

# MINUTES OF A REGULAR MEETING OF COUNCIL

## CITY OF GARFIELD HEIGHTS, OHIO

Monday, April 22, 2013

**MEETING CALLED TO ORDER AT 7:00 p.m.** by Council President Nancy Marincic.

**INVOCATION BY:** Councilman Thomas Vaughn

**PRESIDENT MARINCIC:** Will everyone please remain standing and we will have moment of silence to honor those who lost their lives recently in Boston?

*(Moment of silence)*

**PRESIDENT MARINCIC:** Thank you. Now we will have another moment of silence in memory of a city employee, Marilyn Spirakus, who passed away this past week. Thank you.

*(Moment of silence)*

**PRESIDENT MARINCIC:** Thank you, folks. Please take your seats.

**ROLL CALL:**           **PRESENT:** Council Members Dudley, Marincic, Nenadovich, Glenn, Suster, Vaughn

**EXCUSED:** Council Member Mahoney

**PRESIDENT MARINCIC:** I'd like to make a motion to excuse Clwn Mahoney from this evening's Council Meeting. All in favor say Yea. All Opposed. The Yeas have it.

AYES: Marincic, Nenadovich, Glenn, Suster, Vaughn, Dudley

ABSENT: Mahoney

### **READING AND DISPOSAL OF MINUTES:**

**PRESIDENT MARINCIC:** Reading and disposal of the Minutes from the Monday April 8<sup>th</sup> Regular Meeting of the Garfield Heights City Council.

**CLMN SUSTER:** Mme. Chairman, I'd like to make a motion that we accept the Minutes of the Meeting of the Garfield Heights City Council dated April 8, 2013 as submitted.

**PRESIDENT MARINCIC:** All in favor say Yea. All opposed? The Yeas have it.

AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn

ABSENT: Mahoney

**WRITTEN COMMUNICATIONS TO COUNCIL:** None.

**LEGISLATION OUT OF COMMITTEE:** None.

**COMMITTEE REPORTS:** None.

**REPORTS OF THE MAYOR AND DIRECTORS:**

**PRESIDENT MARINCIC:** We will move on to the reports of the Mayor and his Directors. Good evening, Mayor.

**MAYOR VIC COLLOVA:** Good evening, Mme. Chair. Thank you very much. On many occasions we have an opportunity to thank the employees that work for Garfield Heights. We especially thank the safety forces on numerous occasions, the police and the fire department for all they do for the city, but not too often do we get a chance to honor and recognize our Auxiliary Police Department who do a great job assisting our police force. They do a great job in the community. They're there every time we need them. I couldn't ask for a better group of guys and they always invite me to the Christmas dinner and that's the most important part. But really and truly they do a great job and I'm proud to be associated with them and the city is certainly very proud of everyone of you and I once again am honored to be able to swear in some new Auxiliary Police so at this time I would ask Commander Lange and I would ask Chief Sackett along with Fred Ferguson, Jack Douglas, Patrick Pizzouli, Thomas Kasmer, Charles Lee, Jr. and James Perkins to join me at the podium.

*(Mayor Collova swore in the six new Auxiliary Policemen at this time and congratulated them. Then Cmdr. Michael Lange addressed the audience, but was inaudible.)*

**MAYOR VIC COLLOVA:** Continuing on with my report, every year in Las Vegas they have the International Convention of Shopping Centers. We were invited to it a couple of times to see if we could do anything to aid City View and Bridgeview and anywhere else in Garfield Heights. This year there was a coalition put on by Representative Barnes along with some of the Mayors including Mayor Brad Sellers from Warrensville. We are going to have Noreen Kuban go to Vegas to this convention. We are going to bring our wares out to them. We're trying to do everything we can to get City View up and running and so instead of waiting for somebody to come knock on our door, we will knock on their door so that's going to be happening towards the end of May.

Next thing I wanted to talk about was I had an opportunity once again to attend the ice show over the weekend and I have to tell you that it was absolutely unbelievable what a great job they do. That staff over there put together. The way that rink was dressed up, the way the stage was set up where they were coming out from ice was like watching the Ice Capades. They did a great job. The skaters were great. I couldn't have been any prouder of our Rec Center that day. It was really beautiful and the kids did a wonderful job. It was really great.

I want to talk a little bit next about the County Shred Day. A letter I received from Diane Pickett from the Solid Waste District in Garfield.

"I wanted to let you know that on Saturday May 18<sup>th</sup> the Cuyahoga County Solid Waste District is holding a free shred day and an appliance recycling collection at our facility here in Garfield Heights. I would like to invite your residents to come and bring us their paper for shredding and their old appliances and electronics for recycling. We will also be collecting working tools for donation to Habitat For Humanity. In addition, Chief, we would like you to help arrange for a police officer to provide traffic control on East 131<sup>st</sup> since we have not conducted a collection such as this before. It is hard to gauge how many people may come but we are planning to promote this widely. If we get a large

turnout I foresee a need to have an officer help manage traffic to prevent backups on East 131<sup>st</sup>. I think this will be a good event. We have not held a collection for household appliances before and many people have old toasters, microwaves, etc. We wanted to promote this to our neighbors in Garfield Heights first. Your help will be most appreciated.”

So Chief, that might get the auxiliary started in a good fashion.

The next thing I want to talk about and I wish Mr. Liotta or Mr. Piazza was here because they are heading up once again the Court Community Service as far as the fire hydrant painting goes. This has been going on since April 9<sup>th</sup> and I want to give a report on what’s been done by this Court Community Service group that we have partnered up with the County. On April 9<sup>th</sup> they did 42 hydrants from Turney Road from Maple Heights line to the Cleveland line. The next time they went out they went from 131<sup>st</sup> Street from Broadway to the Cleveland line. Then it was Broadway from Maple Heights to the Cleveland line, McCracken-Turney Road to Broadway, McCracken-Broadway to Cleveland, Garfield Blvd. to Turney to Warner, Warner Road-Grand Division to Canal. They have done 154 fire hydrants. If you had an opportunity to see them they look great. So once again teaming up with the Court Community Service has really paid off in the City of Garfield Heights.

Last couple of things I want to talk about is we all know about the tragedy that took place in Boston with the marathon and as we had a moment of silence which was well deserved by all. Putting aside the tragedy I want to commend the safety forces, all the police officers, the FBI and everybody else for an outstanding job on tracking these characters down. It was like looking for a needle in a haystack and within a few days they had them tracked down and had them off the streets and I’ll tell you what. I was very proud of them and they deserve to get noticed. They did a wonderful job.

Lastly, I want to talk a little bit about Marilyn Spirakus. For everyone that doesn’t know her I wish you did. She was a great gal. She was not only an employee of ours but she was a friend of my wife’s and I for many, many years. Our girls skated in the ice show probably 20 years ago together. Marilyn was a wonderful girl. This was very sudden. She had some medical issues, but in no way did she think that this could happen. I want to just reach out to everybody and would you think about her in your prayers, her family. She has a wonderful family. She was a wonderful gal. She’s going to be sorely missed. She certainly will not be forgotten. I wish the best to Marilyn’s family.

Lastly, I’m going to get on to the legislation. We have two pieces of legislation tonight. Resolution 10 and Resolution 11. They both involve the police and fire pensions and Ron is going to get into that and explain it during his report and with that, Mme. Chair, you have my report.

**PRESIDENT MARINCIC:** Thank you, Mayor. Are there any questions or comments for the Mayor from anyone on Council?

**CLMN SUSTER:** Once again I’d like to offer my services to Mrs. Kuban to go to Las Vegas if she needs somebody to carry her bags, I’d be more than happy to do that.

**MAYOR VIC COLLOVA:** Actually Joe, you mentioned that once before and I brought that to Noreen’s attention. She said her bags are very large and she didn’t think you’d be able to carry them.

**PRESIDENT MARINCIC:** Anyone else have anything?

**CLMN SUSTER:** I just want to mention I think it was a great selection of the new auxiliary officers and I know we're kind of delaying the game, but we actually got three ball players out of that selection. We're going to be all right. So when that time comes (like me and Mr. Dobies was talking about) when the time comes we hope to be able to get a game going between the city and the school members over there, the staff, etc. Three good ball players. I thank you, Mayor. I thank you, Chief.

**PRESIDENT MARINCIC:** Anyone else? There being none we will move on to Law Director, Tim Riley. Do you have a report?

**LAW DIRECTOR TIM RILEY:** Just briefly, Mme. Chair, thank you. I received some inquiries as to the status of the case of Frank Wagner versus the City of Garfield Heights and I want to let everybody know that it is presently pending in the Sixth Circuit Court of Appeals in Cincinnati. So that is the status of it at this day.

**PRESIDENT MARINCIC:** Thank you. Any questions or comments for our Law Director? There being none we will move on to Police Chief Sackett, do you have a report this evening?

**POLICE CHIEF ROBERT SACKETT:** Yes, I do. Thank you. I just want to mention our new SRO Program and our SRO Officer. SRO Program it stands for Student Resource Officer and it's actually a pro-active approach to law enforcement. I guess you could sum it up best by saying an SRO's job is to build positive relationships with the students. What it isn't is it's not a reaction to any kind of negative incidents either in our schools or in any of the students you hear about nationally. It's a joint venture between the schools and the city. They're splitting the cost. Probably more important their splitting the cost of it. They're both behind it. Everybody thinks it's a good idea. They think it's a wise use of resources. Mayor Collova and Supt. Olszewski certainly deserve credit for making this a reality, but I have to mention the person that really deserves credit for this is Clwn Mahoney. She was pushing this idea eight/nine years ago and she ran into a few brick walls along the way and I'm sure the Mayor will attest she would not let the idea die. It's unfortunate she can't be here tonight when we introduce our first SRO, Officer James Seawright, who is hiding in the back. That was a lot easier when there were more people, but he'll step and get a look. James has been with the department since 2001. He's worked patrol, he's been on the SWAT Team for most of those years. He and his wife Michele have a six year old son, Ishmael, so he knows what kids are all about. The one thing I could say about James and I don't want to talk too much about him but the enthusiasm he brings to his position during the interviews and just when you talk to him in the hallways about this is truly contagious. The past two weeks he's been doing some on the job training at a couple different high schools. I think he's got one more coming up and he's going to go off and do some Safetytown work and starting in August with the new school year he will be a full time SRO at our high school. So I'd like to introduce Officer James Seawright. James, I know he's a little under the weather right now, so he's not going to really make a speech, but I know you'll do a good job. Thank you.

Officer James Seawright: I just want to thank the city, school, Chief for this opportunity...  
(inaudible).

**POLICE CHIEF ROBERT SACKETT:** Thank you. The other thing I want to mention real quick is Safetytown. We got the dates set in stone. The registration period is set now. The dates for

Safetytown will be the two-week period Monday through Friday beginning June 17<sup>th</sup> and running through June 28<sup>th</sup> and the registration will start May 20<sup>th</sup> through June 10<sup>th</sup> at the Rec Center Monday through Friday. Register at the Rec Center. It's \$33.00/child. It's a two-hour session. You either pick the afternoon or the morning session and shortly we'll have flyers. We'll put them out when it gets a little closer to the registration period. With that you have my report.

**PRESIDENT MARINCIC:** Thank you, Chief. Any questions or comments for the Chief? Clmn Dudley.

**CLMN DUDLEY:** Chief, what is the age group or age limit on that Safetytown? What is the oldest?

**POLICE CHIEF ROBERT SACKETT:** Five years old. The child has to be five on June 1<sup>st</sup>.

**CLMN DUDLEY:** Is that five and under or five and over?

**POLICE CHIEF ROBERT SACKETT:** Just five. That's what it's geared toward.

**CLMN SUSTER:** I would just like to say about James that I had my first opportunity with him when we had one of our CERT exercises and he was there and he was very thorough in everything he did. Now that I see that I know he'll do a great job. Not that he has not done a good job as a police officer. That's all I have.

**PRESIDENT MARINCIC:** Any other questions or comments for our Chief? There being none, we will move on to Service Director Tim McLaughlin. Do you have report?

**SERVICE DIRECTOR TIM McLAUGHLIN:** Yes, I do, thank you, Mme. President. They started making the hot patch last week and there was only a couple days that we got out because there was some problem with the plant and the weather wasn't cooperating either. We been working on the main streets. I had a crew on Turney Road. There's a crew on Johnson Parkway, NEO Parkway. There's some large holes in that area. After we complete those we'll be moving on to Warner Road because that's starting to come apart. I don't know what happened. It was all right and then all of a sudden the last rains, etc. it started falling apart but we will be getting there as soon as we're done with the main streets throughout the city we'll enter into the side streets and we will go Ward by Ward until we complete the whole city. People always ask me there's about 80 miles of roads in our city that we're pretty much responsible for so it takes a little while and I ask for patience. Something's large we'll try to go and grab it so that there's no damage to any vehicles, etc. or anybody gets hurt stepping in it but the best way to do it is to go street by street, complete a whole area because if we start jumping around you miss things and everybody's unhappy.

Also the street sweeper's out and it's completed the main streets and we are now in the side streets. Again we will go Ward by Ward. Usually it takes about the first sweep usually takes about a month, four to five weeks to get through the whole city because of the volume of debris from the weather. Sometimes you have to do the same street twice, but we will be going through the whole city with that.

The is the last week of the Hazardous Waste Roundup at the Service Garage from 7:30 to 3:00. The rest of the week you can drop off all the materials that you'd like to get rid of. We'll also be open on Saturday from 8 till 12 for the Hazardous Waste Roundup. Also we will have our own

paper shredding on Saturday from 9:00 to 12:00. It's at the Service Garage, 13600 McCracken. That's all I have.

**PRESIDENT MARINCIC:** Thank you. Mr. Suster?

**CLMN SUSTER:** Tim, you think you could have a piece put in the local paper about that April 1<sup>st</sup> has come and gone and people should not put their rubbish out before 6:00 p.m.?

**SERVICE DIRECTOR TIM McLAUGHLIN:** OK.

**CLMN SUSTER:** Thank you very kindly.

**PRESIDENT MARINCIC:** Anyone else have questions for our Service Director? There being none, we will move on to Recreation Director, Bob Dobies. Do you have a report?

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** Yes, I do. Mme. President and Council Members, good evening. Our figure skaters finished with the annual ice show this past weekend. If you didn't attend, as I said before, you missed a wonderful experience. What an outstanding performance by our troupe of skaters. This year's theme was Adventures in Space and I know it ignited that audience of over 800 fans again this year for the two day event as our skaters performed their routines. Our Municipal Program emerged from the efforts of Miss Betty Bosell who we all knew as Miss Betty who coached for over 40 years. Her legacy remains strong and will continue well into the future. With the competition always being exceptional, Mayor Collova presented the 2013 Mayor's Trophy to Miss Alexandra D'Amico and Miss Pam Giglio. Betty Bosell's daughter honored us by presenting the 2013 Betty Bosell Outstanding Skater Award to Miss Katie Butauski. I would like to personally thank Mayor Collova and Clmn Nenadovich for attending. I would also like to thank Miss Sarah Kapitan, our head skating pro for putting the show together along with all of our talented skating pros, Miss Cheryl Dobson, Booster Club President, and the Boosters for their help and support, the multitude of untiring volunteers we had this year helping to get the stage set so to speak and to my assistant, Miss Mary Nichols and my staff for not missing a beat. Prior to the beginning of Sunday's performance we did a special tribute. We had a moment of silence for Marilyn Spirakus, our dear friend who passed away, thanking her for her time and talents which she graciously volunteered year in and year out since I've been there at the Recreation Center. She is truly missed. At the end of this year's show after our skaters received their awards we had a special presentation given to our head skating professional Miss Sarah Kapitan. As many of you already know Sarah and her family will be moving out of State after our season ends. It is with much affection that we wish Sarah and her family well in their future endeavors. Her commitment, enthusiasm and devotion to the Garfield Heights Myny Figure Skating Program. I understand she started here when she was six years old, skated all the way through and she became the director of our programming. It has left an indelible mark on our children, our program and the sport of figure skating. As a head skating professional she will be deeply missed and always have a place in our hearts. Mayor Collova presented Sarah with a proclamation honoring her with her accomplishments in making Sunday, April 21<sup>st</sup> Sarah J. Kapitan Day in the city of Garfield Heights. Thank you, Mayor, for making it a special day and to Sarah, it was with great pride and admiration we say thank you for everything.

A reminder again as the Recreation did last year, we will be closing the office during the first three weeks of May from May 1<sup>st</sup> to May 19<sup>th</sup> reopening the office on May 20<sup>th</sup> for sign ups for Safetytown. The swimming pool is scheduled to open June 15<sup>th</sup>. This is the last week for girls

softball sign ups. Our office has called all past participants as a reminder. The office is open today till 8:00 p.m. and the rest of the week from 8:30 to 4:00 p.m.

The 37<sup>th</sup> Annual Dog Show will be Sunday August 4<sup>th</sup>. We will be starting grasscutting as I mentioned last meeting, we are finishing up with the ice so I'll have some bodies available. We'll be emerging. We're going to tell the residents that they have a little bit of time yet. We're going to start cleaning up as Vince and his crew did already some of the park areas and the major thoroughfares, some of our city properties, first before we get into the neighborhoods. I know it's growing and we're going to get there as quick as we can. Any further questions, please call the office. That concludes my report. Thank you.

**PRESIDENT MARINCIC:** Thank you. I have one question. You said the dog show is August 4<sup>th</sup>?

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** Correct.

**PRESIDENT MARINCIC:** How do people enter that?

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** We'll have information coming out on that, but basically you just come to the Rec and sign up with your dog.

**PRESIDENT MARINCIC:** Mr. Suster?

**CLMN SUSTER:** I know you wear two coats. I know you acknowledged the skaters, etc. and I think also even though it might not be part of this is that you should mention to the audience that if anybody has the chance if you haven't seen or haven't been there is to see that play The Beauty and The Beast. It is phenomenal. I mean you know I've always said that you always hear about 10% of the kids which are the bad children. This here you can't believe. If you have had a chance please, they have three more dates which would be this Friday at 7 o'clock, Saturday at 7 o'clock and Sunday at 2 o'clock. Believe me if you go you will enjoy yourself and I am not one that likes musicals. I stayed awake through the whole thing.

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** Thank you, Clmn. I can attest to that. It got nothing but rave reviews. They said they had the Seniors there one time and they all came out with tears in their eyes, so the kids performed wonderfully and I thank you for the comment.

**CLMN SUSTER:** One thing I'd like to say is we were there Friday night and somebody that I knew had seen Beauty and the Beast in New York and they said that was nothing compared to what this show was. The kid that plays the Beast this was his last show. He's a senior at Garfield Senior and he does a phenomenal job. I can't say enough good about him. In fact, we're going again Friday night. That's how much we liked it. Like I said I'm not one for musicals, so.

**PRESIDENT MARINCIC:** Any other comments for our Recreation Director? Yes.

**CLMN DUDLEY:** What are we doing about Wards this year? Like each Ward get a Saturday?

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** We had planned on doing that. I am anticipating a little less work on the pool this year so the 15<sup>th</sup> is a tentative date right now which is a Saturday. It may open a little bit before but we'll establish that as we get a little bit closer,

OK, Mike? We did it at the beginning of the year and I think for a first time out it went well but I think we could do a little bit better as to getting some scheduled days for the Wards.

**PRESIDENT MARINCIC:** Does that answer your question?

**CLMN DUDLEY:** That's it.

**PRESIDENT MARINCIC:** Any other questions for the Recreation Director? There being none, we'll move on to Dave Krock, City Engineer. Do you have a report this evening?

**CITY ENGINEER DAVID KROCK:** I do, thank you, Mme. President. I just want to give a few updates on construction projects. The work on Mill Creek along Warner Road is finishing up now. The Rosewood, Bancroft, Wallingford and East 112<sup>th</sup> is finishing up. McCracken Road will have the contractor back out there starting next week to do some of the final paving and seeding, etc. Also the multipurpose paths that will run between Broadway and Lee. That will start as well next week and I guess the big one is Granger Road should start later this week potentially getting some signs out and you'll see that work get started and it appears that will take till about the end of August to get it completed. But that's going to get going. That's my report.

**PRESIDENT MARINCIC:** Thank you. Any questions for the City Engineer? Clmn Suster.

**CLMN SUSTER:** Do you happen to know if the gas company has any projects going on Lincoln Avenue?

**CITY ENGINEER DAVID KROCK:** Which road? I'm sorry.

**CLMN SUSTER:** Lincoln.

**CITY ENGINEER DAVID KROCK:** It doesn't ring a bell to me.

**CLMN SUSTER:** What's it off of? Turney.

**CITY ENGINEER DAVID KROCK:** We have seen a few of their requests come through but I don't recall that one.

**CLMN SUSTER:** Because they have homes over there marked off and nobody knows what it's about.

**CITY ENGINEER DAVID KROCK:** Bill and I will talk about that.

**CLMN SUSTER:** If you could let me know I'd sure appreciate it.

**CITY ENGINEER DAVID KROCK:** OK.

**PRESIDENT MARINCIC:** Any other questions for the City Engineer? Yes, Clmn.

**CLMN NENADOVICH:** Dave, I just want to thank you for all the efforts you put into the Bancroft area and Grand Division. That was a much needed area the sewer revisions over there and you left the place 100% better than what it was. The streets look great, curbs and

driveways. Fantastic job. I have been getting calls we got them in the beginning about you're not coming in my house to thank me. You did a great job. So thanks, Dave, great job.

**CITY ENGINEER DAVID KROCK:** You're welcome.

**PRESIDENT MARINCIC:** Anyone else? There being none, we will move on to Finance Director, Ron Tomola. Do you have a report?

**FINANCE DIRECTOR RON TOMOLA:** Just real quick I wanted to make a few comments because I got quite a few phone calls about tonight's resolutions. This was instigated because the Governor signed into law I believe it was House Bill 340 and what it does is it's an increase in the employees' pension contributions of .75% for three years. So the employees and police and fire are increasing their pension contributions (their share) is being increased from 10% today to three years from now it will be 12.25%. The legislation authorizes us now to accept that from the Pension Board and actually make the deduction from their paychecks and submit it to the Pension Board on the employees' behalf. Hopefully that kind of explains any questions that Council had because I know three or four Council people did call me about this.

**PRESIDENT MARINCIC:** And I was one of them.

**FINANCE DIRECTOR RON TOMOLA:** You were one of them. That's my report.

**PRESIDENT MARINCIC:** Just to reaffirm it doesn't cost the city money. It costs the employees money?

**FINANCE DIRECTOR RON TOMOLA:** That is correct. It's a deduction out of their paycheck.

**PRESIDENT MARINCIC:** Any comments or questions for the Finance Director? There being none, we'll move on to Economic Development Director, Noreen Kuban. Do you have a report?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Yes, thank you, Mme President. I just want to remind local businesses that the Mayor's having his Business Breakfast this Friday, which is Friday the 26<sup>th</sup> at 8:30 in the dining room upstairs.

Also I have flyers for City Council and residents for the River Sweep. I believe I mentioned this at the last Council Meeting but all the details are here. That's for the Johnson Mill Run between the city of Cleveland and Garfield Heights. This is sponsored by the City of Garfield, City of Cleveland, Harvard Community Center, Union-Miles Development Corporation and the Northeast Ohio Regional Sewer District. Here's the details and anyone who wants to spend a Saturday morning picking up rubbish you are welcome to attend. City Council Members, if you could share this information with your Block Watches or Ward Clubs?

Finally, I know the Board of Elections is looking for part-time employees on Election Days to work at the polls. I left some information on the table there and I met with some gentlemen last week. They are looking for a location in the South East area. One of the locations they are looking at is the city of Garfield Heights for training. So people can earn up to \$200.00 for working one day. So if you also want to pass these out at Ward or Block Watch meetings, that would be great. Like I said extra flyers over there. That concludes my report.

**PRESIDENT MARINCIC:** Thank you. Any questions for the Economic Development Director? Mr. Suster?

**CLMN SUSTER:** No.

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** No, you can't go with me Joe. I'm sorry.

**PRESIDENT MARINCIC:** Anyone else have any questions for our Economic Development Director? I only have one. The River Sweep. My daughter and a group of her friends are volunteering.

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Oh, good.

**PRESIDENT MARINCIC:** Should they wear anything specific?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Well it does mention long slacks, longer shirts, you know closed toe shoes and gloves. I have poison ivy right now from gardening so you don't want her to get poison ivy so I would suggest bundling accordingly. Rain gear if it does rain. It will go on whether it rains or not.

**PRESIDENT MARINCIC:** I'll let her know. Thank you. The last one. Building Commissioner Bill Wervey. Do you have a report?

**BUILDING COMMISSIONER BILL WERVEY:** Mme. President, I don't have anything new this evening.

**PRESIDENT MARINCIC:** Any questions for the Building Commissioner? There being none that concludes the reports of the Mayor and his Directors. So I will move on to Comments by Citizens on the evening's agenda.

**COMMENTS BY CITIZENS ON TONIGHT'S AGENDA:**

**CLERK:** Comments are strictly limited to brief statements not to exceed five minutes with comments limited to the legislation on the current evening's agenda.

**PRESIDENT MARINCIC:** No citizen may speak more than once. Is there anyone wishing to comment on the two items on this evening's agenda? Just raise your hand.

**ORDINANCES AND RESOLUTIONS:**

**PRESIDENT MARINCIC:** There being none we will move right on to Ordinances beginning with Resolution 10-2013. Will the Clerk read the title.

**RESOLUTION NO. 10-2013**

AN EMERGENCY RESOLUTION TO AMEND RESOLUTION 51-2004 TO REAFFIRM THE EXISTING PICK-UP PLAN AS AMENDED AND/OR RESTATED RESOLUTION OF THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS OF CUYAHOGA COUNTY, OHIO.

Moved by SUSTER to CONSIDER BY TITLE

AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn

ABSENT: Mahoney

Motion to WAIVE RULE 24:

AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Roll call on the adoption beginning with Clmn Suster.

VOTE ON ADOPTION:

AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Resolution 10-2013 stands adopted with 6 Yes votes.

**RESOLUTION NO. 11-2013**

AN EMERGENCY RESOLUTION TO AMEND RESOLUTION 50-2004 TO REAFFIRM THE EXISTING PICK-UP PLAN AS AMENDED AND/OR RESTATED RESOLUTION OF THE COUNCIL OF THE CITY OF GARFIELD HEIGHTS OF CUYAHOGA COUNTY, OHIO.

Moved by SUSTER to CONSIDER BY TITLE

AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn

ABSENT: Mahoney

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ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Roll call on the adoption beginning with Clmn Suster.

VOTE ON ADOPTION:

AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Resolution 11-2013 stands adopted with 6 Yes votes.

**COMMENTS BY CITIZENS:**

**PRESIDENT MARINCIC:** Believe it or not, that concludes Ordinances and Resolutions. Now we will move on to Miscellaneous Comments by Citizens and once again I'll have our Clerk read the rules.

**CLERK:** Comments shall be restricted to any problem a citizen has which has previously been submitted to their City Councilperson or to the city hall department directly involved. If submission of a problem to a department or a Councilperson has been made and there is a lack of service rendered in this regard, then the problem may be presented during comments from citizens at this meeting. It is the intention of this rule that no request of a first nature be presented on the floor at this time.

**PRESIDENT MARINCIC:** Thank you. Comments are limited to five minutes and no citizen may speak more than once. If you would like to comment, raise your hand.

Diane Crosby, 4884 Edgepark Drive. I just came up here because I'm President of the Garfield Heights Historical Society and I would like to officially thank the city of Garfield Heights for all the help, cooperation and maintenance they have given and still give to the Garfield Heights Historical Society. They have given us a lot of support.

The Historical Society was formed in 1967 by a group of dedicated residents and businessmen. The city purchased the teachers' house from the Lutheran School and remodeled it and allowed us to come in and use it as our museum so we are very grateful for that. And it's all volunteer group. We are open free to the public from 1:00 to 4:00 every Saturday and we are also open during any holidays. For example, on Memorial Day we are open 4<sup>th</sup> of July, when ever we need to be open.

I would like to also announce our Annual Plant Sale which is coming up on May 11<sup>th</sup> and we invite everyone to come. We have perennials, annuals, potted plants, hanging baskets. We also have a nearly new sale if they want things that other people don't want anymore and raffles. Flyers are available at the Civic Center and Recreation Center, the library and our own members. We also welcome the donation of any plants that you have in your back yard that you think you have too many of. So you can dig them up and drop them off at the back of the Historical Society.

One last thing, we would like everybody to join the Historical Society that lives in our community. It only costs \$10.00 to join our society for a whole year. So show your support to a local organization. If you want to become an active member it's still only \$10.00. So if you want to support us or become an active member please contact us. Thank you.

**PRESIDENT MARINCIC:** Thank you. I would just like to say if you haven't been there you should go. You can spend the whole day and it's one interesting room after the next. Anyone else want to speak tonight?

Gerald Stephens, Sr., 13617 Alvin Avenue. Before I say anything I'd like to acknowledge my neighbors. We have a concern on our street and more people were going to come, but we're representing all those people. We have a safety issue on Alvin Avenue. There's a house that's been vacant for 15 years plus there's no back end to the house. It's all rotted out and gone. I live across the street from this house. These people all live around this house. Kids go in there. Somebody's going to get hurt. This past Sunday I chased some kids out. Four kids were in there. Ms. Collins over there, she's constantly chasing kids out of the house. I am a retired contractor. I screwed up that door so many times so you can't get in and the kids just kick the door in and they go inside. You can stand in the living room and look straight up. No one can fix this house. The issue that we came to address to you, our concern, is we want that house torn down and we want to do something. We want to take a negative and turn it into a positive. We want to take that land and make a community garden out of it. All we want you to do is tear that house down. We'll take care of the rest of it. I can sit in my living room and look straight across to the house that has the gutters coming down, the hedges are 12 feet tall. It's an eyesore. I been in Garfield Heights for 50 years, probably longer than some of you have been alive. I been here for 50 years. I knew the people has lived there. They're gone and the house is vacant. Windows busted out. No matter what we do to our property you ride down the street and then you wind up at this place and it looks like crap. Mr. Mayor, I invite you to ride down the street and see this house and see if you'd like this to be your neighbor? This house. It's horrible. Fifteen years vacant. I don't know how long it has to be vacant before we get some reaction. I've spoken to Clmn Dudley and he has worked with me and tried to do something with this house. Until now we come here all of us to let you know how important this is. Kids are going in

there, somebody's going to get hurt and then we'll say they should not have got hurt. I'm trying to tell you when you stand in the living room the floor is rotted out because the hole in the roof the water is coming down and it's rotted the floor. So if you stand on that it's no foundation. It's I don't know how long that hole has been in the roof.

**MAYOR VIC COLLOVA:** Gerald, do you know the address of that house?

**MR. STEPHENS:** Yes, I do.

**MAYOR VIC COLLOVA:** What is it?

**MR. STEPHENS:** 13616 Alvin.

**MAYOR VIC COLLOVA:** Let me ask this. Is that on the Land Bank sheet?

**BUILDING COMMISSIONER BILL WERVEY:** Mayor, I'd have to check. I don't know this evening. I know Noreen and I had applied for a second wave of money but I think those houses are closer. They're like in the 138s, the areas closer to Cleveland. So if any of these citizens would like to give me a call in the morning I can tell them where it stands. Right now I don't know.

**MAYOR VIC COLLOVA:** Gerald, let me say this. Believe me, everything you say is 100% true. We understand it and we don't want that house there either. The problem is, the reality is that we have to get money to take these houses down because we could take down probably 100 houses in Garfield Heights that are just as bad. We have one in Ward 4 that's probably been vacant 25 years. It's an eyesore. We're working very hard at getting that down, but it is unbelievable what you have to go through. Cleveland's gone through it, Cleveland Heights, Warrensville Heights and I know that does not help your cause but please believe me that we'd like that house to go tomorrow with you. There's no reason for that house to be there and I agree with you, it's a shame that we have to wait for some young kid or somebody to get hurt before we take action. Reality is if it takes us anywhere from about \$8,000.00 to \$10,000.00 to level a house and we have 100 homes that we could do that to, that's close to a million dollars. We don't have it, but we do work through the Land Bank and if there's a way we can get that on the list, if there's anyway at all, let's try to do that. It's not going to happen overnight, but trust me your concerns are being heard.

**MR. STEPHENS:** OK.

**BUILDING COMMISSIONER BILL WERVEY:** If I might, Mayor, Mr. Stephens, you and I know each other. We've dealt with each other in the past and although I'm aware of many houses on Alvin and that general neighborhood, I don't believe you've ever spoken to me about this house, have you?

**MR. STEPHENS:** No.

**BUILDING COMMISSIONER BILL WERVEY:** You need to talk to me or any of your neighbors here if you want to give me a call tomorrow I can tell you where that is because right now I don't know if it's in tax foreclosure, I don't know if it's on a list to go to the Land Bank. I truly just don't know the answer, but call foreclosures. It may already be in the pipeline.

**MR. STEPHENS:** I spoke to the previous owner three months ago to find out if they still owned the property. They had no idea. They don't own the property. An issue has come that they still own it, but they don't own it. They moved to Kentucky.

**BUILDING COMMISSIONER BILL WERVEY:** The fact that they've moved does not mean they don't still own it. That's why you need to talk to me and I can let you know,

**MAYOR VIC COLLOVA:** Let me ask you this question, Gerald, if I may? You're talking about that house the door's not boarded up. What we'll do tomorrow is because if the Land Bank thing is not going to happen overnight what we'll do tomorrow is we'll send the Service Department out to take a look and see if there's anything they can do to shore things up. The other thing is you mentioned something about bushes? Was that the same house you're talking about?

**MR. STEPHENS:** Yes.

**MAYOR VIC COLLOVA:** We can get the Court Community Service out there to take care of that. What we can do is put a band-aid on it until we see if we can get this thing down. OK?

**MR. STEPHENS:** Do you accept my invitation to ride by there? You'll see these people take care of the property. And then you get to this eyesore.

**MAYOR VIC COLLOVA:** Trust me I do ride by and the hardest thing for the people in Garfield Heights, one of the hardest things for them to sell their houses if they want to leave is that when the person comes to buy their house, they pull in their driveway, they have a beautiful house but next door they got the gutters hanging down and everything else. The people just pull back out. They don't want to live next door to that, and believe me.

**MR. STEPHENS:** Across the street the gutters are hanging down, the windows are broken, there's no front door and the shingles are coming off. It's horrible.

**MAYOR VIC COLLOVA:** That's what's so hard. That's what's keeping our property values down and that's so hard to sell the houses because people don't want to do that. Believe me, I understand. If there was a way to correct it we'd do it tomorrow, but it's going to take time.

**MR. STEPHENS:** Thank you for your time.

**PRESIDENT MARINCIC:** Thank you very much.

**CLMN DUDLEY:** Mme Chairman, I wanted to mention too because like you say we actually go into a house I think it was two years ago I mean you really got deep into it and what happened with that house, Bill, because Bill was not the one what's given the information from the Building Department on that house to me. But it's like one of these McKennedy things we had going on on Lawrence. If you are not familiar with the McKennedy house it was on the corner of Lawrence and Dressler. That's the same issue. Like we said we had talked about that thing. I think you had interest in the house one time, whatever the case may be she living out of town and that house is still left into her name. That's what I got from the department. I guess the bank takes the home from you but they smart enough to leave it in your name so they don't have to worry about the taxes being placed to them and I said the house is really a bad house, etc. but that's what happened and that's the problem I ran into and didn't nobody know but that was hurting on the home, but Gerald did come back to me several times and you wasn't at liberty to

get the information and I was checking on it through the Building Department, but it didn't make the list.

**MAYOR VIC COLLOVA:** We'll take a ride down there.

**MR. STEPHENS:** Stop by. We want to meet you. We want to know the Chief of Police. We help the police a lots of times. They know us. They stop by and they wave. We want to know you.

**MAYOR VIC COLLOVA:** Let me suggest this. I think it's great. It's very hard when you have a city with 11,000 houses and 28,000 people to meet everybody. What I would suggest though is we have Block Watches. Ward 1 has Block Watches. The chief goes to the Block Watches, I go to most of the Block Watches almost every month. That would be a great time and at those Block Watches is where the residents tell us what the problems are and the concerns are. I'm not trying to bypass it. I will go there tomorrow. But it's hard to go to each house out there. Come to the Block Watches. We're there. We'll try to answer any questions you have.

**MR. STEPHENS:** The offer is I'd like to meet you on Alvin Avenue so you can see where we live and how we live.

**CLMN DUDLEY:** Mme. Chairman, Chief is going to be speaking at the Ward 1 Block Watch tomorrow at 7 p.m. right up here I think it's room 118 the last room on the left up there on the first floor. He's going to be covering some issues dealing with our Ward tomorrow so he will be there.

**PRESIDENT MARINCIC:** Your time is up.

**MR. STEPHENS:** Thank you.

**PRESIDENT MARINCIC:** Thank you very much. And just so you know the Building Department's phone number is 475-3835. Please call Mr. Wervy in the morning. Thank you. Anyone else? I thought you forgot about us tonight. You didn't raise your hand right away.

Bob Halan, 12416 Oak Park Blvd. Basically I didn't until this gentleman talked about the house. Just to give you some insight you can check your city directory to see who on the last directory to see who owns that house. Secondly, you can call your County Cuyahoga tax and see if the taxes were paid. Ten to one it is owned by and the responsibility probably will fall on a bank. They just swept that house over there on Carpenter. This way if they don't acknowledge it they don't have to pay taxes on it. That's why through the city directory and the tax bureau and the County. I hope that can help because a lot of people overlook that part themselves investigation. Thank you.

**PRESIDENT MARINCIC:** Anyone else wishing to comment?

Eloise Collins, 13612 Alvin Avenue. Good afternoon. The house that Mr. Stephens was just talking about—I live right next door to it on the one side. On the other side at 13608 Alvin Avenue that house is a safety hazard. The other house is a garbage dump as far as I'm concerned. There's garbage there on the average and I had a picture, I forgot, I didn't bring it. It's just always there. Most of the time it's there right by my driveway and the garbage cans sit there with no lid on it and then the animals come up from the woods because we live back of those woods. They come up and knock the garbage cans down and it's just laying there and it's attracting animals, rats and I'm just frustrated because I live right in between these two places

and I try to keep my property up and all this stuff is going on around me. Just like everybody says if I wanted to sell my house (which I would like to do) nobody would want to live next door to all of that. So I'm just hoping that I called the Building Department and I haven't talked to him probably, but I've talked to people there. As a matter of fact I called one day last week and we would just like to get our neighborhood cleaned up.

**PRESIDENT MARINCIC:** Sure you would.

**MAYOR VIC COLLOVA:** Eloise, the address again? The house is at 13608?

**MS. COLLINS:** Yes.

**MAYOR VIC COLLOVA:** Now trash we should be able to do something about.

**CLMN DUDLEY:** Excuse me, Mayor, Mme Chairman. Mentioned, Ms. Collins, that that's not a vacant house. You're talking about trash. People live there.

**MAYOR VIC COLLOVA:** Still they have to follow the rules and we'll send somebody over there and we'll cite them if they're having garbage out.

**MS. COLLINS:** OK. Thank you.

**PRESIDENT MARINCIC:** Thank you very much.

**MISCELLANEOUS BUSINESS:**

**PRESIDENT MARINCIC:** Anyone else? There being none, I'm looking for a motion.

**CLMN VAUGHN:** Mme Chairman, I would like to move that we go into the Executive Session to discuss the Frank Wagner case versus the City of Garfield Heights.

**PRESIDENT MARINCIC:** Before I take the roll call on this I'd like to let those in the audience know what's going to happen if this motion passes is the Council will leave their seats and we're going to go into Council Caucus and close the doors. I'm not sure how long it will take. Do you have an idea, Mr. Riley?

**LAW DIRECTOR TIM RILEY:** It shouldn't be very long.

**PRESIDENT MARINCIC:** OK. So we'll be back, but we're going to take a short break. Roll call on the motion to go into Executive Session. All in favor say Yea. All opposed.

**CLMN VAUGHN:** Shouldn't you take a verbal roll call?

**PRESIDENT MARINCIC:** You want a verbal roll call?

**CLMN VAUGHN:** Please take a verbal one to cover us.

**PRESIDENT MARINCIC:** OK. I will let our Clerk take it beginning with Clmn Vaughn.

AYES: Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster

ABSENT: Mahoney

**PRESIDENT MARINCIC:** The motion passes.

*(Council entered into Executive Session at 8:00 p.m. Clmn Nenadovich moved to adjourn the session, his motion passed and the session was adjourned at 8:17 p.m.)*

**PRESIDENT MARINCIC:** The only thing left is Miscellaneous Business. Clmn Suster wants me to start with him first so we'll do that.

**CLMN SUSTER:** I have nothing this evening.

**PRESIDENT MARINCIC:** Clmn Dudley.

**CLMN DUDLEY:** Are you kidding? I just want to mention something for the people in Ward 1 and the voters. We are losing the St. Timothy voting location because of an issue wherefrom individuals walking through the building and you know you have Senior residents who reside there. We're currently concerned because I have not been able to find a location right now and it's probably going to be joined with the voter location down at the Family Life Center until we find one because I don't really want to put it into a Cleveland school because if we have an election that's not going on in Cleveland it will create an issue for us to be able to utilize that building in a vote. So I will be getting a newsletter out telling you about it but as it stands right now most likely the location is going to be moved down there.

I want to thank Marilyn for many years of service. She was a sweetheart and she's going to be missed. Definitely she's going to be missed. I'm making this quick.

Officer James (I don't know his last name) of the Police Department he's a great officer. Man, I tell you he's all about business but he get along with everybody so great, especially the young people up in the Ward 1 community. I hate to lose him to the school, Chief, because we going to miss him up there. I mean the younger fellows loved him up there. So he's going to be missed.

And also this get out too late but we do have a Ward 1 Meeting with Chief be our speaker tomorrow and to kind of update us in the community.

Once again I say on loitering, try to keep your visitors and your family members and let them know not to loiter in front of the businesses, etc. and hurt the businesses as far as people coming in and patronizing, out on the corners and it's not a good idea for the safety purposes that they don't want to be out there. That basically covers everything, Mme Chairman.

**PRESIDENT MARINCIC:** Thank you. I'll move on to me. I would just like to say may God keep all of our new auxiliary and all of our safety forces safe and Tracy come back. I wish you a speedy recovery and we have a fund raiser coming up for you this week and you'll be on everybody's minds and in our hearts. Clmn Vaughn?

**CLMN VAUGHN:** Thank you. Clmn Suster, can I take your time? First of all I want to remind everybody that on Thursday night we'll have our Block Watch at St. Monica Parish in the school building. We begin at 7 o'clock and we have some guy by the name of Vic Collova coming to speak. Somebody new. I don't know who he is.

I'd like to congratulate the six new officers for the auxiliary. It's great to see we're bringing some new guys on and it will be a great asset to the city.

I'd like to wish Officer Seawright the best of luck in his new job. This is something that's really been needed. I know Clmn Mahoney and others have fought for this for years and it's really going to be an asset to our community and to our schools.

When they were talking earlier about sweeping up the curbs from Tim McLaughlin, you know we can all help. We can all go out and do that and make our curb clean and bright and look as nice as Mary Ryan's over there.

I'm sorry to see that late yesterday I missed the farewell for Sarah Kapitan. Sarah I have known for about 30 years. The first time I met her was when we bought our house on Carpenter and she said to me, "Hey buddy how come you don't have any kids?" That's the type of attitude Sarah has always had with us. She was a babysitter for us, we'd seen her skate over the years, I bought many raffle tickets to support her program and we're going to miss Sarah at the Rec Center in Garfield Heights and I wish her and her family well.

Also I'd like to extend my sympathy to Marilyn's family. I know this was an unexpected death. Keep you and your family in our prayers and that's all I have.

**PRESIDENT MARINCIC:** Thank you.

**CLMN VAUGHN:** I have three minutes left.

**PRESIDENT MARINCIC:** Clmn Glenn.

**CLMN GLENN:** Thank you, Mme. We're going to have our Block Watch 4 May 7<sup>th</sup>. We're privileged to have a member of the Honor Guard. That in case you don't know is the Tomb of the Unknown Soldier. We happen to have the first Black African that served on that duty. It's regimented, probably one of the hardest duties a military man for a non-combatative service can apply for. Very restrictive. We'll also have Mayor Collova, Police Chief Sackett.

I want to send our condolences to Marilyn Spirakus. My wife knew the family for years going back to the days of Tops and Finast. Marilyn always came in there to get her bread. I also want to say, Tracy Mahoney, me and the wife will be attending there and we wish her the best of luck and our prayers are with her. Thank you, Mme.

**PRESIDENT MARINCIC:** Thank you.

**CLMN DUDLEY:** One quick one, Mme Chairman. You want to say the first? Was the person African or African American?

**CLMN GLENN:** *(Inaudible)*.

**CLMN DUDLEY:** All right so he meant first African American. I want to make sure he didn't come from Africa and join? OK? But I do want about 30 seconds by the Chairman if I could mention this? I forgot.

**PRESIDENT MARINCIC:** I think it was just a slip of the tongue, Clmn.

**CLMN DUDLEY:** I know. I love him like a brother. That's my buddy. I love him, man. And I do want to mention this right quick I want everybody to remember River Sweep and that's going to be on Saturday May 11<sup>th</sup> and this is going to be posted in the stores and I hope everybody

comes out. It will be in the stores, the barbershop and everything on 131<sup>st</sup>. You should come out and participate. I'm going to be there along with my sons on this date so the more the merrier. Let's do a good clean up out there. Thank you, Mme Chairman.

**PRESIDENT MARINCIC:** All right. Mr. Nenadovich, I've never taken you last and tonight I did it on purpose so you could end this meeting. Make it good.

**CLMN NENADOVICH:** You noticed that, right? I'd like to welcome the six new officers. I'd like you to also keep in your prayers the bomb victims; as always our Veterans. We got to get those boys home. I don't know what to do. Just keep them in your prayers. We need them back home. We don't need them to die anywhere else in this world. We need them to defend our country.

I didn't make a comment when Mr. Dobies was talking about the ice show. I did go to the ice show. I enjoyed it for the past two years. But the reason I didn't mention is he did put on a good show. Fantastic performance by all the skaters. Great, great show. But I looked around and when I came in as everybody knows I looked at the girl selling the tickets for the concessions and things and there was no Marilyn there. Her presence will always be at the ice center, but it made me get in touch with how short we're here. A week ago she was here, so keep her in your prayers.

Then with that I'd like to make a motion to adjourn.

**PRESIDENT MARINCIC:** Thank you. All in favor say Yea. All opposed. The meeting stands adjourned.

AYES: Nenadovich, Glenn, Suster, Vaughn, Dudley, Marincic

ABSENT: Mahoney

**MEETING ADJOURNED AT 8:28 p.m.**

**APPROVED:**

**RESPECTFULLY SUBMITTED:**

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Nancy Marincic  
President of Council

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Barbara Molin  
Clerk of Council