

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, January 28, 2013

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

INVOCATION BY: Council President Nancy Marincic

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

PRESIDENT MARINCIC: All in attendance. Also we have a couple of other people in attendance with us. Clwn Mahoney has a shadow with her tonight, Taylor Martin who goes to St. Barnabas, right? Welcome. And we also have somebody from our schools named Rajah Burge with us this evening and she'll be giving us a school report. Thank you very much.

READING AND DISPOSAL OF MINUTES:

PRESIDENT MARINCIC: Reading and disposal of the Minutes from the January 14, 2013 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 Regular Meeting of the Garfield Heights City Council dated Monday, January 14, 2013 as submitted.

PRESIDENT MARINCIC: All in favor say Yea. All opposed? The Yeas have it.
AYES: Suster, Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Glenn

WRITTEN COMMUNICATIONS TO COUNCIL: None.

LEGISLATION OUT OF COMMITTEE: None.

COMMITTEE REPORTS: None.

CLMN SUSTER: Mme. Chairman, I'd like to make a motion that we waive the 72-Hour Rule on Ordinance 4-2013 and place it on this evening's agenda.

PRESIDENT MARINCIC: You want to read the title on that one?

CLERK: ORDINANCE NO. 04-2013:

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 28-2004 WHEREIN THE MAYOR WAS AUTHORIZED AND DIRECTED TO GRANT TAX INCENTIVES TO INDIVIDUALS WHO PURCHASED NEW HOUSES DEVELOPED BY HORIZON

CONSTRUCTION COMPANY LOCATED IN THE WARD 1 COMMUNITY REINVESTMENT AREA.

PRESIDENT MARINCIC: All in favor of waiving the 72 Hour Rule on Ordinance 4-2013 and placing it on the evening's agenda say Yea. All opposed? The Yeas have it. Ordinance No. 4 will be put in the regular order on tonight's agenda.

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

REPORTS OF THE MAYOR AND DIRECTORS:

PRESIDENT MARINCIC: Now we move on to the report of the Mayor and his Directors. Mayor? Do you have a report?

MAYOR VIC COLLOVA: Thank you, Mme. Chair. I do. First off, I'd also like to welcome the two young ladies that have joined us at the Council table today. I wanted to say that Theresa Martin, who is our Chief's Assistant, is the mother of Taylor Martin so we're really glad to have you here. And I'd also like to say that Rajah Burge is also the vice president of the 2013 Garfield Heights Senior Class. That's quite an accomplishment. We're looking forward to your report.

With that said, I wanted to talk a little bit today about some of the things that go on in the city that go on unnoticed. I'd like to read a letter that was sent to myself and Chief Sackett. This letter says that:

“at approximately 3:30 p.m. Monday, January 21, 2013 while sitting at a restaurant in Northfield a cell phone went off alerting us that ADT that our back door had been breached. ADT alerted the Garfield Heights Police Department. Upon arriving at the home, 6244 Turney Road, two police officers had our driveway blocked off and had the site secured. Having dogs in the house my wife was ecstatic and upon arriving home learned the rear door was blown open by extreme wind today. The latch was repaired and our ADT camera security system was checked prior to the arrival. Please recognize the male and female officers who were dispatched to protect our property. These very polite officers were professional and very compassionate about their job. They are to be commended for their response and professionalism. Too many times officers are accused of many wrongdoings. We want to make sure that this letter got to you so you could be proud of the Police Department serving you. God Bless Garfield Heights and its Police Department.”

This came to myself and Chief Sackett. I grabbed this one but I can tell you you can go into the file and get a dozen more just like this. When you are the Mayor of a city you know that there is negatives in each city. All cities have negatives. All cities have positives. I'll tell you in Garfield Heights although we do have very quite a few positives, many positives actually, our main positives are our safety forces. They always have been. Our Fire Department is second to none and our Police Department is without a doubt the best in the area. I've said this at many of the Block Watches and different meetings that I attend and I also congratulate them because it's very well deserved.

Today I am honored by being able to bring two young gentlemen up before you today to be promoted. Tonight we are going to promote Sgt. David Bailey. He's being promoted to Lieutenant. And Patrolman Todd Cramer to Sergeant. These are two gentlemen that are being promoted today and they really show what the police force is all about. Sgt. Bailey has been with the Garfield Heights Police force for 18 years and Ptl. Cramer has been with us for 15 years and they typify what the police in Garfield Heights are all about. They do a great job. This promotion is well deserved. We're looking forward to having you take over. One of the

gentlemen you'll be taking over for--Gary Wolsky—you'll have some big shoes to fill because he has done a great job for us. I'm sure you're going to do just as well and you also, Sergeant. So at this time I would like to call up Sgt. David Bailey and I would like to bring up his wife, Donna, his children Connor and Lauren and if mom, Kathryn Simchek is here, I'd like to bring her up along with Ptl'n Todd Cramer, wife Mary who is also one of our Garfield Heights Patrolmen with the Garfield Heights Police Department, children Jacob, Trenton and Ryan. I'd like to bring up parents Don and Carol and if father-in-law Joe Bednarski would join us, we'd also like him to join us too, who is a retired Captain of the Garfield Heights Police force. Chief. If you would join me?

(At this time Mayor Vic Collova swore in Sgt. David Bailey and Ptl'n Todd Cramer to their new positions. He then invited them to speak.)

Lieut. David Bailey: I'd like to thank my wife for putting up with me through the whole study process. I thank the Council for letting me have the opportunity (*inaudible*).

Sgt. Todd Cramer: (*inaudible*.) Thank you very much.

MAYOR VIC COLLOVA: I want to tell you something. Sgt. Bailey and I ran into each other in the Law Department and they were talking about chasing somebody (one of the bad guys) and we talked about how this guy kept running and running (*inaudible*). When I look at the size of these two officers, I think I'd do some serious running myself.

(Photos were taken at this time.)

MAYOR VIC COLLOVA: Now I want to get into the city lighting contest and we had the Christmas Lighting Contest. We had a winner from each Ward and we have a citywide winner that we're going to talk about in a second. But I want to tell you this thing really took off this year. Last year in 2011 we had 50 residents that were nominated for the awards throughout the city. This year we had 76. So I think that's quite a thing. It's good to see it going. To look around the streets to see that it looked great. It looked better than ever and there were many houses that could have been selected but we have to get down to one and so right now I'm going to call the Ward winners and I will announce everybody, Then I will call everybody up and we will hand out the plaques, OK?

Ward 1 winner was Erma Sparks and Family;

Ward 2 was Bob and Lisa Stemnock;

Ward 3 Cleston and Linda Hensley;

Ward 4 Ethel and Rick Balint;

Ward 5 Debbie Carr;

Ward 6 Jared and Vickie Glana;

Ward 7 Tracy Andrewson and Tony Perez.

At this time I would like our judges Sue and Wayne Williams along with Debbie Sarnowski. I don't believe she's here, but if Sue and Wayne would join me at the podium? OK. First we would like to call up (and this is in no particular order) Ward 3 was Cleston and Linda Hensley. If you would join us? Great job. Thank you. Ward 7 Tracy Andrewson and Tony Perez. Are they here? Ward 5 Debbie Carr. Ward 6 Jared and Vickie Glana. Ward 1 Is Erma here? Ward 4 Ethel and Rick Balint, Ward 2 who also was the citywide winner, Bob and Lisa Stemnock. Please join us up here because we are going to take pictures. I just wanted to say that they typify communities all around. It's getting better and better. We've gone through some rough times but

when the holidays come around they show what it's all about. We thank you and everybody else involved. Thank you.

With that said we're going to continue on with the Council Meeting. Upstairs in Room 118 the police are having some refreshments so after the Council Meeting is over everybody is welcome to stop in and enjoy some of their refreshments.

I'm going to get into tonight's legislation. Ordinance 1 is an ordinance providing for the holiday Council Meeting changes for the year 2013 and that's when the meeting falls on a holiday we're going to change that. Ordinance 2 is basically a two year agreement for Internet access for the Court. This is something we do all the time. Some housecleaning. Ordinance 3. We're going to go out for bids on the McCracken Multipurpose Trail. If you have any questions Dave Krock can respond to that. Resolution 4 is the most important resolution that we've had since I've been in office and I can't be happier to say that we are requesting to be removed from fiscal emergency and if the Council will approve it it will be presented to the State on February 4th, which I believe is a week from today. The process will begin. We have met the criteria. It's not 100% that we're going to get out. I would be very disappointed if we didn't because we have met all the criteria thanks to everyone involved. I mean residents, Council, Administration, employees for a great job. With that, Mme. Chair, you have my report.

PRESIDENT MARINCIC: Thank you, Mayor. That's the best news I've heard in ages. Any questions or comments on the Mayor's report? There being none we will move on to Law Director Tim Riley. Do you have a report?

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

PRESIDENT MARINCIC: Any questions for our Law Director? Police Chief Sackett, do you have a report?

POLICE CHIEF ROBERT SACKETT: Thank you. No, I do not have a report.

PRESIDENT MARINCIC: Any questions for our Police Chief? There being none, Service Director Tim McLaughlin, do you have a report?

SERVICE DIRECTOR TIM McLAUGHLIN: Yes, thank you, Mme. President. In the last couple of weeks we've been taking down the Christmas lights, a lot of snow plowing. As far as the snow plowing there's something I want to bring up. It's sort of the same things that we have problems with every year. People blowing or plowing the snow back into the streets. I've gotten many calls on that. The snow does belong on the property and even the plowers they need to put it back up on the tree lawns. We are in the process of trying to find out some of the plow drivers that don't have permits. It's a slow process. The police have a lot of things that go on during the storm so we're trying to see what we can do with that.

The other thing is cars parked in the streets even when--it's not the parking ban's in effect--I mean it makes it very difficult to plow a street even to salt a street where there's cars parked out there. All I'm asking is that when it does snow if you have a driveway try to get your car off the street into the driveway, at least for a while. Let the plows try to get the street cleaned up.

The last thing I have is we're going around and cold patching the potholes that have popped up now. In the next couple days I'll have crews out there trying to get them all temporarily patched. That's the end of my report.

PRESIDENT MARINCIC: Thank you. Mr. Suster.

CLMN SUSTER: Mr. McLaughlin, I think your drivers and your crews that have been doing this ought to be commended. I mean our streets have been probably better than any other suburb that I've gone through since we've had some snow days and I'd just like for you to tell them what a great job they're doing and I thank you for being the person that you are to get these trucks out when we need them. That's all I have.

PRESIDENT MARINCIC: Mrs. Mahoney.

CLWN MAHONEY: I agree with Mr. Suster, but I have a question in regard to when a resident tells you that the person plowing their snow is not licensed in the city of Garfield Heights. What is the criteria that we need to do when a resident calls us and says I don't believe that the person taking care of my snow is registered?

SERVICE DIRECTOR TIM McLAUGHLIN: We have a list and there's not that many on there. I think there's only about nine. A lot of people who had permits last year have not come back. The only way that I can know about them is if the police or one of my foremen stop them while they're working or if somebody calls, but it's a long drawn out process. We try to go around. I talked to the Chief the other day and like I said during storms the police have a lot more things to do other than chase around a snow plow driver. I try to have my foremen do it, too. It seems to get a little better results when the police speak to them, but if somebody calls you if they give us their name we'll try to see what we can do about it

CLWN MAHONEY: Thank you.

PRESIDENT MARINCIC: Any other questions for the Service Director?

CLMN SUSTER: Just one quick question going back to what Mrs. Mahoney was asking about. Do the people that registered do they have to like get a permit? Do they have to pay something to have their name on that list?

SERVICE DIRECTOR TIM McLAUGHLIN: Yes, it's \$18.00 and they have to have a certain amount of insurance that covers them all the way through. I think it's \$250,000.00 on property. I don't have it all in front of me but they have to meet insurance requirements and those are set by the Law Department so we cover people that they are doing the work for. They get a decal with it. The decal goes up in the window and that's how the police or my foremen or myself can tell if they've registered or not.

CLMN SUSTER: OK. Thank you.

PRESIDENT MARINCIC: Any other questions for the Service Director? There being none. Recreation Director, Mr. Dobies, do you have a report?

PARKS AND RECREATION DIRECTOR BOB DOBIES: Mme. President, I have no report this evening, thank you.

PRESIDENT MARINCIC: Any questions for our Recreation Director? There being none we will move on to City Engineer Dave Krock. Do you have a report?

CITY ENGINEER DAVID KROCK: I do. Thank you, Mme. President, I just want to urge approval of Ordinance 3 regarding the multipurpose path on McCracken. It will be a good project for us. I also want to note Tim McLaughlin and I will be meeting with O.D.O.T. to discuss the Granger Road Hill. We've had some issues over there with some of the water issues and rocks and things so we're going to meet and talk with them about that.

I also want to let everybody know that the Rosewood/Bancroft/Wallingford/East 112th Project has started. It's been a long time in coming but we're going to eliminate some of the old grinder pumps that have caused both the residents and our Service Department a lot of headaches over the years and fix some things on Wallingford and East 112th that have needed attention as well. That project's gotten going and it will be several months, but by late spring we will be finished with that. That's my report.

PRESIDENT MARINCIC: Any questions for our City Engineer?

CLMN SUSTER: You did send out the letters to the residents in those areas that you're working in so they know what's going on?

CITY ENGINEER DAVID KROCK: Yes, we handed out letters as we saw people during the day and those letters are going out in the mail tomorrow.

CLMN SUSTER: OK. Thank you.

PRESIDENT MARINCIC: Anyone else? I only have one question. I know the answer but I want to make it public. The all purpose trail cost to the city?

CITY ENGINEER DAVID KROCK: That's at no cost to the city. Noreen actually helped get the \$150,000.00 grant for that.

PRESIDENT MARINCIC: Thank you. Any other questions for the Engineer? There being none we will move on to our Finance Director, Ron Tomola. Do you have a report this evening?

FINANCE DIRECTOR RON TOMOLA: Thank you, Mme. President. I'm going to keep it real short, I'd just like you to approve Resolution 4 obviously for many reasons. Later this week or within the next couple days I will be sending a revised forecast out to everybody. I worked on it a little bit last week but I was out sick all last week. This is my first day back and I'm just trying to get back into the swing. So if you have any questions I'd be glad to answer them.

PRESIDENT MARINCIC: Any questions for our Finance Director? I only have one. I understand that we have a new recording system?

FINANCE DIRECTOR RON TOMOLA: Yeah. That was at the request of Council and the Mayor last year. The new camera with the audio piped right into the video through the system so that hopefully it eliminates the problem of having on the TV channels hearing what everybody is saying. So hopefully it works.

PRESIDENT MARINCIC: I'm very happy. I'm sure we all are. Moving on to Economic Development. Noreen Kuban. Do you have a report?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Thank you, Mme. President I don't have a report tonight.

PRESIDENT MARINCIC: Thank you. Any questions? Mrs. Mahoney.

CLWN MAHONEY: I just want to thank Noreen. She's always working very hard getting grants for the city and I don't think that you get thanked enough so thank you.

PRESIDENT MARINCIC: Any other comments? Moving on to Building Commissioner. Mr. Wervey do you have report?

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

PRESIDENT MARINCIC: Any questions/comments for our Building Commissioner? There being none we will move on to our school representative this evening and I believe her name is pronounced Rajah Burge?

Rajah Burge: A lot of things have been going on at Garfield Heights High School. It's an amazing school. Athletics wise just recently we had a big basketball game for Shaker and it was a really tough game. We won by two points. It was a buzzer beater. Richard Parker shot three and we won. A lot of people came out and supported our basketball team. Our bowling team Tyler Walchanowicz he bowled a 300. He was very excited about that. Our school was you know right behind him and happy for him.

Our Senior physics class Mr. Limbert and Ms. Spandini had a project for like called breaking bridges. The class had to make big bridges and they took a period out and we went to the little theater and we put weights on the bridges and in order to pass the project you had to hold at least 100 pounds on your bridge. You know everyone they did a really good job and of course we had overachievers. Aaron Dada's bridge actually held like 480 pounds I believe. It was amazing and he was actually mad that it broke before it could reach a even number so he was really excited and it was really good to watch.

Actually in our health class Coach Rizz started a H.Y.P.E. Program. I have a little thing. In efforts to impact students the Garfield Heights Police Department teamed up with city officials and school personnel for communicating the message of a newly developed HYPE Program. HYPE stands for Heroin Youth Prevention and Education. It was presented to the ninth grade health classes. They just told us about their heroin uses and like how they went through it, etc. and yeah that's just some of the great things that happened at Garfield Heights High School.

PRESIDENT MARINCIC: Thank you. Any questions for our school representative this evening? There being none that concludes the reports of the Mayor and his Directors and our school representative and we will move on to Comments by Citizens on tonight's agenda. I will have our Clerk read the rules.

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. Mr. Halan, I know you want to speak this evening.

Bob Halan, 12416 Oak Park Blvd. Basically I was going to address about the sound system, but you beat me to the punch. Thank God it happened.

But further on, I want to enforce the resolution. I says enforce because I don't just want it sent to Columbus. I want it backed up because I know Columbus. I can't trust Columbus, I want to get out of this fiscal situation now. I don't want to accept any b.s. coming out of Columbus so I don't trust them. They want to take control. They've had control of our city. They want to take control of R.I.T.A. (Regional Income Tax Agency). Again that would put us back in the fiscal because they can tie up that money and we won't get it. We have to get this resolution enforced and put through in our favor. We don't need to have Columbus run this. This is a good city. It's a great city. And the improvements that has been done in three years should be well commended. Thank you. I'll be back at the second half.

PRESIDENT MARINCIC: Thank you. Anyone else wishing to comment on items on the agenda this evening? There being none we will move into legislation. I'm sorry, ma'am.

Pamela Mixon, 12909 Seville Road. My mom moved in Garfield in 1967. That's how long we been in Garfield. I just wanted to talk about the Police Department. I think you're doing an excellent job.

PRESIDENT MARINCIC: Can I interrupt? Is this about legislation? Or just?

MS. MIXON: I don't know if I'm out of order. Because the Chief had spoke.

PRESIDENT MARINCIC: There will be a part later on for you to speak. I'm sorry. I'm just glad you're here. Anyone else?

ORDINANCES AND RESOLUTIONS:

PRESIDENT MARINCIC: There being none we will move on to the legislation and the first item is Ordinance 01-2013. Will the Clerk read the title.

ORDINANCE NO. 01-2013

AN EMERGENCY ORDINANCE PROVIDING FOR HOLIDAY COUNCIL MEETING CHANGES FOR THE YEAR 2013.

Moved by SUSTER to CONSIDER BY TITLE

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

CLMN SUSTER: Mme Chairman, I'd like to make an amendment to this legislation. We'll go to Section 1 and change that where it says Tuesday May 28th to Wednesday May 29, 2013 and Section 2 I'd like to amend that from Tuesday October 15th to Wednesday October 16, 2013 and in Section 3 I'd like to amend that from Tuesday November 12th to Wednesday November 13th. That's all I have.

PRESIDENT MARINCIC: I'm going to have the Clerk read back the amendment.

CLERK: The amendment shall read as follows: under Section 1 Tuesday May 28th will be changed to Wednesday May 29, 2013. Under Section 2 Tuesday October 15th will be changed to Wednesday October 16, 2013. Under Section 3 Tuesday November 12th will be changed to Wednesday November 13, 2013.

PRESIDENT MARINCIC: Thank you. All in favor of the amendment say Yea. All opposed?
The amendment passes.

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 01-2013 passes with 7 Yes votes.

ORDINANCE NO. 02-2013

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CLERK OF THE MUNICIPAL COURT TO ENTER INTO A CONTINUATION OF THE DEDICATED ACCESS AGREEMENT WITH IMAGINE NET, INC. IN ORDER TO PROVIDE THE GARFIELD HEIGHTS MUNICIPAL COURT INTERNET ACCESS AND T-1 CONNECTION SERVICES, PER THE ATTACHED AGREEMENT, FOR A TERM OF TWO (2) YEARS.

Moved by NENADOVICH to CONSIDER BY TITLE

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

CLMN NENADOVICH: Mme Chairman, I'd like to amend the first sentence of the Internet agreement.

PRESIDENT MARINCIC: What would that be?

CLMN NENADOVICH: It would be changing "we enter into this 20th day of December, 2012". Changing it to the first day of February 2013.

PRESIDENT MARINCIC: Thank you. Will the Clerk read back the amendment.

CLERK: The amendment shall read as follows: The first line of the agreement. This dedicated access agreement is entered into this first day of February 2013 rather than the 20th day of December 2012.

PRESIDENT MARINCIC: I think what it is is "the dedicated access agreement. This agreement is entered into it says the 20th day of December 2012." We want to amend that to say February 1, 2013. Correct?

CLMN NENADOVICH: Correct.

PRESIDENT MARINCIC: OK. All in favor of the amendment say Yea. All opposed? The Yeas have it.

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

Motion to WAIVE RULE 24:

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

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: Ordinance 02-2013 stands adopted with 7 Yes votes.

ORDINANCE NO. 03-2013

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING DAVID KROCK, CITY ENGINEER, TO PREPARE THE NECESSARY PLANS AND SPECIFICATIONS, PER THE KROCK ESSER ENGINEERING INC. CONSULTANT SERVICES PROPOSAL ATTACHED HERETO AS EXHIBIT "A", AND TO GO OUT FOR COMPETITIVE BIDS, FOR THE MCCRACKEN ROAD MULTI-PURPOSE TRAIL PROJECT, AND AUTHORIZING THE PAYMENT OF COSTS FOR THIS PROJECT, WHICH COSTS WILL BE REIMBURSED THROUGH THE CUYAHOGA COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AS IDENTIFIED IN EXHIBIT "B" ATTACHED HERETO.

Moved by SUSTER to CONSIDER BY TITLE

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

Motion to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 03-2013 stands adopted with 7 Yes votes.

ORDINANCE NO. 04-2013:

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 28-2004 WHEREIN THE MAYOR WAS AUTHORIZED AND DIRECTED TO GRANT TAX INCENTIVES TO INDIVIDUALS WHO PURCHASED NEW HOUSES DEVELOPED BY HORIZON CONSTRUCTION COMPANY LOCATED IN THE WARD 1 COMMUNITY REINVESTMENT AREA.

Moved by SUSTER to CONSIDER BY TITLE

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 04-2013 stands adopted with 7 Yes votes.

RESOLUTION NO. 04-2013:

AN EMERGENCY RESOLUTION REQUESTING THAT THE CITY OF GARFIELD HEIGHTS BE REMOVED FROM THE FINANCIAL DESIGNATION OF "FISCAL EMERGENCY" AND AUTHORIZING THE MAYOR TO SUBMIT SUCH REQUEST IN WRITING TO THE AUDITOR OF STATE, AND REQUESTING THE CHAIRMAN OF THE FINANCIAL PLANNING AND SUPERVISION COMMISSION TO DO THE SAME UPON AUTHORIZATION BY THE COMMISSION.

Moved by SUSTER to CONSIDER BY TITLE

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

PRESIDENT MARINCIC: Before I vote, I would just like to thank all the residents in our community who have been so patient for the last several years while the city made many major cuts so that we could get to this day. I want to thank every Member of this Administration, every Director, every Council Member because I've never seen a community and Directors and Council work so hard and so united, but nobody worked as hard as our Mayor. What this man did we can't thank him enough. You were the one at the helm and I thank you so much and I vote Yes.

CLMN NENADOVICH: I vote Yes. Good job.

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

PRESIDENT MARINCIC: I am pleased to say that Resolution 04-2013 stands adopted with 7 Yes votes.

COMMENTS BY CITIZENS:

PRESIDENT MARINCIC: That concludes Ordinances and Resolutions. Now we will move on to Miscellaneous Comments and I'll let the Clerk read the rules again.

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: Anyone who would like to speak just raise their hand.

Pamela Mixon, 12909 Seville Road. Like I was saying my mom and we moved here back in 1967. I was four years old. I've been living in Garfield all my life. I wanted to say the police has done a terrific job. Whenever I had to call them or my mom had to call them it doesn't matter what the situation is they come. My mom has did like over 60 foster kids and she's called a number of times having problems with them. The police had came up.

I'm now married to a Veteran and I've called them here recently enormous times because when he's off his medicine we run into problems and they came up and they so understanding and patient with Veterans. I'd just like to say also where I live at we had a couple vacant houses and

we'd call and say we see a car sitting in the driveway or something you know a car lurking around and they came right out and take care of it. I just wanted to say I came to the meeting tonight to get the award for my mom but when my daughter was in school here I used to come to them all the time but I'm glad I came because it gave me the opportunity to thank you for a job well done.

And also to say that approximately two years ago the police department saved my life. It was a situation of domestic violence and you responded right away. Went to Court. I didn't know that you live in your neighborhood, but you don't really speak busy lives and you don't really get to know one another but due to the fact that my neighbors I'm a quiet person the home is quiet and due to the fact that it was such uproar that night I had a lot of my neighbors called in at 911 and those calls was won my case because those neighbors was concerned and they called in and I'd just like to say thank you. On that note I feel that tonight was meant for me to be here to thank the police department for a job well done.

PRESIDENT MARINCIC: Thank you.

POLICE CHIEF ROBERT SACKETT: Can I comment real quick? I want to thank you for your comments. It's a pleasure to hear that. However, those guys that were in the back of the room when the other gentlemen were getting sworn in, they deserve all the credit. They're the ones that take care of you and your neighbors so I will certainly pass that on to them. Thank you.

PRESIDENT MARINCIC: Thank you. Anyone else wishing to speak tonight?

Matt Burke, 13108 Granger Road. Mr. Mayor and Council I just want to say thank you for all your hard work. This last year I've seen this city rally around pretty much everything that you stood for and I'm proud to be a Garfield Heights resident. Thank you for your hard work in getting us back out of fiscal emergency. Thank you.

PRESIDENT MARINCIC: Thank you.

Jeanne Collova, 5252 Evelyn Drive. I want to thank everybody. I'm going to start crying, seriously. I'm so happy that all the residents, all the Directors, all the employees, the Council, everybody. I just want to thank everybody. I think everybody forgot to thank Ron Tomola. Yes you do. I want everybody to know that he is a big part of this because without the numbers this doesn't go anywhere. I want to thank you.

PRESIDENT MARINCIC: Who was that?

Bob Halan, 12416 Oak Park Blvd. Basically I've got two comments. One is what we did today honoring the Christmas lights just added a little more velour to it. I think the winnings in each district and the major city ward should be publicized with pictures in the Neighborhood News since we don't have a newspaper.

On a somber note, Mr. Dudley, you belong to ESOP, right? And the founder just died two or three weeks ago. I call for a moment of silence for her in remembrance. (*Moment of silence.*) Thank you. She did tremendous work for Dudley and quite a few other people that were in foreclosure. Thank you.

PRESIDENT MARINCIC: Thank you. Anyone else? There being none we will move on to Miscellaneous Business beginning with Clmn Dudley.

MISCELLANEOUS BUSINESS:

CLMN DUDLEY: Thank you for that comment, Brother, a lot of people didn't get to read the article. Inez Killingsworth was actually the founder of ESOP and it has never been placed in papers even though I mentioned I am actually the only elected official who serves on the Board of Directors for ESOP. ESOP has saved far many homes in the city of Garfield Heights than you imagine because the people that call me they don't like the information because I'm a little too embarrassed and shy. When they come to your home there is no embarrassment, people. You put that on the side because otherwise you'll be living on the street. She wasn't just a fighter when you talk about for homes. She was a strong fighter for injustices. She couldn't stand for an individual to be treated wrong. She tried her best to level the playing fields and I tell you I learned a lot from her. I been on that board for over five years now and I'm going to miss her. She was not just a president of an organization but she was a real, real friend and I tell you it tore me apart. I wept like a baby for about two days because of that. It was just hard to imagine her going, getting so used to her. I thank her for that. I'm thanking you for your good comments and your prayers to her family.

I thank Sue and Wayne because I tell you, boy, you do a lot for this community and nobody ever give you all no recognition. I tell you honestly I never seen two people work as hard as you do and I really thank you all for the work you all doing and I'm quite sure all the members here as well as the people in the city appreciate what you're doing.

Also I want to make it quick. On February 27th we will be having our 7th Annual Black History Program at the Family Life Center, that's 13455 Dressler Road. We ask that you wear African attire if you have it. You can always get a dyed sheet. So we ask that you wear that.

I want to congratulate our officers. They do do a great job and when I called them because some fellows was stealing out of a store I followed them and it showed the heart they have because they actually they ran behind a building and I wouldn't have gone behind the building myself. He did apprehend the individuals so I tell you they go into these vacant homes and they protect the community and God Bless them and keep all the safety forces in your prayers.

I wanted to mention something, too, and I want to clarify and not to get off the subject because I won't be able to get nowhere. I know we saw the last Sunday paper and I did want to make a correction on that paper where they say they try to educate the public. I never talked to the board members so I'm not going to include them in this conversation, but all the time I am disappointed in the increase. I mean it's ridiculous five hundred some dollars especially when Ward 1 is not even in the Garfield school district. And what the people in the school district going to pay. I just want to clarify that when I asked was it an increase in March and I met with Supt. Reid and I met with Mr. Sluka and he assured me that that was not a tax increase. If I'm not mistaken I got to check the Minutes from this meeting because I believe he was asked the same thing at the podium. That's ridiculous, people. As far as I was concerned it was explained to me that would not be added on to that nine mill levy, but it was, making it a 12 something. It hurt because now they are taking away almost a full Social Security check of some of the residents in this city. I am disappointed, people. I was personally misled by him and Supt. Reid. Kind of glad she going over to Euclid because now she be a Euclid issue, but like I say I did not have a conversation with the board so I don't include them in that. But that's wrong, people. We should have been told up front exactly how that was going to work. My prayers are with you tonight. Coming from Cleveland not having the school district on top of that we lost some good sales on our homes as people was not going to move to the city because of the tax rate thing. I thank you for your prayers and keep Inez's family in your prayers. That's all, Mme Chairman.

PRESIDENT MARINCIC: Thank you. Clmn Nenadovich.

CLMN NENADOVICH: Thank you, Mme President. I would like to apologize to the Vets. I missed them last meeting saying thank you to the Vets like I always do because we had a few other officers sworn in in the last meeting so I want to make amends for that and say remember the Vets. Again, there's over 3,800 that have died in this last conflict and the number's climbing, not by much every day, but it's climbing. It goes by one more we're losing.

Congratulations to the police officers that got promoted. They've done a good job for the city for several years. Almost 40 years between the two of them so there's a lot of experience there. I want to thank them for all what they've done and I want to tell the residents police officer's driving by, he doesn't stop, he's probably going some place else. You know that kid walking in the street or that kid that just littered, there's probably something bigger going on than that right at the moment. They do get to problems like that, but there are bigger fish to fry out there. So let's back our officers, not always congratulating them. Let's not keep having them down. They're the ones that face the other end of the gun, so remember they are putting their life on the line for you.

I want to congratulate the Christmas tree winners and again people in my Ward, thanks for entering. I really appreciate it.

I thank Tim for the good job he's done this winter. Sometimes at 2 o'clock in the morning when he wakes me up with the snowplow, but it's a welcome noise. I'd like to ask the residents and everybody else to keep us in your prayers so that we do the State does see it our way and gets us out of this fiscal emergency. I mean, again, Vic, Board, thank you and you got it.

PRESIDENT MARINCIC: Thank you. Mr. Glenn.

CLMN GLENN: I, too, have a few comments here. I'd like to let the residents know that the Fire Department has some new fire equipment. The clothing they wear when they go to fires to protect them so they're safe.

The K9 Unit's got the dogs now in place. That helps the police officers and the residents.

Our Block Watch will be the first Tuesday of the month. We'll have a K9 dog there and an officer. Hopefully the Mayor and the Police Chief will be there.

On another note, I'd like to talk about a Veteran that lives in Garfield Heights. He happens to live in Ward 4. His name is Dan Burgess. He now resides in Texas. He's down there getting rehab right now. This young man lost a leg. He not only lost a leg, he has some other issues that he has to work through. He's a County jailer for the County. He worked for Mr. Reed and hopefully he'll have his job if he is able to do it. So I'm going to give this information to the proper authorities and some time in the near future we can recognize this young man. He has given up a lot for us to protect us.

I'd also like to say that our Block Watch is coming along good. A little bit higher attendance. We're also at our Block Watch raffling off a TV. All are welcome including you, Vince. Hopefully we'll have a good attendance. With that you have my comments. Thank you.

PRESIDENT MARINCIC: I would just like to take a moment and congratulate our two newly promoted police officers. May God keep them safe and all of our safety forces everyday. I'd like to congratulate our city for coming out of fiscal emergency because I'm positive the State's going to approve this and we'll be fine.

Just so you know, Jeanne, we don't forget Ron. I could never forget him. Every time we have an opportunity we thank him. I always felt that members of the last Administration when they found out we were going in and in fiscal emergency they fought it. They fought it and they refused to work with the auditors to some extent, but when Ron came on he embraced it. He did what he had to do to fight for our community and he took his wings and he made our city fly. So Ron, you are the wind beneath our wings.

FINANCE DIRECTOR RON TOMOLA: May I say one thing?

PRESIDENT MARINCIC: All right.

FINANCE DIRECTOR RON TOMOLA: We're not out yet. All this is is requesting that they do the analysis to take us out.

PRESIDENT MARINCIC: That's what I said. I'm confident that it's going to get approved.

MAYOR VIC COLLOVA: Excuse me, Mme. Chair, I would also just like to add that with all the congratulations, if we don't get out we can blame Ron for that also.

PRESIDENT MARINCIC: Also I would like to congratulate all of the people who won in the lighting ceremonies and the winner from the whole city was in Ward 2 so I'm thrilled about that and I want to congratulate them personally. Mr. Suster says only because they were annexed out of his Ward. Having said that, do you have a report, Mr. Suster?

CLMN SUSTER: Yes, I have a few things by the way. I'd like to congratulate Lt. Bailey and Sgt. Todd Cramer to their new positions. I know that they'll do a great job for the city of Garfield Heights.

Also I'd like to thank all the residents of the city of Garfield Heights that put up Christmas lights this year. And especially Debbie Carr in Ward 5 that won for our Ward and also all the other individuals that got plaques for this evening. It's a big thing. I can remember a lot of people don't do it anymore only because you have to go back quite a few years when Jimmy Carter was President and he wanted to save electricity so he asked people to discontinue putting up Christmas lights and slowly but surely it's coming back. People really do appreciate it. I think it's very nice.

Next Monday evening we will have an Audit Committee Meeting. It will be at 6:30 p.m. in the Caucus Room down here.

I urge all Members of Council to attend next week's meeting with the committee at four o'clock that's going to make the decision. They won't make it that day, but they will get the legislation that was put up tonight to take us out of fiscal emergency. Here again, being repetitious, you know I'd like to thank the Mayor, Ron and the Members of this Council and the residents of the city and all the city workers and everybody that gave up something in order for this to happen. According to the committee we should not have probably got out of fiscal emergency until, I

believe, 2016, and with all the hard work of Ron and the Mayor and everybody that I just mentioned we're out of it so I congratulate all of them.

If anybody hasn't, I received an e-mail a couple days ago and it's from Wikipedia. It's an encyclopedia thing. It's on the city of Garfield Heights. I was amazed by this—it's 15 pages long. But I read the whole thing. I was amazed. It's on the history of Garfield Heights and it's very, very interesting if you have the time and if you want to print it out.

I have one more thing if I could. This was a commentary that was given by Ben Stein on CBS News. It was a Sunday Morning Commentary. I'd like to read it to you because it just struck me when I read it and I sent it to some people because it really sent a strong message to myself and I'm going to read it to you. It says, the following was written by Ben Stein and recited by him on CBS Sunday Morning Commentary.

"My confession:

I don't like getting pushed around for being a Jew, and I don't think Christians like getting pushed around for being Christians. I think people who believe in God are sick and tired of getting pushed around, period. I have no idea where the concept came from, that America is an explicitly atheist country. I can't find it in the Constitution and I don't like it being shoved down my throat...

Or maybe I can put it another way: where did the idea come from that we should worship celebrities and we aren't allowed to worship God as we understand Him? I guess that's a sign that I'm getting old, too. But there are a lot of us who are wondering where these celebrities came from and where the America we knew went to.

In light of the many jokes we send to one another for a laugh, this is a little different: This is not intended to be a joke; it's not funny. It's intended to get you thinking.

In light of recent events...terrorists attack, school shootings, etc. I think it started when Madeleine Murray O'Hare (she was murdered, her body found a few years ago) complained she didn't want prayer in our schools, and we said OK. Then someone said you better not read the Bible in school... The Bible says thou shalt not kill; thou shalt not steal, and love your neighbor as yourself. And we said OK.

Then Dr. Benjamin Spock said we shouldn't spank our children when they misbehave, because their little personalities would be warped and we might damage their self-esteem (Dr. Spock's son committed suicide). We said an expert should know what he's talking about... And we said okay...

Now we're asking ourselves why our children have no conscience, why they don't know right from wrong, and why it doesn't bother them to kill strangers, their classmates, and themselves.

Probably, if we think about it long and hard enough, we can figure it out. I think it has a great deal to do with 'We reap what we sow'."

You timing me?

CLWN MAHONEY: I am. You're over, but keep going.

CLMN SUSTER: OK. It's only another page.

"Funny how simple it is for people to trash God and then wonder why the world's going to hell. Funny how we believe what the newspapers say, but question what the Bible says. Funny how you can send 'jokes' through e-mail and they spread like wildfire, but when you start sending messages regarding the Lord, people think twice about sharing. Funny how lewd, crude, vulgar and obscene articles pass freely through cyberspace, but public discussion of God is suppressed in the school and workplace.

Are you laughing yet?

Funny how when you forward this message, you will not send it to many on your address list because you're not sure what they believe, or what they will think of you for sending it.

Funny how we can be more worried about what other people think of us than what God thinks of us.

Pass it on if you think it has merit.

If not, then just discard it...no one will know you did. But, if you discard this thought process, don't sit back and complain about what bad shape the world is in.

My Best Regards, Honestly and Respectfully,
Ben Stein"

Like I said I just thought it was something that should be read and I did and that's all I have to say.

PRESIDENT MARINCIC: Thank you. Clwn Mahoney.

CLWN MAHONEY: First of all I'd like to thank Taylor for being here with me today. Mr. Suster went a little over. Next time we have to dock him on a minute and a half. Also I would like to congratulate Rajah. You did a great job tonight and congratulations on being vice president. That's an amazing accomplishment. I wish you all the success in the world.

I'd also like to congratulate Lt. Bailey and Sgt. Cramer from our Police Department, the winners of our Christmas lights and in Ward 6 we had Mr. and Mrs. Valencia. I'd like to thank Jeanne Collova. She never gets thanked either. You put up with so much. Thank you for dealing with that and all that you do allowing us as residents and Council Members and Administration to pull on him. I know sometimes he probably goes home and he's not the happiest guy in the world so thank you for always supporting all of us.

I would also like to welcome are there still people there? Nice see you guys. I want to also thank Ron like everybody else. You do do a good job. I don't tell you as often as I should. But thanks.

The other thing I'd like to do is I'd like to talk just a little bit and wish former police officer Joe Sisek who retired from Garfield Heights Police Department fairly recently and also I'd like to comment on Sheriff Reed who is going to retire so I wish him the best of luck in his retirement. He was a great man. He still is. With that, that's all I have.

PRESIDENT MARINCIC: Thank you. Clmn Vaughn, you're last.

CLMN VAUGHN: Before I get started, so don't put this on my time, I have an announcement from the Recreation Department. We want to mention that we are having a Super Bowl Skate this Sunday from 4:00 to 6:00 and it's \$5.00 so come on down and have a good time skating. Anything else? Good.

Joe, I want to thank you for your comment and your editorial. That was very good. It goes right into what I want to talk about a little bit. This is National Catholic School Week. A lot of times we forget that we have four very good schools here in Garfield Heights, Archbishop Lyke, John Paul II, St. Benedict/a.k.a. St. Monica's and Trinity High School. There's a lot of good things that go on in those schools. They stand up for a lot of things that are good. Yes, Mike?

CLMN DUDLEY: Did you mention Holy Spirit?

CLMN VAUGHN: That's Archbishop Lyke.

CLMN DUDLEY: OK.

CLMN VAUGHN: Did I get all the Catholic schools? OK. I also want to congratulate our new police officers. I wish them the best of luck and I hope that they are always protected. When you are out on the street and you see these guys congratulate them and thank them for what they do.

This week we'll have our Block Watch at St. Monica's/St. Benedict's and this week joining us will be the K9 group so if you want to come up and learn about the dogs, and hear what's going on, we'll also be installing our new officers, Jerry and Nikki and Mr. Fashimpaur is going to be going on as our treasurer and Wayne will stay on in his position so come on up and join us.

I have one thing. Last night I got a few phone calls about cars being out in the street. I heard the plows going up and down. Please people, please, bring your cars in. It makes it a little bit easier for Timmy's group to do a great job and I appreciate that they were out last night. If you can, get your cars in so that they can get those streets cleaned up. I think I have everything.

Mme. Chairman, I would like to make a motion that we adjourn.

PRESIDENT MARINCIC: All in favor say Aye. All opposed. Meeting stands adjourned.

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

MEETING ADJOURNED AT 8:11 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Nancy Marincic
President of Council

Barbara Molin
Clerk of Council