

MINUTES OF A REGULAR MEETING OF COUNCIL CITY OF GARFIELD HEIGHTS, OHIO

Monday, January 23, 2012

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

INVOCATION BY: Councilman Eugene Glenn

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

READING AND DISPOSAL OF MINUTES:

PRESIDENT MARINCIC: Reading and disposal of the Minutes from the Monday January 9th Regular Meeting of City Council.

CLMN SUSTER: Mme. Chairman, I'd like to make a motion that we accept the Minutes of Monday, January 9, 2012 as submitted.

PRESIDENT MARINCIC: All in favor say Yea. All against say Nay.
AYES: Suster, Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Glenn

PRESIDENT MARINCIC: The Yeas have it.

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. Mayor Collova, do you have a report this evening?

MAYOR VIC COLLOVA: Thank you, Mme. Chairman, yes I do. Before I get into my report I wanted to talk a little bit about the Holiday Lighting Contest. We had three judges and it was Sue and Wayne Williams and Debbie Sarnowski. We had the Council people turn in from each one of their Wards contestants to be involved in this contest. The judges went around and picked out the city winner from all the winners of each Ward. Seven Wards represented. They went around and checked the lights from all the Wards and they selected the overall winner. At this time, with the permission of the Mme. Chairman, I'd like to get into giving out some of the plaques. Can I have the judges come up, please?

OK. I'm going to call you up. Please come up front. From Ward 1 the Ward 1 winner was Harold and Recenia Graham. Great job. Stay up here. The Ward 2 winner, Tom and Diane Martin. Tom and Joshua Martin. The Ward 3 winners, Tom and Regina Estergall. The Ward 4 winner. They said they will not be present tonight, was Ted Jarosz and Mary Lou Schwertner. Ward 5 winner Joe and Jackie Prokay. The Ward 6 winner Jared and Vickie Glenna. Let me tell everybody. The judges went out and not only did they check all the houses. They took pictures of each and

every house so we had a copy of all the lightings from all the houses. There was one house, one of the Ward winners, that the lights were not on when they were judging but all the lights came in and I have to tell you everything looked great. It was hard to pick a winner because there were so many good ones. But the judges decided on the Citywide winner the Ward 7 winners were Jack and Gayle Wimsett. Congratulations. With the Chairman's permission we're going to ask the Neighborhood News to come up and take a picture?

PRESIDENT MARINCIC: Of course.

MAYOR VIC COLLOVA: Thank you very much. Council, can we all stand up and get involved in this? We were all a part of this.

(Photos were taken at this time.)

MAYOR VIC COLLOVA: That contest was really good to see the involvement by all the residents. It was really great. There was quite a few houses out there with excellent decorations and we appreciate your involvement in making the city look good at the holidays. Thank you very much.

OK. To continue on with my report. A couple of things. J&J Refuse has changed their name to Kimble. They really didn't change their name but you'll notice on the J&J Refuse trucks it will now say Kimble. Actually Kimble was the parent company when we brought on J&J Refuse. They were a new company under the direction of Kimble and now Kimble has taken J&J Refuse over with another company and have their names on the trucks but nothing will change. Everything remains the same except for the name on the trucks.

The next thing I want to talk about is there is a Job Career Center help for the unemployed at St. Monica's January 24th at St. Monica's School in the Monica Room, lower level of the school from 6 p.m. to 9 p.m. speaker Mr. Ray Piddock, Senior Career Counselor. He will touch on many subjects including the search process, frequently asked questions, defining career goals, resume developing, review starting, and activating a job search, the interview process, job search strategies, communication skills, networking, marketing, search films, and employment agencies. The center will provide an environment conducive to motivate and guide unemployed parishioners in the system and its process. To sign up there's a number to call, St. Monica's, which is 662-8685. I believe that this is going to be every second and fourth Tuesday. I hope I have that right but they're going to be there twice a month and there's already been people that have received jobs because of using the direction of this. So anybody that's unemployed we suggest that you go here and once again that number is 662-8685 and this is for all residents of Garfield Heights. Take advantage of that if you can, please.

I want to talk a little bit about a subject that's been sort of harping at us for the last few months and that's people the rubbish containers. We're getting constant calls about people that are putting the rubbish out too soon. They're putting it out on Sunday for Monday pickup or they're putting it out on Saturday for a Monday pickup. Or after the rubbish is picked up they're not picking up the cans. They're not picking up the cans for a couple of days. I'm trying to be patient with this but we're receiving numerous calls. I'm going to make one more plea with you. Please, bring in your rubbish cans. Put them out on time or else we're going to have to ticket you. It's going to cost you. Whether it's \$100.00 or \$150.00 I don't know what the price is but just because you brought your rubbish out in the morning instead of in the evening it's going to cost you \$150.00. It's not worth it. We need to keep up the appearance of Garfield Heights. When you have the rubbish out there for days and days it looks horrible. We don't want that and the

residents don't want that. The majority. So please a last plea—follow the rules or we're going to have to be forced to ticket you.

Another thing I want to talk about very briefly is the school board has been very popular lately in the media and the Garfield Heights Schools is under some attack now because of the finances. It's amazing how things that go on in Garfield make national news when they're not pleasant but the good things that go on you'll never read about these plaques we just gave out but you'll read about the problems that we're having with the schools. They are having a meeting again tonight to discuss more of the cuts and of course I am not at the meeting—I'm here. I'm sure there will be a lot of people mad because I'm not there but again I want to say this. I get along great with the school board and I'm involved with a lot of their things the schools do but the school and city are two separate entities. They don't call me and ask me that they're going to make cuts. They don't call me to tell me they're going to reduce the hours or put a levy on. They do that because they are a separate entity. In the city of Cleveland Mayor Jackson is the head of the schools but most of the communities like Garfield Heights we're not. We don't get involved in their stuff and if they ask me I would certainly be glad to talk to them about what my thoughts are and we have done that. I get along great with Supt. Reid but when they're making these cuts and doing these things and I'm not trying to shuck responsibility I'm just saying folks, I can't stop it if I wanted to. People are calling up saying Mayor, you got to stop this. You are the worse Mayor ever lived because you're letting this school fall apart. I have nothing to do with it. So I just want that known because I know tonight after this meeting like it was after last meeting they're going to complain that I wasn't there and I don't care about the schools. So I wanted to bring that up.

And talking about that, I forgot to introduce tonight on our panel we're going back to the students and we got Tametria McGee and she's joining us today. She's going to give a report on the schools and every time I see this young lady, she hasn't yet today, but every time I see her she tells me she is going to be Mayor some day. So take a good look at her. She'll be sitting here soon.

Let's get into some good things. We have some pretty big ticket items starting in Garfield Heights that's going to make a big difference and it's sorely needed. Rockside Road from the Maple Heights line to Turney Road starting in August will be repaved and it is long overdue and it's going to be great. Along with that we received news very recently that McCracken Road East of Broadway that war zone I should say, it's really bad, we're anticipating the scheduled start of that construction is this July. It was originally set for 2013 and we were fortunate to get it done this year so we're looking at that to be done in July. And another great thing that we just got news on and you may have heard because there was a release in the paper is that in 2014 Turney Road will be redone from Sladden to Hathaway and that is long overdue and I want to tell you that is through a lot of effort of people at the County. 80% of the funding is being picked up by the Federal and 20% is being picked up by the County. This is at no cost to the cities. We thank Ed Fitzgerald and his new crew for doing a great job and it's long overdue and I know people are going to say 2014 we can't wait that long. Well, unfortunately when somebody else is paying they dictate to you when it's going to be done but we were one of the biggest ticket items that they had out there so we're really pleased with that.

The last thing I want to discuss today is I want to read you something that is interesting. We reported a couple months back that we were having a home fair to bring in buyers to have the real estate companies and financial people bring in buyers to talk about buying property in Garfield Heights. We wanted to know what was the best way to sell homes in Garfield Heights and start filling up some of these vacant homes. We partnered up with the Garfield School Board. We had a home fair that took place in the Garfield Heights High School gymnasium and

we had many vendors there including the city and they all had little incentives for people to buy in Garfield and we had a few different incentives but the big one was we stopped the escrow fees. For one year we put a moratorium on escrow fees which saves thousand of dollars to the people buying homes. This was something that the realtors and the banks talked to me about. This was one of the hardest things for the people to overcome when they were buying houses. I want to give you a small report. It says,

“According to the Northeast Ohio Regional Multiple Listing Service, for the first 10 months of the year we averaged about 21.3 sales per month in the city. The past two months since the ordinance waiving the escrow has been intact we’ve averaged about 28 to 29 sales per month during the two slowest months of the year. We’re up 46% in sales units over November and December of 2010. Those numbers can and will probably improve with this week’s closings. In my professional opinion we’re seeing that as good news assuming that many of the purchases were homes in dire need of renovation purchased by investors who had the intention of remodeling and returning these homes to the market leading us to higher sales price average throughout 2012.”

Folks we’re selling houses again in Garfield Heights and that is big and everybody will realize the benefit very shortly. So I wanted to say that.

I’m going to get into the legislation. Tonight’s legislation. Resolution 2-2012 authorizing the Mayor to apply for market development grant funds for the city of Garfield Heights made available by the Ohio Department of Natural Resources. We’re going to sponsor Baumann Enterprises, a local business, in a grant application to secure funds for a recycling program. This grant is about \$250,000.00. Baumann’s end of it would be \$350,000.00, which is another \$500,000.00 in investments into Garfield Heights. I want to backtrack a second if I may. I wanted to also say that not counting the two shopping centers (Bridgeview and City View) not counting them just talking about the roads and the new businesses that are coming into Garfield Heights there is over \$80 million being invested in Garfield Heights within the next couple of years. That’s a lot of money. People are not investing into this city not because they think it’s going under. They’re investing in it because they know it’s on the rise. So that’s a good thing. This is also going to help us and I urge Council to support that. Resolution 3. This a recycling awareness grant and we’re putting in for a grant and if we get this grant we will use it. Noreen’s going to get into it a little bit more. We’ll use it for brochures, literature to make the people aware of recycling the advantages to recycling. Resolution 4-2012. A resolution by the Mayor and Council on behalf of the residents of the city of Garfield Heights honoring Diane Lapars for her outstanding service to the city of Garfield Heights. Among many other accomplishments Diane recently won the Community Service Award for her exceptional community volunteer service and support. The city of Garfield Heights thanks you very much. You’ve done a great job. You’re involved with CERT. You come up and take my blood pressure now and then. You know that gets high at times. I can’t thank you enough Diane and this is well deserving and I’m sure we have no problem with Council passing this one. With that said, Mme. Chairman, you have my report.

PRESIDENT MARINCIC: Thank you, Mayor. Any questions for the Mayor on his report? I only have one comment, Mayor. Be glad I don’t know how to do cartwheels because when I heard about Turney Road I’d have been doing them.

MAYOR VIC COLLOVA: We’d have been doing them together.

PRESIDENT MARINCIC: We now move on to the City Law Director Tim Riley. Do you have a report?

CLMN DUDLEY: Mme. Chairman. I have one question for the Mayor. Either the Mayor knows or Clmn Tom Vaughn might know. This job program they got going on at St. Monica's. Are they also going to be posting job listings for the applicants to look at as well as help them prepare for openings?

CLMN VAUGHN: I'm really not sure. I think it's more on how to get your resume in order and what sites, etc. and how to prepare yourself. They've been doing this I'd say for the past six months. They started out on a real slow basis. Did they post jobs when you went, Barry?

(A resident replied from the audience. Inaudible.)

PRESIDENT MARINCIC: You know we really can't have someone from the audience talking like that. I'm sorry, Clmn.

CLMN VAUGHN: I'm sorry. I think it's more to prepare you. Again as the Mayor said it's open to residents of Garfield Heights, Maple Heights and surrounding communities.

CLMN DUDLEY: I appreciate it. That's good.

PRESIDENT MARINCIC: Any other questions for the Mayor on his report? We will move on to Law Director Tim Riley. Do you have a report tonight?

LAW DIRECTOR TIM RILEY: Thank you, Mme. President, I have no report tonight.

PRESIDENT MARINCIC: Any questions for the Law Director? There being none we'll move on to Police Chief Robert Sackett. Do you have a report tonight, Chief?

POLICE CHIEF SACKETT: Yes, thank you. Last week the County OVI Task Force of which we are a member had their Annual Meeting and Awards Ceremony. Garfield Heights was recognized for two things. We won the award for having the largest drop in crashes over 2011. For that we were given a dash cam to put in one of our police cars and I would anticipate we'll put it in one of the new cars. Also Sgt. Dave Bailey was recognized for having the second most OVI arrests in the county. He had 93 OVI arrests in one year—last year. Most of us would think that's outstanding. I know Sgt. Bailey's used to finishing first so he's probably a bit disappointed, but my hat goes off to him nonetheless. No one else is close to Sgt. Bailey. Accidents don't reduce by accident. The reason they reduce there's a lot of factors involved but a big part of it is the guys are out there conducting traffic enforcement. I think you've seen then out there the past year and that's the purpose. To reduce people getting hurt so my hat goes off to the guys that are out there doing the enforcement.

Also last year Council passed a nuisance ordinance. I know we worked on that for quite a long time. Our first check actually came in last week. That is not surprising. It was never meant to generate a lot of revenue or even bring in a lot of checks, but it's a step in the right direction. I think the more encouraging thing in that is of the dozen or so letters I sent out (there has to be a series of letters, first, second and third warning before they get charged) only two people got to the point where they had to pay us for our police services so the deterrent effect that we were hoping for I believe is having some effect.

The last thing I want to mention is the last year or so one of the more frustrating things that we dealt with in the Police Department is this: synthetic marijuana or spice and bath salts. I know it's been in the news a lot. I know one of the TV channels recently did a report on it. Some of our detectives had something to say about it then. Our detective bureau worked. They took a different approach to it. They worked collaboratively with the prosecutor's office and I'm happy to say that just today they executed two search warrants at the two places in Garfield Heights that were selling these things and I believe that this will help the problem. It will curtail the sales in Garfield Heights. It's the only two places we know that are selling in Garfield Heights and we've been fortunate no one in our city has died from this but a lot of kids have been hospitalized so we're hoping that puts a dent in that. With that you have my report.

PRESIDENT MARINCIC: Thank you, Chief. Any questions for the Police Chief on his report? I have one. Could you explain to people what they're doing with these bath salts?

POLICE CHIEF SACKETT: Yes. Bath salts. It's a synthetic substance, a chemical, that resembles cocaine in the sense it's a white power of sorts and until recently and even now in some forms in some chemical makeups it's not illegal. It does not have cocaine in it although it has some of the same effects. It can be snorted and it will get you high and the worse part about it is not only does it get you high, it's unregulated so it can get you sick. Seriously people have been hospitalized so it's not just when you get a little bit sick. You have to go to the hospital. The synthetic marijuana resembles marijuana. It's basically smoked, just like marijuana.

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

SERVICE DIRECTOR TIM McLAUGHLIN: Yes, I do. Thank you, Mme. President. In the last couple weeks it's been snow and chuckholes now. That's what we've been basically working on. On the days that it hasn't snowed and the streets have been clear we've been trying to patch some of the craters that have opened up. McCracken probably good for about two days that we have to patch that. I had two crews on there. I'm thankful that it's going to be repaved because it's a big expense to the city. It's a safety hazard with all the holes but I mean how much patch can we use on old patch the temporary patches? It's amazing. I mean last year I think just to start the year off we probably used 50 ton just on that section of the street in Garfield Heights and at \$80.00 and \$90.00 a ton that's some money, but we've been working on that.

The Christmas decorations we got them down and cleaned up and put away and as the Mayor mentioned about the J&J they've always been a Kimble company but under J&J you'll see a Kimble Company. I been looking at the trucks. They have not changed them yet, but they will be doing so shortly. The letter they sent on the 10th says they will be doing it shortly. That's the end of my report.

PRESIDENT MARINCIC: Any questions for the Service Director?

CLMN VAUGHN: Tim, I thought you guys did a great job in this last snowstorm getting out there. As it came in Friday night I was coming home and the trucks were already out and Saturday morning when I was out again they were done. It looked great I thought. I didn't receive a lot of calls and I was appreciative of that. I really think you guys are doing your best. I just want to say thank you.

SERVICE DIRECTOR TIM McLAUGHLIN: I'll pass that on to the guys.

CLMN VAUGHN: Please do.

PARKS AND RECREATION DIRECTOR BOB DOBIES: Absent

PRESIDENT MARINCIC: I think we all echo that. Anyone else got comments for the Service Director? Our Recreation Director's absent tonight so we will move on to City Engineer David Krock. Do you have a report this evening?

CITY ENGINEER DAVID KROCK: Yes, I do, Mme. President. Just a couple things. I thought I'd give a little more detail on the McCracken Road project. Just a few facts there about it. There were 52 applications that were submitted to the County on that and we were ranked number 5 with that so we're real pleased with how that came out. A \$1.5 million grant to the city and it's going to be a brand new concrete road from Broadway to Lee in conjunction with the city of Cleveland. A few more details on the Turney Road. It will be a base repair, curb repair, resurfacing, new signs, striping and whatever necessary signal upgrades as well. And the city is looking into underground construction of sewer and storm to make sure all that gets done at the same time if possible. So that's my report.

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

CLMN SUSTER: With the city's portion of that if we were looking at sewers, etc. on that what would the city's part be part of that? What would it cost?

CITY ENGINEER DAVID KROCK: Cost wise? We think the waterline itself is \$2 million or \$3 million and storm and sanitary we need to look at it a bit more to see just how many upgrades are required, but it will be significant.

CLMN SUSTER: OK.

PRESIDENT MARINCIC: That all you have? Anyone else? There being none we'll move on to Finance Director Ron Tomola. Do you have a report this evening?

FINANCE DIRECTOR RON TOMOLA: Just a short one, Mme. Chairman. You may be aware that the city had a few computer problems in recent weeks. It pushed us back on closing 2011 books. I can say that we closed them finally this afternoon. The reports went out. If you haven't seen them yet they're in your e-mail. The good part of that is we were able to reduce our deficit even with all the problems we had last year of losing State aid and money that the State would send us we reduced our deficit by about \$180,000.00 and with that you have my report.

PRESIDENT MARINCIC: Thank you. Any questions for the Finance Director this evening? There being none, we will move on to Economic Development Director Noreen Kuban, do you have a report this evening?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Yes, I do, Mme. Chairman. Briefly, the Mayor mentioned Resolution 2-2012. This is a grant application so that we could make people aware of how we recycle; what can be done at home for recycling. Also on February 1st next Wednesday we will be having a CDBG Grant Application Public Hearing. It will be held here just down the hall. It will be at six o'clock in the evening. This is to generate ideas for our grant application for 2012.

Also I wanted to make note of some changes of a program called The Ohio Hardest Hit Fund. In 2010 the U.S. Treasury allocated \$570 million to the State of Ohio. As of January 1, 2012 they've made some significant changes. Homeowners who have received a discharge in Chapter 7 bankruptcies are now eligible for the program, homeowners who have missed a mortgage payment but are now able to make payments can still access up to \$25,000.00 to reinstate their mortgage, people who are underemployed are now eligible for the program, unemployed and underemployed residents may receive full mortgage payments for up to 15 months or \$20,000.00. Previously they could only receive partial payments. Homeowners are allowed to have there is an increase in the amount of liquid assets a homeowner has. The limit was raised from three months of liquid mortgage payments to six months of mortgage payments. So many homeowners who were not eligible to apply are now eligible. So if you know of anyone who is having trouble with their mortgage payments and could not apply in the past they can now apply.

My next comment is kind of a public service comment. I can't identify this company but a resident notified me that there are some flyers that have been going out to residents. They've been putting them in their side doors. It sounds like a government program for home improvement. It is not. If you read the fine print at the bottom what it does say is that this is not a government program. It's for home repairs but it also says you can get cash out, you can consolidate all your bills, you can get cash back and also asks if you own your home free and clear. There are other programs available at the County for home improvements. I urge people not to participate in this because they are dangerous loans to get involved with. I looked them up on the Better Business Bureau. They've had several complaints in the past year and a half and the BBB filed a complaint against them a year ago about false advertising and they did not comply with their request to stop this. I just urge people to be careful about it. If you need home assistance or home repairs please call me at 475-0824 and we'll get you into a safe loan. Thank you.

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

CLMN DUDLEY: On the Hardest Hit Program, Noreen, in order for them to access the program do they go through EHLP, the Neighborhood Housing Association or can they just call the people direct?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: No, you should go through a Neighborhood Housing group because you get the counseling and they'll help you work through the program. You have to get all your paperwork in order so I would still recommend going through EHLP or Neighborhood Housing.

PRESIDENT MARINCIC: That answer your question?

CLMN DUDLEY: Yes, Mme. Chairman.

BUILDING COMMISSIONER BILL WERVEY: Absent

PRESIDENT MARINCIC: Any other questions for our Economic Development Director? Our Building Commissioner is not there tonight. So now we'll move on to our School Board Representative Tametria McGee. Did I say that OK?

MS. TAMETRIA McGEE: Yes, you did.

PRESIDENT MARINCIC: OK. I'm sure you have a report for us.

MS. TAMETRIA McGEE: Thank you. I would like to thank the Mayor and all the Members of Council for giving me the opportunity to speak tonight. I promise to make my remarks brief. As you know Issue 10 is the operating levy.

PRESIDENT MARINCIC: Would you slow down just a little bit because I can't make out a thing that you say? I'm sorry to interrupt.

MS. TAMETRIA McGEE: It's OK. Would you like me to start over? Thank you. I would like to thank the Mayor and all the Members of Council for giving me the opportunity to speak tonight. I promise to make my remarks brief and slow. As you know Issue 10 is the operating levy that will be on the ballot on March 6, 2012. To help pass this levy an organized structure has been put into place that includes a series of committees. One of those committees is called the Voter Registration Committee. In order to help mobilize and engage people and specifically our parents and high school seniors this committee began work in December to help people to vote. We are proud to say that through our efforts over the last few weeks our committee has registered nearly 200 people to vote in this election who were not previously registered. We've registered people by making sure all eligible high school seniors are registered, attending many school events, asking people if they are registered, posting information on-line so that it is easier for people to register and tracking who is registered so we make it certain that they end up voting. I'd like to close by letting the Mayor and City Council and the community know that anyone interested in registering to vote can call any of the main offices or the central office or by visiting our campaign Website at www.citizensforgarfieldhts.com. Thank you.

PRESIDENT MARINCIC: Thank you. I know you want to be Mayor but you should consider radio speech. Any questions for our School Representative? There being none that concludes the reports of the Mayor and his Directors. Now we're going to move on to Comments By Citizens on the Evening's Agenda. I'm going to have our Clerk read the rules since she's a much better reader than I am.

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: All I have to add to that is no citizen can speak more than once and if you want to speak on any item on the agenda tonight just raise your hand. I will have you come up to the podium, give your name and address for the Clerk and spell your last name. Anyone wishing to speak please raise their hand now? There being none we'll move on to ordinances and resolutions.

ORDINANCES AND RESOLUTIONS:

PRESIDENT MARINCIC: We just have resolutions tonight. I'm going to have the Clerk read the title on Resolution 02-2012.

RESOLUTION NO. 02-2012

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR MARKET DEVELOPMENT GRANT FUNDS FOR THE CITY OF GARFIELD HEIGHTS MADE AVAILABLE BY THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR).

MOVED BY MARINCIC TO CONSIDER BY TITLE:

PRESIDENT MARINCIC: I'm going to consider by title on this because this one's in my Ward.

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

PRESIDENT MARINCIC: There's no Waiver of Rule 24 on this.

Motion to SUSPEND THREE READING RULE:

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

PRESIDENT MARINCIC: Roll call on the adoption starting with Marincic.

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Resolution 02-2012 stands adopted with 7 Yes votes.

RESOLUTION NO. 03-2012

AN EMERGENCY RESOLUTION DIRECTING THE ECONOMIC DEVELOPMENT DIRECTOR OF THE CITY OF GARFIELD HEIGHTS TO APPLY FOR THE 2012 COMMUNITY RECYCLING AWARENESS GRANT.

MOVED BY NENADOVICH TO CONSIDER BY TITLE:

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

PRESIDENT MARINCIC: The Yeas have it. There's no Waiver of Rule 24 on this piece.

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Resolution 03-2012 stands adopted with 7 Yes votes.

RESOLUTION NO. 04-2012

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

MOVED BY SUSTER TO READ THE RESOLUTION IN ITS ENTIRETY:

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

PRESIDENT MARINCIC: The Yeas have it. Before I ask the Clerk to read this I'm going to remind those in the audience to please try to keep the talking down to a minimum because we're picking it up on our microphone and our Clerk's going to have a tough time transcribing these Minutes.

CLWN MAHONEY: Mme. Chair, just for a point of correction I believe this piece was to be co-sponsored by all of Council.

PRESIDENT MARINCIC: Add all of Council on this one. Thank you, Clwn, for pointing that out. Would the Clerk read the resolution in its entirety.

(The Clerk read Resolution 04-2012 in its entirety.)

PRESIDENT MARINCIC: Thank you. We will move on to the suspension of the rules requiring three readings. All in favor say Yea.

Motion to SUSPEND THREE READING RULE:

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

PRESIDENT MARINCIC: Roll call on the adoption.

VOTE ON ADOPTION:

CLMN SUSTER: Before I vote, I would just like to say I've had the pleasure of working with Diane through the CERT Team. In fact that's where basically I really got to meet her was when we were part of the first group that went through CERT training over six years ago. I also had the pleasure of working with her husband and also her son when I had a job. There isn't anything that Diane wouldn't do for anybody. I've found her to be a very compassionate person. I know of some instances of things that have happened and she was there for a lot of people. I give her a lot of credit. She's the type of person that we need in Garfield Heights. We have a lot of people that come and try to tear the city down. Diane's the type of individual that always has good things to say about the city and is always willing to volunteer her time to get things done and Diane I want to thank you very much and on that I vote Yes.

CLWN MAHONEY: Before I vote, I would also like to echo my accolades to Diane. I first met her many years ago when she was working on PTA and I believe you were a PTA president at the time when I first met you. But she has continued to do great works and she is, as Joe said, a great person and a kind individual and someone who has a very strong moral compass and a very big heart and with that I vote Yes.

CLMN VAUGHN: Before I vote, I'd like to say thank you for all you do and I wish you a lot of luck and thank you. I vote Yes.

CLMN DUDLEY: I'd like to congratulate you to do all of this and still run a household is remarkable, OK? I'd like to thank you for contributing to our city and with that I vote Yes.

PRESIDENT MARINCIC: Thank you for all that you do for our community. I am amazed at people like you. Sometimes I can't find time to clean or anything at my house but you're doing it all and you must be an amazing person. Thank you, thank you, thank you and I happily vote Yes.

CLMN NENADOVICH: Diane, good people make a good city. We need more of you around. You're making this place livable and I vote Yes.

CLMN GLENN: Diane, I do not know you personally but I want to say we need volunteers more like you. You'd be a hard person to replace. With that I vote Yes.

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

PRESIDENT MARINCIC: I am happy to say that Resolution 04-2012 stands adopted with 7 Yes votes. You want to say something?

Diane Lapars, 4736 East 93rd Street. I can't do this alone. I have this wonderful CERT Team that I work with. People like Joe. I can't say enough. Just being here for so many years has given me a great opportunity to work with Tracy at PTA and all my family and friends are over here. Thank you all for coming to share this evening with me. It means an awful lot. Thank you.

COMMENTS BY CITIZENS:

PRESIDENT MARINCIC: OK. That concludes Ordinances and Resolutions **and** now we will move on to Miscellaneous Business and I'm going to have the Clerk read the rules regarding speaking at this one.

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. All I have to add is comments are limited to five minutes and I know there's a woman in the front row here. This is your time. Give your name and address for the Clerk and spell your last name. You have five minutes.

Susan Hynes, 4780 East 94th Street. I want to thank everyone for talking about the schools. I'm here just to reiterate what the young lady was talking about--voter registration. Many people in our city are not registered to vote. I'd just like to encourage everyone to support schools, support your community and make sure you register to vote. Exercise your freedom. If anyone knows of someone who's not registered or did not register tonight I have forms with me. I'll be happy to mail them in for you. You can get the forms at the library or any of the school buildings. Thank you for your time.

PRESIDENT MARINCIC: Anyone else wishing to speak tonight? Raise your hand. Way in the back. Joe.

Joe Lamalfa, 13205 Silver Road. I got just two questions to ask the Mayor. Mayor, I heard that Judge Weiler gave her probation officer a \$26,000.00 raise.

PRESIDENT MARINCIC: Mr. Lamalfa, **did** you discuss this with someone in the Administration beforehand?

MR. LAMALFA: Yeah. I don't think you should ask me that question because I called you and you never returned my call, but I did discuss it with Ron. \$26,000 raise.

PRESIDENT MARINCIC: Could you speak into the microphone, Mr. Lamalfa?

MR. LAMALFA: Ron told me you didn't have any choice but to do it and apparently he's right but I'm just wondering did you comment to her how immoral that is or how ridiculous it looks that there was shortage of money in the city, you know, and yet you gave her husband a job that he doesn't even work and getting paid and then she goes and does this to you? Did you comment to her at all or did you just let it go?

MAYOR VIC COLLOVA: May I respond, Mme. Chair?

PRESIDENT MARINCIC: Yes, Mayor.

MAYOR VIC COLLOVA: A couple of things, Joe. First off, the money comes from the Court's fund. It doesn't cost the city any money. That comes directly out of the Court's fund so had it cost the city some money it probably wouldn't have happened. In fact I'm sure it wouldn't have happened. The only thing that I even hinted to was the fact that I thought it was wrong in the basis that nobody from the city no worker from the city has received a raise from the city since I've been here and probably a little bit before that and I thought it was unfair, but since that time this way you don't have to come up at the next meeting, I understand there's more raises being given out now by Judge Nicastro and she's giving out some raises and again it's coming from a Court fund. Ron can get into that a lot deeper but we can't stop it. Am I happy with it? No, but I can't put the money in the General Fund. I can't use it for the city. So as long as it doesn't cost the city money that's their business. That's their employees.

MR. LAMALFA: She explained that to me. I was just wondering if you commented to her that it didn't look good?

MAYOR VIC COLLOVA: I absolutely did.

MR. LAMALFA: Thank you, Sir. I got one last question either for the Police Chief or for you? There's a rumor going around the city. I just heard it the other day that Dale Lindeman of Ward 3 called the superintendent a crack whore.

PRESIDENT MARINCIC: Mr. Lamalfa, did you discuss this issue with somebody?

MR. LAMALFA: I couldn't get a hold of you.

PRESIDENT MARINCIC: Then you have to take your seat. I'm sorry. Nothing of a first nature.

MR. LAMALFA: I was just wondering if you heard that?

PRESIDENT MARINCIC: Mr. Lamalfa, nothing of a first nature on Council floor at this time.

MR. LAMALFA: Then you better start answering your phone, don't you think?

PRESIDENT MARINCIC: Mr. Lamalfa, when you start treating me in a civilized fashion.

MR. LAMALFA: Your job is to answer the phone. Now I want to wait for an answer from the Police Chief if he heard that or not?

PRESIDENT MARINCIC: I'm not going to ask him to respond because this is of a first nature. You could have called him and brought it up.

MR. LAMALFA: I will tomorrow and then I'll bring it back up at the next meeting.

PRESIDENT MARINCIC: Thank you. Before I go on I would like to make a short statement. I return all of my residents' calls but I will not. Mr. Lamalfa called me on a weekly basis. When he starts treating me in a fashion that he did and saying the things to me he lost my respect. He lost me returning his calls. I will not return phone calls to somebody who treats me that way. I'm a City Council representative. That doesn't mean I'm here to be abused on a weekly basis. Thank you. Anyone else who has anything to say this evening?

Mary Ryan, 5014 East 114th Street. This is a follow up to the last Council Meeting on the waste problem. I called the city of Cleveland and I talked to the lady that's in charge of the waste collection and she told me that they issue citations to homeowners. They don't care who put the garbage out, when they put the garbage out, whatever. If they violate the law, they get a ticket. OK? If they don't pay it, then it goes to a collection agency and then to the taxes. Then I talked to Rose and I talked to Joe and I talked to Mr. Riley and Joe found out (my Councilperson) that it's number 913.07 and it says in addition to any other means of enforcement provided for these codified ordinances the Director of Public Service which I think is him (which I hate to do this to you because I like you) and his designees when commissioned by the Mayor as special police may enforce these misdemeanors. So my thing was the Mayor wanted residents to come up with ideas to raise money for the city. This is a perfectly good idea. It's not being enforced. If you, when you drive home I want you to see the crap that's outside of the house across the street from me. It is covering almost their whole driveway because somebody's moving out. It's unbelievable. It's not packaged. It's boxes and garbage all over the place. They should get a fine for doing that.

PRESIDENT MARINCIC: It is garbage night there.

MS. RYAN: Tonight is garbage night but you're not allowed to put all that out, if I'm right? Put it in containers or something. It's not in containers. It's just stuff thrown all over the place. If you put it in boxes or garbage bags I can understand but it's not. It's really messy cause she's moving. So my thing is turn in your neighbors and we'll raise some money for the city of Cleveland, I think. I hate to do it but everybody knows somebody that puts out their garbage early. I think it's a good idea and the Mayor wanted ideas so I came up with a good one I think.

PRESIDENT MARINCIC: Thank you. Is that all you have, Mary?

MAYOR VIC COLLOVA: Mme. Chairman, if I may just for a second? Mary, Tim likes you too.

MS. RYAN: I don't want to make enemies.

MAYOR VIC COLLOVA: No and I appreciate your bringing this up because people need to understand the problem that's out there. The reason I spoke a little bit in my report about the rubbish and the problem we're having out there is because it's going to get to a point where we start ticketing people. I have a couple of concerns. Number one. It's one thing to post the residents or one thing to warn them about doing something. When you're actually giving them a ticket I don't feel comfortable having a Service guy go to the house. It would be my suggestion that they go along with a police officer just in case. You never know what you're going to run across. Quite honestly I hate to use up our police force on rubbish. I would like the people to catch on more and try to do something, but if they don't we will figure something out. I just think it's a horrible waste of important man power when we have some important issues going on in this city to use them to give tickets to people with rubbish out but I understand the severity of it and if it gets to that and it continues to go on I will instruct the police to go with whoever and issue tickets.

MS. RYAN: Well then can't we do a notice of some sort not as elaborate as the city of Cleveland did (because they have their own garbage trucks)? They put pictures of do's and don'ts. All we have to do is put it in print—do's and don'ts of how you can put your garbage out and how you're not supposed to put your garbage out?

MAYOR VIC COLLOVA: I would get back with you on that. There was an ordinance passed today that Noreen is involved in about the grant to talk to people about recycling and maybe we can sneak something into that if we get that grant and I believe we will and we could get some literature out to all the residents. That's a good idea.

PRESIDENT MARINCIC: Your time is up. Thank you. Anyone else wishing to speak? Raise your hand. There being none, we will move on to Miscellaneous Business for Council people beginning with Clmn Dudley.

MISCELLANEOUS BUSINESS:

CLMN DUDLEY: All right, the best first, all right. First of all I'd like to congratulate all the people in the lighting contest. I'm a person who's never outgrown Christmas or outgrew Santa. I still like to put lights out. Our kids is grown like 26 to 31 now. We still have a 10 and 11 year old so we make sure we put up the tree and the lights were great. I really appreciate you all taking the time to do that. I also wanted to mention that we'll be holding our Annual Black History Program this year. It's going to be on February 23rd, which is on a Thursday at the Family Life Center and we do have a great program. It's pretty informative. The entertainment is great, we do have refreshments and I want to tell everybody everybody's welcome. We do always have a great keynote speaker and I'm waiting for him to respond to me so I can't tell you who he is until he calls me back but I have no doubt he's going to show and he's going to do a great show for us as far as talking to you all and taking care of some good subjects.

I also wanted to mention one thing. I know quite a few of us saw Headline News and if you didn't see it his name is Benny Politan, whatever it is, on Headline News and he ran an episode of our city schools and I mean he didn't just beat the school district up. He beat the city up. You know when they aired on Headline News it goes throughout I said the country and when me and the Mayor talked he said the world. We did get an unfair rap but it just goes to show you how important your educational system is to your city. When somebody looked at it if I didn't know nothing about Garfield Heights and honestly and I looked at that show I would say man, that's not a city, like I say I know better, that's not a city I want to move in. That's a district that is totally in chaos and it's not worth investing in. But see, that's for people who don't know better. We really got a terrible rap, but once again you have to remember it's important that you maintain our school district. It's going to be tough, but you're going to reap the benefits at the end. It's like an investment so you invest in your school district. You get good neighbors out of the deal down the road. Sometimes when you let your city go down, your school district goes down the same but we also got to understand it's a double-edged sword. We have some people who we know who absolutely can't afford it. We understand that too. But like I say your school district is important to you and for those who can I hope that you do be willing to support it. That's all I have for tonight.

PRESIDENT MARINCIC: Thank you, Clmn. Clmn Nenadovich, do you have anything tonight?

CLMN NENADOVICH: Yes, I do. As far as the levy goes, vote your conscience. I'd like to thank the lighting winners. They did a good job. The city looked great. I'd like to congratulate Diane Lapars again. She's a very good friend and I'm proud to know her and proud to vote Yes on that legislation.

Last but not least remember the Vets. They're dying off faster and faster every day from the wars in the past. And remember we got new ones coming up. All those boys that are coming home. The ones that are serving over there now and the ones that have given their lives and the ones that are coming home wounded, we got to remember them. We can't kick them on the

roadside. We did that in Viet Nam and we're paying for that to this day. With that I have nothing else.

PRESIDENT MARINCIC: Thank you, Clmn. Clmn Glenn, do you have anything this evening?

CLMN GLENN: I do. I'd like to make a comment directed to Mary. We had a neighbor that had a similar situation with the garbage. They were moving out. They lost their home. They don't care anymore. The only suggestion I could make for you or your Councilperson: call J&J early in the morning and they'll send out a special truck for that. They did it for us. I'm sure they'll do it for your Ward too. With that I say have a pleasant weekend.

PRESIDENT MARINCIC: Thank you. I just want to take a minute and thank Mr. McLaughlin because I had an incident similar to what Mary was talking about that was across the street from you. I had one on Russell. They put it out from driveway to driveway on a Wednesday and trash collection had been Tuesday. So it was going to sit there for a week and it was the week before Christmas, so it was going to be there for Christmas, but Mr. McLaughlin, I don't know how you did it, but you did, every bit of it was moved off that tree lawn.

SERVICE DIRECTOR TIM McLAUGHLIN: It was heavy but I carried it.

PRESIDENT MARINCIC: I would not be surprised at all. In that one particular incident and I'm sure this happens not all the time but quite often, people buy a house, they're going to refurbish it and they're going to sell it so they're there to do a little work during the day and they go home to wherever they live. And they don't see the mess they left behind and we can't get a hold of them because we don't know how to contact them. These are the ones I have the biggest problem with in my Ward so I'm asking all of those who renovate homes if they can hear us out there on our television channel, please have some respect for our city. We're happy you bought the home. We're happy you're renovating it. We hope someone wonderful moves in, but please respect our laws while you're here. Once again congratulations Ms. Lapars and that's all I have. We'll move on to Clmn Suster.

CLMN SUSTER: I would just like to thank the residents that took the time to decorate their homes and it's a good thing to see that more and more people are doing it. If you go back as far as President Jimmy Carter he was the one that asked when the oil prices stated getting whacko he was the one that asked everybody not to decorate their homes for Christmas so that we could save energy. And people are slowly but surely getting back into it and it does do a lot of good for the city. There were a lot of beautiful homes that were decorated and I thank you all. Again I'd like to congratulate Diane and that's all I have this evening.

PRESIDENT MARINCIC: OK. Clwn Mahoney, do you have something tonight?

CLWN MAHONEY: I, too, would like to congratulate the winners of the lighting homes. You guys did a great job. I'd also like to congratulate Diane. I'd also like to thank Sue and Wayne and Debbie for taking the time to help us with the lighting ceremony (we used to have to do that) so I appreciate very much that you guys got to choose and that was well appreciated. With that I have nothing else.

PRESIDENT MARINCIC: Thank you. Clmn Vaughn, do you have something this evening?

CLMN VAUGHN: Yes, I do. Congratulations to the people that won the lighting contest and congratulations to my residents in Ward 7 for being number one. My wife, Barb, and I drove

around and really enjoyed looking at everybody's display. Maybe next year I'll put up a few more lights and maybe I can get in there.

We'll be having our Block Watch on Thursday evening at St. Monica's. All are welcome. It's going to be very light, very easy. I guess I'm talking about what's going to go on in the city and where we're going. All are welcome to join us. We'll be in the St. Augustine Room at St. Monica's at 7 p.m.

Mayor, I was so glad that you shared some good news with us about Turney Road, Rockside, McCracken. We are making improvements, people. We're moving slow. Sometimes we dwell too much on the negative. We have to look at the positive and these are definite positives as far as any.

I have a concern that I'd like to share with everybody. I received a letter from one of my residents two weeks ago complaining about parked cars in the evening. I turned over those numbers to the Police Department and they investigated and I guess this resident felt that I didn't do enough. They sent me another letter. At that time they never identified themselves. They've never left a phone number or anything that I could return a phone call. If you really feel that I'm not doing something or that you're not getting the results you need I need information from you. I need your name. I need your phone number. I will get back to you. I promise. But just to send a blank letter with no name, etc. I can't finish the job, so please, I enjoy the correspondence that you sent me but a name and number would really help. With that everybody have a good week.

PRESIDENT MARINCIC: Clmn, before you make a motion to adjourn, I just want to remind residents that the Ward 2 Block Watch combined with Ward 4, 6 and 5 (not all of them), the ones who want to attend, will be Wednesday, February 1st at 7 p.m. at the Civic Center. Now, Clmn. Joe, you want a plug, go on.

CLMN SUSTER: I might as well say about our Block Watch. We're not going to be part of the 2, 4, 6, 9, 12, 14 Block Watch. We're just going to stay as Ward 5 as we have done in the past and our next meeting will be February 6th. We're going to have the Honorable Vic Collova there giving the State of the City address so if you'd like to come and listen to the Mayor, we'd be more than glad to have you. Light refreshments afterwards. That's all I have. Thank you very much.

PRESIDENT MARINCIC: You're welcome, Sir. Now you may make a motion to adjourn.

CLMN VAUGHN: Mme. Chairman, I make a motion that we adjourn.

PRESIDENT MARINCIC: All in favor say Yea. All against say Nay. The Yeas have it.

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

MEETING ADJOURNED AT 8:06 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Nancy Marincic
President of Council

Barbara Molin
Interim Clerk of Council