGNER: If you'd like? Merry Christmas to you. Is there anyone else wishing to address Council at this time?

Jack Humphreys, 4906 East 81st Street. I just wanted to introduce myself tonight. I sent each and every one of you a proposal for the towing for the City of Garfield. I was hoping everybody got it and had a chance to look it over? I spoke to the Council President, Mr. Wagner. We have a couple things here. I guess we're waiting to hear back from the Chief, but I just wanted to introduce myself and be sure everybody got a copy of it. With a tight budget, etc. I believe I could save the City a little money by taking all the lock outs off the police department's hands when we're on shift. We would do those for free while we're on shift. The response time that we're going to have I mean should be 15 minutes unless the weather's bad because we'll have a truck stationed in Garfield ready to go at all times. Response time is now about an hour or so, from what I've gathered. From the research I've done. I believe it would be good for the City budget and hopefully we'll get a shot at that. Questions?

CLWN SARNOWSKI: Mr. Mack, we have currently two towing companies in the City?

LAW DIRECTOR DAVID MACK: That's what I understand and I did receive a copy of this gentleman's proposal from his attorney and I forwarded that to Chief Murphy. That's in the hands of the police chief right now.

CLWN SARNOWSKI: So we can have up to three? Or does he pick?

LAW DIRECTOR DAVID MACK: That's something you have to address with Chief Murphy and see how he feels about whether we need two, three, one? It's up to him so you may want to address that to the police chief?

PRESIDENT WAGNER: Thank you.

MR. HUMPHREYS: Thank you.

PRESIDENT WAGNER: Is there 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 want to mention one thing. I'll do it now. I'd like to touch base with what Mr. Warren said about Mr. Harwell. I did offer to Mr. Harwell and so did my son what we call "special police detail" and I did offer Pete Harwell that if he was concerned at any time that if he called me, me or my son would come over there and we would make sure that he gets to his vehicle with nobody bothering him. I told him also if he's concerned, to give me a call and I would ask the police, maybe if they're in the neighborhood to just make a swing by, make a pass by so somebody standing out there would bring it to his attention. I did offer that to Mr. Harwell and I told him anytime he needed it, me and my son would be more than happy to escort him to his car to make sure he's safe.

I wanted to touch base on something else that maybe some of you have heard about? It's the change of hands possibly (well not possibly—it's going to happen) at Garfield Heights Community Center. I want to take the opportunity to maybe set it right. For some who are not familiar with the Garfield Heights Community Center it has been in financial trouble for many a year now. There has not been an article formed in that center since I believe 2004. We have not had adequate programs for our kids, our community, our Seniors or anybody else except for once or twice things have been held. A Community Center was created for us for service in the community and not to serve the center. They have had financial issues that got so bad. I just

want to read a couple things off this sheet. There has not been an audit for three to four years. This center has not received any funding because of that audit would cost over \$100,000.00 a year that they would lose. There was only two lights working in the gym last year when I held the hot wing party that I do annually for the kids and also the Christmas party. We had two lights working in the entire gym. There also was raw sewage that was backing up down and around the boiler room for many years and that was never addressed. I did, in fact, work with the City there to get some more lights put inside the gym. We have worked out something. Also we got the sewage problem fixed up. But those are some of the things that have been going on.

There have been no organized activities for our kids and our residents inside the community. The young people always complained that a group of adults have for many a year come and taken over the gym about 4:30, which I verified and asked them to change to allow our kids to play in that gym. It came to no avail. During the summer when I asked the Board who takes a three-month vacation every year and I warned them that I'd been working with them since the month of December, if you take a vacation this year you may not have a center to come back to. None of them chose to stay and work with me on a plan to save the center.

We also have employees and employees were being told by some Board members not to talk to your Councilmember if you had any issue or anything like that. I entered the center one day when Ms. Benton was actually in tears and Ms. Fran Wilson was told they could not talk to me at all. This is the stuff that was going on at the center for years. The center can no longer even pay for the rubbish removal. That's how bad it has become. They could not even meet their payroll. That's how bad this Board was doing at our community center. Nobody has done anything to address that issue to the center for many a year. Even one of our local residents, Ms. Tubbs and Mr. Saffron who lives in Cleveland and works for Progressive was willing to come and help them get their books straight. They turned down his help as if they believed they had a problem where they could possibly be hiding something. When I notified the Board of several complaints about closing time (because we were getting a lot of complaints about the kids out there blasting the music at 11:00 and basketball still open and loud dancing coming from the center when they had a group that was over there doing line dancing) I could not get them to close at a reasonable time. And I had tried to work with them.

There was also a problem with prior Board members who had told me that they could not be notified when a meeting was held so they couldn't make the meetings and were being squeezed out. I gave everybody a free opportunity but I found it to be true when I was ex-officio to the Board and I wasn't notified of some meetings taking place. They weren't being held the fourth Thursday or whenever like it was supposed to happen. I addressed a letter because I became fed up and it is dated August 3, 2008. I asked the last four remaining Board members to step down because they did not act in the best interests of the community center and it was in deplorable condition. As everybody knows in the community, Pastor Johnson, all them, my three sons, a six year old and a five year old we had to go out there and we recreated that playground and replaced all the broken boards, the railing, we fixed the swings with paint; we put the little chips, etc. down. We did that at our own expense minus the price of the chips but we took care of the paints, the boards, everything else. When I asked the Board Members to step down none of them showed up. They still chose to stay.

I've been working with our Council Members and Ms. Dzak from the gas company because since the month of December there have been threats to cut that gas off because they have not been paying the gas bill like they should. They are not a residential so they could have been shut off every time. I have worked on a plan to keep the gas on that comes up monthly or every two weeks to try to keep heat in that building but yet the building continues to stay open till 10:30 at night and gas is just running 24 hours/seven. So far none of the Board Members have stepped down. I had questions about (*inaudible*) education program. I believe honestly that would possibly have been spent on different things in the center that it should not have been used for.

So the center, on January 1st will be switching hands. I thank God that it's going to be switching hands because along with it comes finally the boxing program I wanted for the community for our kids. So many troubled youth have been out there and I made promises for change. Change comes with a cost and when you

want to make changes you don't start at the bottom and work your way up. You start at the top and you remove the Board members who have sat there for so long and done nothing. So you'll probably see it in the paper and I think it's scheduled next week to meet at the school board but I've been supporting change. We are going to have some after school programs. I've been working on it along with Melissa Thompson who comes in and gives a helping hand and we will be able to get the grants back. But currently as the Board stands today I was not able to get anybody to give us any financial assistance because they wanted that Board gone. It was a deadbeat Board. They only survived for one purpose and that was to have their name that they sat in there and for keeping their résumé looking great but they have done nothing for their community. Nothing whatsoever for that community in the last 10 years. So finally like I say it's in the best interests of the community that they change hands and I want to mention one thing how bad it had become. When I'm at work on 9:45 p.m. Wednesday I received a call from a young gentleman named Roger Taylor. He's the fellow that opens and closes the building. He was really upset because he had told me that the Board had instructed him not to open the center this Saturday that went by for our first Saturday of the month when we give out food to the needy. He was told to lock that door, do not show up, do not open. I instructed him that he will go there, and will open that door because our community is not going to suffer. We've been suffering so long for personal reasons that the Board may have. So I want you to understand so there won't be no miscommunication that what is happening is happening for the best of the community and it's time for that Board to go. With that I thank everybody.

CLWN SARNOWSKI: I have a question. I hope Dave Mack or the Mayor can answer it? With the EPA lawsuit over with where does the Transportation Blvd. road stand right now? Are there plans to go ahead? Is it still in the making?

MAYOR THOMAS LONGO: That's up to the EPA. We're hoping to have a meeting with the EPA to discuss that very issue. That's one way to save the center. That road has to go through. But if it's going to take 30 months for approval then I don't know if I have the energy to go through it again.

CLWN SARNOWSKI: For their reapproval?

MAYOR THOMAS LONGO: It takes their approval. It's called a Rule 13.

CLWN SARNOWSKI: I thought we had it approved already?

MAYOR THOMAS LONGO: No. They stopped all those buildings that you see with shells. There's contracts signed for people to go in there. They stopped all the construction; we lost JC Penney that was supposed to go in there. Home Depot was supposed to go in there. We couldn't put the office park in there because the road didn't go through. We had all kinds of things ready to go. They killed it all. For two and a half years everything's just been sitting there.

CLWN SARNOWSKI: So now we're waiting for the EPA approval?

MAYOR THOMAS LONGO: We're going to have a meeting with them and see if we can straighten some of this out.

CLWN SARNOWSKI: Do you know what's going on with Bridgeview? Is there any more insight on that?

MAYOR THOMAS LONGO: Yes, there's some action going with that. They're looking at redesigning the project and doing it in phases instead of all at once. So maybe some time at the end of January we may have something more specific.

CLWN SARNOWSKI: Is that one building off of Granger, Aldi's, is that still going forward?

MAYOR THOMAS LONGO: I have no idea.

CLWN SARNOWSKI: Thank you.

CLMN SUSTER: Mr. Wervey and also Mr. McLaughlin, I want to thank you for having that tree removed from 5254 East 105th over there by St. Therese. That tree was laying across that sidewalk for about two or three weeks. One morning I was up at the church and the kids were going to school. and they had to walk around that tree to get back on the sidewalk on the other side. And also for Mr. Wervey, I talked to Beth Paddock from PS Awards in Midwest Parkway and she wanted to thank you for getting back to her so that after two and a half years they can finally put up a sign there. Her father is actually--well she's the president of the company. Her father is retired now and he kept saying to her (and I know for a fact because I know Pete) and he said he hoped someday somebody could do something for him to get a sign put there before he dies. So I want to thank you for getting back to her so they can finally get that sign put up.

CLMN OTERO: No comments. I make a motion to adjourn.

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

AYES: 6

MEETING ADJOURNED AT 7:47 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Frank J. Wagner
President of Council

Barbara Molin
Clerk of Council