

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, October 10, 2011

MEETING CALLED TO ORDER AT 7:00 p.m. by Council President Frank Geraci, Jr.

INVOCATION BY: Councilwoman Debra Sarnowski

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

READING AND DISPOSAL OF MINUTES:

Moved by Cllm SUSTER to accept the minutes of the Regular Meeting of City Council of September 26, 2011 as submitted. The minutes were adopted with seven YES votes. (Suster, Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Sarnowski).

WRITTEN COMMUNICATIONS TO COUNCIL: None.

LEGISLATION OUT OF COMMITTEE: None.

REPORTS OF THE MAYOR AND DIRECTORS:

PRESIDENT GERACI: We will move on to the reports of the Mayor and the Directors. Mayor Collova?

MAYOR VIC COLLOVA: Thank you, Mr. Geraci, Council. A couple issues today. First off I want to remind everyone that Election Day is Tuesday, November 8th. Council is up for election. There's many issues on the election but I want to talk about one specifically and that's Issue 56 and that's the speed camera issue. This is about the speed cameras that would be located in school zones and playground areas only. I've received some questions, most of it positive, but I have received some questions about the playground areas and the school zones and I want everybody to rest assured that there's no back doors. We're not going to put up a swing and say it's a playground and put the car there. This is going to be 100% legitimate. It's for the kids and I'm telling you if there's an old playground where kids don't come the car's not going to be there. This is to protect the youth of the city of Garfield Heights. That's where they're going to be. Rest assured that's what it's all about and I urge everyone to vote for this Issue 56. Vote Yes and protect our kids.

The second thing I want to talk about is we had a business meeting a week ago Friday. We had probably 50 or 60 different business representatives from Garfield Heights that came in, talked about different issues; it was a very positive, it was a very upbeat meeting. We, at that meeting, talked about if you remember we implemented Shop Garfield about a year ago? It did not take off the way we had anticipated. Many of the businesses did not get involved. Many of the residents did not get involved. We have decided to do a couple of different niches to it. We're going to sort of salvage it back up and recreate it a little differently. We're going to get it back out and we have a group that's going to work on that. We actually had quite a few business

owners in the city that asked to be on a committee, which I am putting together a committee of business owners to talk about some of the things the city can do for them and they can do for the city. It was a very positive meeting and I was very glad the way it went.

With that said, I want to get into tonight's legislation. On Ordinance 64, this ordinance is an anti-poaching agreement that County Executive Ed Fitzgerald has put together for the 59 cities/municipalities throughout Cuyahoga County. When it first came out there were some questions about some of the areas of the agreement. I had concerns about confidentiality. I had concerns about if the developer goes after another business would the city be against the agreement? Let me back up a little bit. The agreement means that you can't steal a business from another community. I can't go into Maple Heights and knock at somebody's door and say look we got a great location for you in Garfield. Why don't you come to Garfield? But it does not stop the city from selling their wares to somebody that comes to us. Because of the shopping centers that are being proposed in Garfield Heights and because of all the confidentiality that surrounds it and because developers are out and they are trying to find different businesses to come to Garfield, I was concerned about that part. They actually changed some of the language in the agreement to take care of the concerns that we had. I think it's a very good thing and am urging Council to pass it. Ordinance 65. Transferring and additionally appropriating certain funds within the General Fund. I think Ron can get into this a little bit if anybody has any questions. Basically we ran a little short in two areas and that was in the law and finance and so we're going to move some funds around to cover that.

Resolutions 46, 47 and 48. These resolutions are to re-appoint Charles Bryant, Trudy Bordonaro and Colleen Korpowski to the Land Reutilization Program. They were on last time. It was a good program headed up by Noreen and they're doing a good job for us. Resolution 49, a resolution commemorating National Breast Cancer Awareness Month. We've done this in the past. We want to continue to do this. Resolution 50-2011, an emergency resolution asking the Governor of the State of Ohio, John Kasich, to issue an immediate moratorium to prevent the disconnection of gas and electric utilities affecting the City of Garfield Heights residents from November 1, 2011 to March 31, 2012. We're not asking the Governor to give them a break and not let them pay. What we're asking for them to do is to give them an opportunity to pay when they have the money and during that time not to turn off their electricity or their utilities in the winter months when there would be some serious problems. Resolution 51, an emergency resolution opposing the State of Ohio from seeking to take control of the municipal tax collections. Ron can get into this with you in a lot more detail. We've looked into it. We've researched it. We do not believe this is the right thing for our city and probably most cities feel the same way. We anticipate problems such as disbursement of funds. In the position the city's in we can't wait for funds, especially when they're ours and right now R.I.T.A. does an outstanding job, a great job and we want to continue this. We don't want the State to take this over. So with that, Mr. Chairman, you have my report.

PRESIDENT GERACI: Thank you, Mayor Collova. Any questions for the Mayor? We'll move on. City Law Director, Mr. Riley.

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

PRESIDENT GERACI: Any questions for Mr. Riley? We'll move on to the Service Director, Mr. McLaughlin.

SERVICE DIRECTOR TIM McLAUGHLIN: Thank you, Mr. President. We are working to close up some of our summer projects, we're still back patching some areas that need a little more

work. So far we've been working on the water break repairs, completed about 80 of them. There's still about 50 left to do. We do the best that we can. We're catching up all the way back from 2010 so it made it a little bit harder but we made it to get those in so we can get paid for them. We're still working on some tree damage from the storm last month and we'll continue to reevaluate each tree that we look at. We just completed the Hazardous Waste Roundup for two weeks. That ended Saturday. I don't have the final figures on that. I'll have it for you at the next meeting.

Leaf pickup I'm probably going to try to hold off for another two weeks. There's no sense in sending trucks around to drive around in circles while there's one pile here, one there. I'm hoping to get it down into two pickups. I've checked with other places and if they don't eliminate it that's what they're doing now so hopefully I'm going to try at the end of the month and go through one time and some time in November depending on how it is and we'll go from there but I'd like to cut it down to two pickups and like I said before you can bag them and put it out for the rubbish. The rubbish does not recycle. That's one of the things that they don't recycle but they still will take it so if it bothers you that there's leaves on your lawn, put them in a bag and put them out with your rubbish. That's the end of my report.

PRESIDENT GERACI: Thank you, Mr. McLaughlin. Any questions for Mr. McLaughlin?

CLWN SARNOWSKI: About the leaf pickup. Residents were asking is there going to be any set time? Because I know at one point we did say that we would pick them up after trash day, but you don't have nothing like that planned?

SERVICE DIRECTOR TIM McLAUGHLIN: In 33 years I've been here that's never worked. They get wet, the machines break down, whatever. I can never promise anybody because I tell you Yes and then I'll get 100 phone calls well you said. All I can tell you to do is put them out on the tree lawn, not in the street and we'll get to them as soon as we can.

PRESIDENT GERACI: Any other questions for Mr. McLaughlin? We'll move on. Finance Director, Mr. Tomola.

PARKS AND RECREATION DIRECTOR BOB DOBIES: Absent.

ACTING FINANCE DIRECTOR RON TOMOLA: Thank you, Mr. President. As the Mayor said, Ordinance 65 is what we discussed in the Finance Meeting last week, the budget hearings. A little increase for the Law Department and for the Finance Department. A couple line items fell a little short. The other change there is for the Wade-Trim payment that we made. I had to set the budget for that.

As far as Resolution 51, again, as the Mayor said, R.I.T.A. does an outstanding job doing our tax collection. We could not do it as cheap as what R.I.T.A. does it for us. The State taking over I just see major problems. They're already talking about having to increase the State Department of Taxation to do this. I think the State's trying to play a little game of float whereby they would collect the money. Right now we get the money twice a month from R.I.T.A., but R.I.T.A. takes that money as it's collected everyday and invests it and once a year we get a rebate check back at the end of June that is the excess revenue over the expense from the prior year. There's no guarantee the State's going to do that. So they are going to hold their money. They're going to make the investment on it and I just don't see where it can be a good thing for us. With that you have my report.

PRESIDENT GERACI: Thank you, Mr. Tomola. Any questions for Mr. Tomola?

CLWN MARINCIC: Mr. Tomola, can the State do this without our permission? I mean how dare they?

ACTING FINANCE DIRECTOR RON TOMOLA: I believe they can. There is some argument about it being against the Doctrine of Home Rule. I'm not a lawyer. I don't know the legalities of that. From what I've investigated thus far I believe that that's true, that it is against Local Home Rule, but I would need to do more research to give you a definitive answer.

CLWN MARINCIC: Thank you very much. That's all I have.

PRESIDENT GERACI: Any other questions for Mr. Tomola? We'll move on. Mr. David Krock, City Engineer.

CITY ENGINEER DAVID KROCK: Thanks, Council President. Two items tonight. First of all over on North Granger and East 88th I want to thank Council for passing the emergency resolution last Council Meeting authorizing us to go ahead and get bids quickly and get it awarded. We are recommending Ronyak Paving to do the work and we took the bids last week and we've sent them a contract today. They will be starting next Monday (weather permitting) and will be done by Thanksgiving. I know that will be a welcome sight to those folks that live in that area. It's been rough for them.

The second item is we've been working with the Health Department. We have 15 homes still in Garfield Heights that have home septic systems, some of which are failing and causing trouble for the neighbors so I think from a public health standpoint, it makes sense for us to look into this and try to find a way to get them hooked up to public sewer and if so then help everybody out. So we'll have more on that as we inquire more. Thank you.

PRESIDENT GERACI: Thank you, Mr. Krock. Any questions for Mr. Krock? We'll move on. Economic Development Director, Ms. Kuban.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Thank you, Mr. President. Briefly, I'd like you to consider reappointments of the members of the Land Bank Committee and also the Harvest Fest this year will be held on October 22nd, which is a week from this Saturday and it's from 1 to 5 at the Civic Center. Thank you. That completes my report.

PRESIDENT GERACI: Any questions for Ms. Kuban? Building Commissioner Mr. Wervey.

BUILDING COMMISSIONER BILL WERVEY: I have nothing new to report this evening, Mr. President.

PRESIDENT GERACI: Anything for Mr. Wervey?

CLWN SARNOWSKI: I have a question. When the person moves that's renting property and they move out, do they need to get a--the person that owns the house needs to get a permit for any time they re-rent the house?

BUILDING COMMISSIONER BILL WERVEY: They need to give us new information on the new tenants, but they renew their permits on a yearly basis.

CLWN SARNOWSKI: Do you like go in and check the house after renters leave?

BUILDING COMMISSIONER BILL WERVEY: Not at that time.

CLWN SARNOWSKI: And whose responsibility is it to get an occupancy permit or a building permit?

BUILDING COMMISSIONER BILL WERVEY: The responsibility is the property owners' (the landlord's).

CLWN SARNOWSKI: Does the person moving in need to get an occupancy permit?

BUILDING COMMISSIONER BILL WERVEY: The landlord should come to us, give us the new information, we change the occupancy permit, but as we all know, that doesn't happen all the time. We're constantly having to chase people around to get them to comply.

CLWN SARNOWSKI: I can always check with the Building Department to see if those permits are.

BUILDING COMMISSIONER BILL WERVEY: If you have an inkling that somebody's there that shouldn't be there you'd let us know and we'll check.

CLWN SARNOWSKI: Thank you.

BUILDING COMMISSIONER BILL WERVEY: And we are always in contact with the school board and we find lots of things that way.

CLWN MARINCIC: Say somebody owned a house in Garfield Heights and they decided to move to a different residence, say, Maple Heights? And they didn't sell their house in Garfield Heights. They let their son/daughter who was in their 20s live there rent-free? Now they own two houses. They're not renting the house in Garfield Heights. One of the family members is living there and they are not charging them. They're paying their utilities. Are they renting their house by our law?

BUILDING COMMISSIONER BILL WERVEY: I believe the legislation that was passed this past spring leaves immediate family members.

CLWN MARINCIC: You say immediate family members? That would be the son?

BUILDING COMMISSIONER BILL WERVEY: Yes.

CLWN MARINCIC: So they're allowed?

BUILDING COMMISSIONER BILL WERVEY: Yes, that would be permitted.

CLWN MARINCIC: OK. They got a notice from our Building Department saying they need a rental inspection and have to pay the fee.

BUILDING COMMISSIONER BILL WERVEY: Well, as with everything else, some things fall through the cracks or maybe it's a different name and we don't know it's their son?

CLWN MARINCIC: No. It's the same. I'll let them know.

BUILDING COMMISSIONER BILL WERVEY: Have them talk to us and we'll get it straightened out. Usually when that happens they will call us and let us know what the relationship is and that would negate it.

CLWN MARINCIC: OK. I'll look into it. I'll contact them. Thank you.

PRESIDENT GERACI: Any other questions for Mr. Wervey? We'll move on. Comments from the Citizens on the Agenda items only.

COMMENTS BY CITIZENS:

PRESIDENT GERACI: The rules are this portion of the meeting is for the residents' comments on tonight's legislation only. Comments are limited to five minutes. No one can speak more than once. Please raise your hand to be recognized. Please raise your hand to be recognized. We'll move on to legislation.

COMMITTEE REPORTS: None.

ORDINANCES AND RESOLUTIONS:

ORDINANCE NO. 64-2011

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF GARFIELD HEIGHTS WITH CUYAHOGA COUNTY FOR THE PURPOSE OF RETAINING BUSINESSES IN THEIR CURRENT AND DESIRED CITIES.

MOVED BY MARINCIC TO CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

VOTE ON ADOPTION:

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

PRESIDENT GERACI: That passes 7 - 0.

ORDINANCE NO. 65-2011

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 12-2011; ORDINANCE 45-2011; AND ALL OTHER TRANSFER AND ADDITIONAL APPROPRIATION ORDINANCES, TRANSFERRING AND ADDITIONALLY APPROPRIATING CERTAIN FUNDS WITHIN THE GENERAL FUND.

MOVED BY SUSTER TO CONSIDER BY TITLE:

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

Motion to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:

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

VOTE ON ADOPTION:

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

PRESIDENT GERACI: That passes with 7 Yes votes.

RESOLUTION NO. 46-2011

AN EMERGENCY RESOLUTION RATIFYING AN RE-APPOINTMENT BY THE MAYOR OF CHARLES BRYANT AS A MEMBER OF THE LAND REUTILIZATION PROGRAM OF THE CITY OF GARFIELD HEIGHTS, OHIO, FOR THE TERM EFFECTIVE OCTOBER 10, 2011 AND ENDING DECEMBER 31, 2013.

MOVED BY DUDLEY TO CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

VOTE ON ADOPTION:

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

PRESIDENT GERACI: That passes 7 Yes votes.

RESOLUTION NO. 47-2011

AN EMERGENCY RESOLUTION RATIFYING AN RE-APPOINTMENT BY THE MAYOR OF TRUDY BORDONARO AS A MEMBER OF THE LAND REUTILIZATION PROGRAM OF THE CITY OF GARFIELD HEIGHTS, OHIO, FOR THE TERM EFFECTIVE OCTOBER 10, 2011 AND ENDING DECEMBER 31, 2013.

MOVED BY NENADOVICH TO CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

VOTE ON ADOPTION:

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

PRESIDENT GERACI: That passes 7 Yes votes.

RESOLUTION NO. 48-2011

AN EMERGENCY RESOLUTION RATIFYING AN APPOINTMENT BY THE MAYOR OF COLLEEN KORPOWSKI AS A MEMBER OF THE LAND REUTILIZATION PROGRAM OF THE CITY OF GARFIELD HEIGHTS, OHIO, FOR THE TERM EFFECTIVE OCTOBER 10, 2011 AND ENDING DECEMBER 31, 2013.

MOVED BY MAHONEY TO CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

VOTE ON ADOPTION:

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

PRESIDENT GERACI: That passes 7 –Yes votes.

RESOLUTION NO. 49-2011

A RESOLUTION COMMEMORATING NATIONAL BREAST CANCER AWARENESS MONTH.

MOVED BY VAUGHN TO CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

VOTE ON ADOPTION:

CLMN VAUGHN: Before I vote, as many of you know, in my family alone we have been facing this terrible disease for the past two years. We hope and pray that someday there will be a cure for this disease. As my wife told many people yesterday at the clambake, we got good news on Monday when she was told that her breast for the first time in two years was cancer-free.

Thank you. We pray that this continues, but there's many people out there fighting this disease and we hope that they have the outcome that my wife Barb did. I vote Yes.

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

PRESIDENT GERACI: That passes 7 Yes votes.

RESOLUTION NO. 50-2011

AN EMERGENCY RESOLUTION ASKING THE GOVERNOR OF THE STATE OF OHIO JOHN KASICH TO ISSUE AN IMMEDIATE MORATORIUM TO PREVENT THE DISCONNECTION OF THE GAS AND ELECTRIC UTILITIES AFFECTING CITY OF GARFIELD HEIGHTS RESIDENTS, FROM NOVEMBER 1, 2011 TO MARCH 31, 2012.

MOVED BY DUDLEY TO CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

VOTE ON ADOPTION:

CLMN DUDLEY: Before I vote, I'd like to say this is very important, like I say not just to the Ward but to the city as a whole and other cities also. You have a lot of people, whether or not you realize it, some people, I have read stories, have died because they put generators in the house. They didn't realize to keep the generator outside just to create electricity so that they can run heaters in the house just to keep the house warm because the gas and electric both was off. When a lot of families don't be able to cook proper meals for their children because the utilities are cut off in the winter time, not because they getting paid they just couldn't pay what the utility companies were asking. We know they like thieves in the night, you know, they just roll right up you don't be home, nobody knock on the door. They just come and click them utilities off. We're not asking for them not to receive compensation for providing service. We're saying just to leave it alone between that month of November up to that month of March. If not for the parents, for the children's sake. I vote Yes.

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

PRESIDENT GERACI: That passes 7 - 0.

RESOLUTION NO. 51-2011

AN EMERGENCY RESOLUTION OPPOSING THE STATE OF OHIO FROM SEEKING TO TAKE CONTROL OF MUNICIPAL TAX COLLECTION.

MOVED BY SARNOWSKI TO CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

VOTE ON ADOPTION:

CLWN MARINCIC: Before I vote, I'd just like to say to me this appears to be just another way the State of Ohio can get more of our money and hold it and collect interest off of it and take their time in giving it back to us when we should have been collecting it to begin with. I vote Yes.

CLMN NENADOVICH: Yes, I urge you to write your Congressmen, your Senators, your House of Representatives and tell them we got to do something with Mr. Kasich. We have to do something and I vote Yes.

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

PRESIDENT GERACI: That passes 7 Yes votes.

COMMENTS BY CITIZENS:

PRESIDENT GERACI: We will now move on to the comments by the citizens. The rules are you cannot bring up anything of a first nature. You must have previously brought this problem to your Councilperson or a City Hall department. You are limited to speak only once for a period of five minutes. Please raise your hand to be recognized.

Bob Halen 12416 Oak Park Blvd. Mayor, you stated about the traffic lights. I thought that was going to be a permanent installation in the school zones? I didn't know this was going to be with the mobile?

MAYOR VIC COLLOVA: It's going to be the mobile vans and the mobile vans will move around as the police see a need for it.

MR. HALEN: The reason why is I'm a school crossing guard. The Garfield Heights Police Department have their hands full as it is. Just the other day two patrolmen nailed a speeder and I almost got hit 10 days ago and I was hoping this was going to a permanent installation in the school zones so our police enforcement can do their job without having to move the mobile car around. I thought that would be more efficient.

MAYOR VIC COLLOVA: You're probably right. The reality is, though, the company that's putting the cameras in when you talk about all the school zones the expense would be very high. The thought process behind this is once this thing gets started we're going to make it very public to everybody in the city of Garfield Heights. Everybody's going to be well aware that these cameras are going in and when they're going in, we believe after they're in for a little bit people will slow down in all the school zones. That's what's happened in other areas. We anticipate the same thing here. Even though they're not covering each individual location, Bob, like they probably should be, but we believe that it will have the same effect. It will just take a little longer.

MR. HALEN: Going down Turney Road we have school zone, school zone, school zone. If you had the permanent installation the violators would dare not speed. But that mobile they can speed in one section when they see the car they'll slow up.

MAYOR VIC COLLOVA: We understand that. What we try to do is when this went on the ballot last time and the people voted it down, it was a very, very close vote. The people voted it down. We wanted to respect the people that were against it. We wanted to respect what their position was so that's why we brought it down to the school zones and just playground areas because we want to respect what their vote was but we ask them to at least give some thought to taking care of the kids. That's why we put it in this way. We think it's going to work. We think it's going to be positive with the city of Garfield Heights. It's something to protect our kids. I wish we could put one in each school zone but we really can't.

MR. HALEN: Is there a guarantee that there will be a no tolerance? I don't like to see a car going 22 in the 20 zone because the allowance gives more of an opportunity for a kid to get hurt.

MAYOR VIC COLLOVA: I understand that. We're looking at some different ideas. I think we're going to probably end up going the same way we did last time--6 mph over. I think that's what's going to happen. Understand what we're trying to do again. You have to understand that person that daydreamed for a second was doing 21 or 22, or that speedometer that 's off by a mile or two. We want to protect those people. We're not looking to just grab somebody. This is not a moneymaker. It's for safety and we feel if you're doing under 25 mph you're being pretty safe. But I understand your concern. Many people feel the same way you do. Just as a whole we think this would be a better way to go.

MR. HALEN: OK. Thank you.

MAYOR VIC COLLOVA: Thank you, Bob.

Leonard Leone, Briarcliff Drive. Council, I suggest that we all look around our audience here. I been to about four Council Meetings here and the problem here is a lot of your residents, especially Seniors, don't really know what's going on here in Garfield Heights. We're all complaining about city services, we're complaining about we don't have this, we don't have that. We want this. We want that. But Council is not in my opinion all Wards should notify all residents that we're in dire need of financial funds here in Garfield Heights. I see no literature going out to the residents. So it's something to think about, especially if you start looking at your audience. It is a disgrace really, in my opinion, that our residents aren't here. The only time you hear something is when they want something like now the service to complain about the service. Somehow we don't have funds, Mayor. Let the residents know. Let's have town meetings or something here. Let's get the residents involved. You done all you can do, Mayor, Service, all of Council but it's a shame you Council people get calls at home, why don't we have this? Why don't we have that? Send out reports.

I want to commend our safety, the city of Garfield Heights Police Department for the great job that they're doing. They deserve accolades. If there's any officers here from Garfield Heights we should be proud of their department, because I am.

One more thing, Mr. McLaughlin, you're doing a heck of a job and if the residents keep calling up complaining don't do this, don't do that, say call your Councilperson and ask for more money. Get the pressure off of you. Thank you. OK. Thank you so much.

PRESIDENT GERACI: Thank you. Anybody else to be recognized?

Mary Ryan, 5014 East 114th Street. A week ago last Thursday I was trimming the tree on the tree lawn, which technically the city should do, but I thought you're low on people so I'll just go out and do it. No big deal. I got stung and I found out later that it was a white winged hornet. I called up the maintenance department number and some guy answered the phone and I told him what happened and I said there's a nest in my tree and it's quite large and I needed to have it removed. He said I'll put it on the list. I said no, you don't understand. I'm allergic. This is an emergency situation. I need it removed. It's your tree and he said that's all I can do. I said fine I'll call the Mayor. So I called up city hall and I didn't know that they had extensions for Mr. McLaughlin so I dialed that number and a nice lady named Jennifer answered the phone I told her my situation and within five minutes she called me back and said we'll have a crew and they're on their way so I want to thank Mr. McLaughlin and the two nice guys that came out to my house that were very concerned about me because they said you're sure you're OK? And I said yeah I'm OK. Well it wound up that was on Friday. Saturday I wound up in the Emergency Room because it did get worse. But at the time when they came out, they were very concerned that I was OK and they sprayed it with something and they told me to put hot water on the sidewalk to get rid of the oil spray or whatever they did and they removed this big thing it's almost the size of a soccer ball so I want to thank the crew that came out and Mr. McLaughlin for answering my call. Thank you.

PRESIDENT GERACI: Thank you, Mary.

MAYOR VIC COLLOVA: Mr. Chairman, I'd like to respond. I would like the audience to know that Mary, first off I'm glad that everything worked out well and I'm glad they came out and took care of your problem. She talked about trimming the tree on the tree lawn which is city property and she goes a lot further than that. Mary is actually one of a few people that come here to the city hall, plant, pull weeds. She does a whale of a job for the city and you should stay in the city because you never get stung by a bee here. So keep working here. No, I want to thank you, Mary. You do a great job.

MS. RYAN: I know. I didn't want to say do you know who I am? So when I said I'll call the Mayor's office he goes OK and I think he should have taken it a little seriously because I did wind up in the emergency room and it did cost me a lot of money but I felt I could do this.

MAYOR VIC COLLOVA: Thank you.

PRESIDENT GERACI: Thank you, Mary. Anybody else?

Elving Otero, 6525 Brookhill. I just want to bring something up. I've been knocking on doors as you obviously know and a lot of issues have come up and one in particular has been the one regarding an ordinance regarding this \$400,000.00 plus money that was presented to Council or through the Mayor and I've gotten a number of stories on it and the question that they ask me, especially the elderly, would I support it one way or the other? I started asking questions and I've gotten a lot of conflicting replies. I brought it up to Mr. Vaughn and one of his replies was that there wasn't a \$400,000.00 issue and there was no budget or contract or anything regarding that ordinance. So what I'd like to do is ask for clarification because it will come up

again. I don't know if anybody has asked any of you how it goes? I've heard about a seven vote against and I heard a split vote, etc. So I'm not sure what is right? And I just don't want people to continue to tell me that I'm wrong on the statement or that I should get my facts right, so if I can ask Mr. Vaughn maybe he can clarify what he told me or?

CLMN VAUGHN: As I told you, Mr. Otero, I never saw a contract for \$400,000.00, \$600,000.00, \$350,000.00. It was a vote that came. We had hearings on it. The Mayor sent it back to committee. Mrs. Mahoney had informed us that she had made a promise and Mayor Longo had made a promise that this billboard would never go up in that neighborhood. I'm a man of my word. I believe that they made a promise and we had to stick behind it and I did. I never saw a contract and I will ask Mr. Riley to answer that question. Was there ever a contract, Mr. Riley?

LAW DIRECTOR TIM RILEY: We did not have a contract in place at that time.

MR. OTERO: Did we in fact lose money though on this? Or is that in a holding pattern? Or what is the issue with this?

LAW DIRECTOR TIM RILEY: What actually took place is it would have had to be a zoning change for that area in order to allow the billboard to go up. The zoning change has to be voted on by Council to be put on the ballot. When that is proposed to Council (by our Charter) it is required to go into the Ways and Means Committee. Eventually it was placed in the Ways and Means Committee and at a Council Meeting, I think it was Clmn Dudley did move to bring it out of committee. When it was brought out of committee it was voted on whether to bring it out of committee and it lost 4 to 3 on that vote. That was back in June. So that actual ordinance itself was never put before Council. The question was to vote to bring it out of committee so it never actually came out of committee.

MR. OTERO: So there was no vote on it then?

LAW DIRECTOR TIM RILEY: There was never an actual vote on the ordinance. No. The vote which took place in the Minutes that are from I believe in June was to bring it out of committee.

MAYOR VIC COLLOVA: If I can respond, Mr. Chairman? Just to clear up any confusion for any of the residents, the contract that was originally written up was written up four or five years ago. There was two billboards that were supposed to go up and these billboards Garfield Heights had cut a deal with Clear Channel for \$600,000.00 each. The one billboard went up. Everybody knows and there was a problem about who owned the property. The second billboard—the one that we're talking about now—never was agreed to by Council. The Mayor and Council voted it down at that time. They never wanted to follow through on it so that contract at that time became a dead issue. But there was originally a contract. What happened after that is that Clear Channel had come to us and said we would be willing to do that billboard again and we would be willing to give you around \$350,000.00. I thought we could have negotiated for \$400,000.00 so that's why I was using the figure \$400,000.00 but the reality is that there never was a contract in place. Council never did see a contract. It was verbal at that time.

MR. OTERO: Very good. I think that supports his indication that we should have some form of communication going on to inform people because they're not aware of what really happened with that.

MAYOR VIC COLLOVA: The reason that we're televising the Council Meetings is because we're trying to get the public involved as much as we can. The Neighborhood News does a great job putting everything in. It's hard. I know people would like to get a publication every week saying what's going on or every month but financially we can't do that. But I do agree with you that I wish there was a way maybe through a grapevine of some kind or something that we could get to the people. Down the road that may happen but right now we just don't have the money to do it.

MR. OTERO: Thank you. I agree.

PRESIDENT GERACI: Thank you, Mr. Otero. Anybody else?

David Mays, 8250 Green Drive. Mayor, Resolution 50 and 51. Have you discussed this with any other Mayors from the communities about doing what Council and you want to do tonight? About sending the Governor?

MAYOR VIC COLLOVA: Yes. Actually there's a number of meetings that I've attended. There's information that Ron has gotten from other communities. There's other communities that are doing the exact same thing that we're doing. We actually got some of their ordinances and resolutions given to us just to give us an idea of what they are doing. Many of the communities, from the meetings I go to I can honestly say I haven't heard one Mayor say that they thought this was a good idea. Not everybody speaks. You know some of them are very professional. They're not all like me. I have not heard one positive statement about this other than the Governor wants it done.

MR. MAYS: OK. So we're not the only one?

MAYOR VIC COLLOVA: No. Absolutely not.

MR. MAYS: OK. Thank you.

PRESIDENT GERACI: Thank you, Dave. Anybody else to be recognized? Anybody else? We We'll move on to Miscellaneous. We'll start off with Clmn Vaughn.

MISCELLANEOUS BUSINESS:

CLMN VAUGHN: Thank you, Mr. President. How many meetings do you have left? No, just a little personal note from what happened yesterday, that's all. First of all I want to thank the police department. They're doing a great job. They've increased their patrols in the Saybrook area. They've had some issues with suspicious cars, etc. and the residents, as I'm walking around are telling me that you guys are much more visible and they appreciate it.

I've also been asked by Father Haren to publicly inform everybody about the merger that's taking place in September. St. Monica's School and St. Martin of Tours Elementary School will no longer exist. They are going to be called St. Benedict's. That school will reside partially at St. Monica's. The plan right now is grades 1 – 8 at St. Monica's and Preschool and K will exist hopefully next year they hope to get their preschool going at St. Martin's. This will be a whole new administration. It's something new. There's a lot of talk about it. A lot of people are concerned how it's going to go. The name St, Benedict was not chosen by either parish. It was chosen by Bishop Lennon so as of next September the school will be called St. Benedict's and we wish them a lot of luck and as we have updates I'll be more than glad to bring them to you. With that I have nothing else to say, Mr. Chairman.

PRESIDENT GERACI: Thank you, Councilman.

CLWN MAHONEY: I like you, Frank.

CLMN VAUGHN: You weren't there.

CLWN MAHONEY: I would like to ask everybody to support Issue 56. Again for some clarification the speed cameras will go what the O.R.C. says is a school zone--no more no less. That's all I have.

CLMN SUSTER: I too, would like people to vote Yes for Issue 56 only because of the fact that it's going to protect the safety of our kids. If you're going up and down Turney Road and I know what Bob said as far as being a school guard that you go through these school zones and these people are not doing 20 mph. They are not doing 22 mph. They are doing 35 – 40 mph. I see it in the morning sometimes when I'm out. We have to protect our kids because you can't have kids be getting hurt.

Also I would like people if you haven't sent in your absentee ballots or when you go vote or anything to vote No on Issue 2 to protect the public employees. I know a lot of people are afraid to come out and say they are against it but it has to be done. We can't make the public employees suffer in this way.

As far as Kasich wanting to take our R.I.T.A. money he's chipping away at all these cities. He's going to bankrupt every city in the State of Ohio at the rate he's going. He said he would not raise taxes. No, he's not going to raise taxes but he's putting the burden on the suburbs and the people themselves.

I want to thank the Mayor for getting the new lighting. It's a lot easier on your eyes. That's all I have this evening.

PRESIDENT GERACI: Just a follow up in regards to what Clmn Suster just mentioned in regards to your absentee ballots. Be sure to put extra postage on—64 cents. Don't put one 44 cent stamp on. The reason I mention that is because I did it and I mailed it and I'm going to get it back. So I caution you be sure to look at it and read it very carefully.

CLWN SARNOWSKI: I have nothing this evening.

CLMN NENADOVICH: Yes. I'd like to congratulate Tom and Barb on their good news about the breast cancer. Congratulations on your good news, Tom and you and Barb. I talked to her yesterday. You're not going to acknowledge me either, huh? Leftover from the clambake. I want to let you people in the audience know check your home heating systems early this year so you don't get the carbon monoxide poisoning if you turn them on and they're not working properly. Take the time on a day when it's chilly to turn them on and see if it works. Make sure everything's working fine. I'd like to remind you all to vote No on Issue 2 to help our service employees and public employees and to vote for Issue 56 so we can get rid of the Turney Turnpike as Joe aptly named it. As always remember our Vets. They're dying more and more day by day and we got to support our Veterans. With that that's all I have.

PRESIDENT GERACI: Thank you.

CLWN MARINCIC: Very briefly I would just like to say that I feel that this particular Administration with Mayor Collova has done more to keep our city informed than any other Administration has and kudos to that, Mayor. Televising the meetings has been wonderful. It makes it rough going into a grocery store sometimes, but I think that's one of the best things you could have done. Our city's Website has been updated and it's definitely more informative for residents. I know that many people on this City Council, many Council Members are putting out their own personal newsletters and trying to keep the residents informed and just in case you need one, here's my Grapevine if you want it before you go. Once again thank you, Mayor. I appreciate everything you've done and I am looking forward to a better sound system as soon as we have a few extra dollars. That's all have.

CLMN DUDLEY: You saved the best for last. All right. First of all I'd like to say I'm going to strongly encourage people once again to vote No on Issue 2 and remind them that we shouldn't be surprised at anything that the Governor's doing because Governor Kasich told everybody what he was going to do before he went into office and people still voted for him. So he don't surprise me a bit, but I'm saying vote No and don't let them take away the bargaining rights from any of the public employees.

Also on Issue 56 I'm encouraging you to vote Yes. Like once before I supported the cameras but we understand that the cameras are going to be placed in the safe zones such as the city parks and recreation areas only and also on the schools and if you know 131st I appreciate our law enforcement to be up there because they come zooming right through our school zones like they're on a race track. I mean their lights are blinking so good you could see it a mile away. So I thank them for that and once again support the cameras and vote Yes on Issue 56 for the school zones and the safety of our children in parks and recreation especially around the Forestdale area.

Also, when we talk about this being televised I always thank Ms. Janice Tubbs who is proud to be a resident of Ward 1 for coming up with this idea because it most certainly works and this way the message can get out to the people in between the newsletters and give them an opportunity to know exactly what's going on in their city bi-weekly.

Also I wanted to remind you that we're having our Annual Halloween Party on October 29th from 5 to 7 p.m. and that's for everybody. It will be at the Family Life Center, 13400 Dressler Road, and you can make contributions of candy by contacting me or you can actually leave it over there or you can contact them at 365-3336.

And most important, I'd like to thank the residents for another two years of continuous support from the community and I'm proud of what we have on 131st and I'm inviting everybody to come up to our new fish market, our beauty supply and our barbecue place and patronize our city. I tell people you got to spend your money in your own city and keep your own tax dollars.

With that I'd like to say that I'm happy to hear the news about Mrs. Vaughn and Tom's family down there and this has been a good year and I'm proud of Mr. Frank Geraci there, he's done an outstanding job as being our Council President.

PRESIDENT GERACI: Thank you. I appreciate it.

CLMN DUDLEY: It was great working with him. That's all I have.

PRESIDENT GERACI: OK, can I have a motion to adjourn.

CLWN MAHONEY: I'd like to make a motion to adjourn.

PRESIDENT GERACI: Roll call.

AYES: (Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Sarnowski, Suster)

PRESIDENT GERACI: This meeting is adjourned.

MEETING ADJOURNED AT 7:55 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Frank Geraci, Jr.
President of Council

Barbara Molin
Clerk of Council