

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, October 22, 2012

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

INVOCATION BY: Clwn Nancy Marincic

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

READING AND DISPOSAL OF MINUTES:

PRESIDENT MARINCIC: Reading and disposal of the Minutes from the Monday, October 8th Regular Meeting of City Council.

CLMN SUSTER: Mme. Chairman, I'd like to make a motion that we accept the Minutes of Monday, October 8, 2012 as submitted.

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

WRITTEN COMMUNICATIONS TO COUNCIL: None.

LEGISLATION OUT OF COMMITTEE: None.

COMMITTEE REPORTS: None.

REPORTS OF THE MAYOR AND DIRECTORS:

PRESIDENT MARINCIC: We will move on to the Mayor and his report. Mayor Collova, you have a report this evening?

MAYOR VIC COLLOVA: Thank you, Mme. Chair, I do. First off I wanted everyone to take notice if you would please of the new city flag that is flying. That really looks good. It may not exactly be flying but it will be flying at different locations throughout the city. We're really proud of that. It was done by Becky Simmons, a former employee of Garfield Heights. She did a great job. We thank her for that. Looks great.

Next what I want to get into is a Recycle Campaign Signs Program that the Solid Waste Management District is going into again this year. I'll read it to you.

"The Cuyahoga County Solid Waste Management District wants you to recycle your campaign signs. Following the November General Election the Solid Waste District will be collecting election signs for recycling at its facility located at 4750 East 131st Street in Garfield Heights. We are conveniently located just south of I-480 and Broadway. The

District is a non-partisan recycler. We encourage all candidates, elected officials, Ward clubs to round up election signs so we can keep them out of the landfills. The District will accept all plastic and cardboard signs including the metal stands from November 6th through the 10th and again November 13th through the 16th from 8:30 a.m. to 4:30 p.m.”

So that’s certainly close enough for all of us if we would like to just bring them over there and let them be recycled.

Next I want to talk a little bit about the Cuyahoga Valley Center the vocational school that we have. I belong to a group called Vision 8 and it has business owners, school officials, city leaders and some other folks from the vocational school and this is about jobs for the unemployed, jobs for young people getting out of school and we had some business people there. There was a gentleman from FerroTherm that is right here in Garfield Heights and you know everybody during this election (we’ll hear it tonight at the debates) talks about jobs. We all know that we need to make more jobs in this country. But he told us all something that was very interesting. He said he has a machine shop and this machine shop if you are a CNC machine operator there are jobs available all over the city he tells us. If he had 150 employees or 150 people that were skilled CNC machine operators he would be able to hire them immediately. He says there’s a lack of skill in and around our area and in and around the United States. This vocational school has a program for residents that need work that would last somewhere between three to four months part-time to go to this program, be certified in the CNC machine operators and these jobs are available. These jobs are so scarce that they’re actually looking to go to foreign countries, Germany, Poland, to bring in foreign people to house them and get them to work. So this is something we should look into. For the Council people, anybody in your Ward we’re going to try to get some literature out to you and you can bring that up at your Ward club meetings and different places so we can get some jobs out there which would be great.

Next this is actually a very pleasurable letter for me to read because our Building Department doesn’t get the praise that many of our other departments do. I want to read this. This is from the Bassett Sprinkler Protection, Incorporated.

“Dear Mayor:

Having past served as Director of Public Safety for the City of Brook Park and having the Building and Fire Departments under my supervision I know firsthand that complaints come a lot more often than compliments. With that being said I would like to compliment your Building Department and particularly with regards to Commissioner Bill Wervey and Eloise Stanton. With Marymount Hospital going through an addition as well as major modifications throughout the existing hospital Bassett Sprinkler has been under a lot of pressure to bring the hospital up to code in a short period of time. Government entities such as joint commissions have put very specific demands with regards to the fire protection at the hospital that needed to be completed as quickly as possible. At times I can honestly say that I have been assertive in requesting the witnessing of tests and the review of plans and the Building Department has always responded in a professional way and met my needs in a timely fashion. Commissioner Wervey and Ms. Stanton have an awareness that we are all working together to achieve a common goal of protecting life and property. It is a welcome response that is not always experienced in other cities. I also find that the communication between the Building Department and the Fire Department is outstanding. Many cities seem to have a problem with Building Departments not understanding the importance of communicating with the emergency response firefighters and their need to comprehend buildings and their construction

when trying to fight a fire. Lt. David McKee and Commissioner Wervey have an exceptional working relationship that is a tribute to both of them, Your city is well served by Commissioner Wervey, Ms. Stanton and Lt. Dave McKee and I would ask that you acknowledge them and let them know that I appreciate this service.”

I want you to know we do appreciate it, Bill. Your department does a great job. It also says on the back this announcement was paid for and approved by Bill Wervey. Just kidding. No, they do a great job and I do appreciate that. Thank you very much.

I very briefly want to talk a little bit about Issue 54 because the election is coming up and there's a lot of questions, a lot of misunderstandings that are out there with the people. I want to try to clear some of them up. Some people have called and some people have blogged about this is a scare tactic—scare campaign—and that you're just trying to scare the people into voting for this. You're really not going to do this. You're really not going to lay anybody off. You're not going to close departments. It's just a scare tactic and Mayor, why don't you stop it already? I wanted to read something to you that as you know, it's been said a thousand times, as you know we're in fiscal emergency and we're working very hard to get out of fiscal emergency and actually we're very close to getting out of fiscal emergency. But right now we are being run basically by an Office of Budget and Management as far as the finances go for the city of Garfield Heights. They are calling the shots. That Finance Commission that we go to, we have a member right here, Wayne Williams is here. He's on that commission. I want to read you a letter by the head of the commission. This is what the head of the commission wrote to us. It says

“Dear Mayor Collova:

As we approach the close of calendar year 2012 I would like to congratulate you and the city on the progress that has been made towards settling the city's deficits and achieving financial health. For the first time since 2009 this city's General Fund is in the black and the short term financial outlook is good. It is the city's financial health in the long term that concerns me and to which I now turn my attention. As you yourself have experienced nothing ever stays the same. And every step forward seems to result in two steps backwards. The revenues received from new companies such as Overdrive, for instance, are countered by the loss of revenues that are likely to occur as a result of the current tax revelations in Cuyahoga County. The loss of any additional source of revenue would set the city back several steps and would have a disastrous effect on the city finances. A prime example of this is the garbage fee which I understand is on the ballot in November. Original estimates of revenue from this fee were \$2.2 million. A recent reduction on the fee amount has revised this figure to \$1.5 million, which does not even cover the entire cost of providing the service. If the ballot initiative succeeds and this revenue stream is lost the city would either have to find another source of revenues or be forced to cut services and staffing further. While I realize that finding revenues or making cuts of this size seems to be an insurmountable task it is one that must and has to be accomplished. The city's funds cannot remain in a deficit position. The city is no different than the State which must present a balanced budget each and every year. Deficit balances were why the city went into fiscal emergency and maintaining a balanced budget is the only way the city will get out of fiscal emergency. As Chair of the Financial Planning and Supervision Commission for the city of Garfield Heights, I would like nothing better than to see the city maintain a balanced budget and get out of fiscal emergency. The city has struggled to get to this point and deserves recognition for the progress it has made. I am afraid, however, that this struggle will continue until deficit balances no longer exist and the city maintains fiscal health and security.

As always,
Sharon Hanrahan
Financial Planning Commissioner Administrator”

The reason I'm reading this letter is because this is not you say when you say I'm using scare tactics they're telling us and Ron's going to get into this deeper, they're telling us that in a very short period of time—a matter of weeks—after the vote if we lose this revenue stream we have to make cuts that result into \$1.5 million. The State is forcing us to do this. In essence, they are giving me I could say a scare tactic, but I know it's the truth. They're not scaring me. They're telling me this is reality, Mayor. This is what you have to do. You have to understand the amount \$1.5 million is. We came from almost \$5 million in the red, which means we have squeezed every available piece of this city that can be squeezed to get to that point. Part of that was the rubbish fee, no question. If we take \$1.5 million out right now and that's what the people vote. We will go along with the will of the people, but there has to be serious cuts made. There will be police officers that have to be laid off. There will be firemen that have to be laid off. It's not something we want to do. It's something we have to do. I would challenge somebody and this is in a respectful way, if you have another way of coming up with \$1.5 million please don't keep it a secret because we've been struggling with this for weeks on how we reach this point and there is no easy solution. The only thing that we know for sure is that if we lose this fee we have probably three or four weeks to come up with a solution and it's going to be a tough solution. Council would have to make some very tough decisions. Now I feel very comfortable. I really do feel comfortable that the residents of the city of Garfield Heights realize where we have come from, where we are now and I think they appreciate some of the things going on in the city and some of the things that are about to go on. So I think we're going to be safe and I think the people will once again as they did last time approve this reduced fee. I feel comfortable that we will go on to make the city better and greater. But I just wanted to tell everybody for misconceptions out there that this is a scare tactic and if you think you'll vote this down there will be another way to figure it out or we'll do something next year, it's not going to happen. It's going to happen quick. So with that said I urge everybody to vote their conscience, vote educated. We have been trying to tell everybody what the consequences are. Not the scare tactic and because part of that reason is I don't want this to go down without ever having said anything and then make these cuts and people say you didn't tell us that was going to happen. Folks, this is going to happen. This is not a joke. This is not a scare tactic. It's something that we have to do if we get in that position. So with that said I would just appreciate it. This fee will go away. It's going to go away in a relatively short period. We took 20% off. We will continue to take that off as we bring money in. Stick with us and this thing's going to work fine. I thank you for all the help, the Council, that you've been doing on this issue. Everybody's been working very hard on it. Our Administration I couldn't be more pleased with what's going on and of course many of the residents have also done their part so I thank you very much.

With that I'm going to get into legislation.

CLMN VAUGHN: Mme. Chairman, I ask to be excused for a few minutes for an emergency phone call?

CLWN MAHONEY: I make a motion that we excuse him.

PRESIDENT MARINCIC: OK, but when you come back we'll have to have a roll call to seat you.

CLWN MAHONEY: You don't need one.

PRESIDENT MARINCIC: That's right. You're seated already.

CLWN MAHONEY: I'd like to make a motion that we excuse Tom Vaughn.

PRESIDENT MARINCIC: We don't even need to do that. He can get up and leave anytime he likes. We'll let him come back since he's been seated. The rules say if he wasn't seated at the original roll call, then we have to vote to have him seated. But during the meeting at any time he can get up and leave and come back. OK? Mayor. Legislation?

MAYOR VIC COLLOVA: OK. Tonight Ordinance 79-2012. An emergency ordinance approving for the holiday Council Meeting changes for the months of November and December. We just want to make it convenient for everybody so we're going to make some changes in our dates to go along with the holidays. Ordinance 80. We make an application to enter into an agreement with the Ohio Bureau of Workers' Compensation Safety Intervention Safety Grant in order to install ergonomic safety in our industrial hygiene equipment. We're going to get this money. We're applying for a grant to get this money. Ordinance 81. An ordinance authorizing the Mayor of the city of Garfield Heights to dedicate the public right of way leading to Blue Sky Campus as Overdrive Way. This is for the new Overdrive company. I think that Ron might be able to talk a little bit about this since Dave Krock is not here. He probably knows more about this than I do. Actually what this is is to allow and I think Bill Wervey is going to talk about it but this is to allow the road to go through. It's going to be called Overdrive Way I believe, and this is great. If you've had an opportunity to look at this place it looks great. They've done an outstanding job. We're really looking forward for them to move in. With that, Mme. Chair, you have my report.

PRESIDENT MARINCIC: Thank you. Anyone have any questions or comments? Yes, Clmn Dudley.

CLMN DUDLEY: Mayor. Quick one. Is there any special reason why when they were sending that literature out the cards (to vote no on Issue 54) that some of them didn't get it until almost a couple days ago? That was a bad thing. Not just me. A large portion of the community in Ward 1 didn't get them things until almost a couple days and some people wanted to support it but the cards wasn't there and they didn't understand the no/yes thing. In the future we need to have that stuff out by the beginning of October. Don't yank around. It don't make no sense to come up there.

MAYOR VIC COLLOVA: Let me tell you how that works. That was done through my private fund. It was not done through the city. I want to make sure everybody understands that. The printer handles all of that. You pay them and they try to get it out. Those were supposed to go out to the absentee voters. When they were going to receive their absentee ballots they were supposed to receive that card either the same day or within a day or two after. I've heard some reports early on that some people missed but for the most part everybody seems to have gotten them about the same time, but if they haven't that's the printer we got to talk to.

CLWN MAHONEY: Mme. Chair, I'd like to make a motion to allow Mr. Vaughn to rejoin us.

PRESIDENT MARINCIC: You don't need to do that.

CLWN MAHONEY: At all?

PRESIDENT MARINCIC: No. He was here for the original roll call. If you want to make it, go ahead but you don't need it.

CLWN MAHONEY: I'll make it since I said it.

PRESIDENT MARINCIC: You don't need to do that.

PRESIDENT MARINCIC: Roll call on the motion. All in favor say Yea. All against? The Yeas have it.

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

ABSENT: Vaughn

PRESIDENT MARINCIC: Go home and read those rules, Tracy. Anyone else have any questions on the Mayor's report? There being none we will move on to Service Director Mr. McLaughlin. Do you have a report?

SERVICE DIRECTOR TIM McLAUGHLIN: Yes, I do, Mme. President. We're trying to close up some of our summer projects. In the past two weeks we've completed the repairs from the water breaks and anything that comes in now will be secured for the winter and done in the spring. We had 105 water breaks that we repaired in roads this year and it has been turned into the finance and Cleveland will be billed.

There was 5,525 pounds of hazardous household waste collected in the last collection. Between the two of them that we've had this year it was about 10,000 pounds of hazardous waste collected. Also the last collection we had the paper shred which was 3,000 pounds and there was 4,000 pounds in the first one we had. That was a pretty good showing for the first time that went out.

We are in the process of starting the leaf program. We started today. We're going to be going through the city. I'm asking that you rake the leaves on to the tree lawn and not into the street so you don't block the catch basins because that floods the street and blocks up the catch basins. We have to pull them out and clean them all out. We started today on Garfield Blvd. Still plenty of leaves in the trees so I think the first time through we'll probably get through fast. Some streets have some piles but there's other streets that have very little. We will go through the whole city street by street. Work in areas. We're not going to go run around and run up to this street and back to this one because it wastes time and production and we won't get all the leaves off the street. I'm also going to tell you that you can bag them if you want to. They are included in the rubbish contract so you can put them out in the rubbish if you choose not to wait for the truck to come and pick them up. With that you have my report.

PRESIDENT MARINCIC: Any questions for the Service Director on his report?

CLMN NENADOVICH: Tim, I just want to thank you on behalf of the lady on the corner of Vista and 81st Street. How quickly you expedited and they moved the fire hydrant down about 30 feet from the center of her driveway, which was there for years but she can now use her driveway a lot faster than what she thought. I thank You.

PRESIDENT MARINCIC: That's all you have? I only have one comment. With the water cutouts we recoup that money?

SERVICE DIRECTOR TIM McLAUGHLIN: Yes, there's a cost for the materials but we do. I charge them for the employees use; the equipment so it's all recouped at the end. It's when Ron gets it sometimes they are a little slow on paying the money.

PRESIDENT MARINCIC: Wonderful. Any other questions? Now we are going to go on to our Recreation Director Bob Dobies.

PARKS AND RECREATION DIRECTOR BOB DOBIES: Thank you, Mme President,. Council Members, good evening. Our Halloween Skate this past Sunday was a huge success with over 250 in attendance. All the little ghosts and goblins came out in costume along with adults. Many adults had costumes on. We had two free raffles. The first was five bicycles donated by our Police Department. Our winners being Katie Eden, Brook Trodden, Angelo Aiello, Gabby Gibson and Trinity Houston. The other prize (a harvest-themed picnic basket) was donated by Mayor and Jeanne Collova and was won by the Armish family. Thank you to all who attended and made this a fun day.

Don't forget to sign up for the Holiday Grab-bag Fitness classes which begin November 27th. You choose the classes you wish to attend during the hectic holiday season. Mix and match or take as many as you can. Classes are held Tuesday, Thursday, Saturday at Fire Station No. 1.

Don't forget to join us this Saturday. October 27th. The Recreation Center is hosting the Rising Star Figure Skating Competition. This will bring in over 100 competitors from Pennsylvania, Buffalo and the surrounding areas. We do recognize because of the construction of the library there might be a parking problem issue. So we will have a shuttle bus available and we'll be parking in alternate areas at the Civic Center and at Debelak Park so we'll be able to accommodate everybody. We recognized that during the summer when we ran out of parking a couple days during the hot days so we made arrangements for that. If you have any other information or questions on programming please call the Rec Center or visit the Website.

I want to send a thank you to Mary Ryan. She was busy today at the Rec Center planting some more flowers which she found at a very nice discount. She said she paid 41 cents for some of the plants. She continues to help beautify along with the crew at the Recreation Center. It's much, much appreciated.

Last, I just want to give a reminder we're still cutting grass out there folks so if you're neglectful we will catch up. This is the eighth time we've gone through the city and we will continue as long as the weather allows. Mme. President, you have my report. Thank you.

One more thing. I did want to share this with you. During the passing of my mother this got shoved on my desk but I wanted to share it with you. This was during the summer for the pool and I got this at the beginning of September but this is from Terry Weakley, Technical Assistant Program Chief of Centers for Children which is associated with Creative Learning over here in Garfield Heights. She just says

"Mr. Dobies,

Thanks for your help in making accommodations for children with developmental disabilities. who used the Garfield Heights City pool this summer. I appreciate your readiness of the Recreation Center to serve all children and your extra support of the child care staff serving my client with autism so my staff is willing to go above and

beyond to serve all residents and I just want to thank them because they make it happen.”

Thank you. That concludes my report.

PRESIDENT MARINCIC: Any questions for the Recreation Director? I have one. I don't know if you can guesstimate this off the top of your head? If some terrible thing happens and Issue 54 passes and we have to close our Rec Center how many kids would be on the street with nothing to do this winter?

PARKS AND RECREATION DIRECTOR BOB DOBIES: I'd say easily 600 kids and their families too. I maintain that if everybody thinks it's a program for kids but it brings families together on anything we do. Whether it's t-ball or soccer it brings the families out, it brings the grandparents out, sometimes it brings the neighbors out just to go see it so you multiply that and if the t-ball program has 200 kids times two parents that 's 400 people plus a couple grandparents you're reaching 1,000 people without any effort. What's the best way to diversify than talk to people and learn who we are, where we're at and what our common causes are. Our common causes are the children. It would be devastating if that would happen.

PRESIDENT MARINCIC: Let's hope that issue doesn't pass.

PARKS AND RECREATION DIRECTOR BOB DOBIES: I would ask all residents to support our Council's efforts and Mayor's effort and vote No.

PRESIDENT MARINCIC: Thank you. Any other questions for our Recreation Director? Law Director Tim Riley is looking awful punk over there like I've forgotten him. Mr. Riley, do you have a report this evening?

LAW DIRECTOR TIM RILEY: I do not have a report today, Mme. Chair.

PRESIDENT MARINCIC: And you don't have one. Any questions for our Law Director? OK. Our Police Chief isn't here but we have the substitute. I'm not sure what your name is? Captain Cappretta. I'm sorry. Do you have a report this evening?

CAPTAIN TIM CAPPRETTA: Captain Tim Cappretta. Yes, I do. Thank you for having me here. The Chief asked me to take his place here and he wanted me to discuss Halloween. Halloween of course will be October 31st. It's a Wednesday. The hours are 6:00 to 8:00 p.m. There's a few hints that are accompanied with that to make everybody safe. Make sure the young kids are with their parents or a guardian. Turn the porch light on if you want to kids to come trick or treat at your house. Let the kids carry a flashlight. Obey the pedestrian as well as vehicle traffic if you're out in a vehicle. Remember there's a lots of kids all over the place, running wild. They'll be crossing the street in the middle of the street and all they have on their mind is candy. I checked today. It looks like we're going to have some schedule changes/modifications 13 uniformed officers on the street. It may be as many as 15 police officers will be available. So if you are out there and you see something suspicious or doesn't look right or is unusual call 9-1-1 and we'll have somebody within three blocks, probably of where you're calling. That's all for my report.

I would like to request permission for Officer Brian Regovich to come before Council and speak.

PRESIDENT MARINCIC: This is the officer that's going to Afghanistan in January?

CAPTAIN TIM CAPPRETTA: Yes, Officer Regovich is deployed to Afghanistan next January.

PRESIDENT MARINCIC: Absolutely. Please come up and take the microphone.

CAPTAIN TIM CAPPRETTA: The other two officers are Patrolman Patrick Hace and Patrolman Robert Jarzembak.

OFFICER BRIAN REGOVICH: Good evening. My name is Brian Regovich and, as the Captain just said, this is Pat Hace and this is Rob Jarzembak. Pat and I have been police officers here for the past six years. Rob has been here for five years. I've also been in the Army National Guard since 2002 and I did a year long tour in Iraq in 2005. We're proud to be police officers here in the city even though the city has had the financial problems that it has had in the past. None of us would trade this job for any other. A couple years ago I was offered a job as a patrolman for the city of Rocky River and I chose to stay here in Garfield Heights because I believe in the city. We all do and we still believe in the city. The three of us standing here before you are the lowest ranking officers on the department. As that we've all been worried about being laid off. Our entire career's here. Finally, during the past years ago it seemed like the city finally turned the corner and we were able to concentrate on our careers instead of worrying about being laid off. Now it starts all over again with the garbage fee on the ballot. We urge the residents to vote no on Issue 54 and keep the garbage fee in place and keep all of the city's safety forces on the job. We all have young kids and families at home and my situation is a little different because of the National Guard Unit and as you heard, my unit has recently been activated and scheduled to deploy to Afghanistan in January for a year. The last thing I want to do before I leave is see my fellow officers being laid off. I'm proud to do my duty and serve my country but at the same time it's very hard because I know my wife and young children always worry about me when I'm gone and I hope that they won't have to worry about if I'll have a job or not when I return home. So please support your city and your safety forces and vote no on Issue 54. Thank you.

PRESIDENT MARINCIC: Brian, come home safe. Moving on to Finance Director, Ron Tomola, do you have a report?

FINANCE DIRECTOR RON TOMOLA: Yes, Mme. President, I do have a report this evening. Over the past few months I have attempted to report to City Council the financial status of the city. Tonight I would like to report on some of the technicalities the Finance Department has dealt with over the past few weeks. As you know the city has been attempting to refinance the 2002 bond issue in order to realize a savings in future years. This is similar to refinancing your home at a lower interest rate to lower your mortgage payment. The process of going to the bond market, however, is quite different than going to the bank and applying for refinancing your house. In order for the city to refinance this debt we had to put a financial team together that included the Mayor, Law Director, Economic Development Director, myself, our bankers from Key Bank and our Bond Counsel from Squire, Sanders & Dempsey. This financial team consists of about 12 people in total. The process has taken over five months with almost daily contact between the city, our bankers and Bond Counsel during the last two weeks.

Last week the entire group had a two hour conference call with Moody's rating agency in order to obtain a bond rating for this issue. The potential bond investors rely heavily upon this bond rating when they decide whether to invest or not. As of March 2012 the city's current bond rating was BAA1 with a negative outlook. Going into the rating call, our team's major objective was to have the bond rating reaffirmed at BAA1 But to have the negative outlook removed based upon

the financial progress that the city has made over the last three years. During that call the rating analyst's major concern and the emphasis of all of his questions was the upcoming vote on the garbage refuse fee and what the city's response would be if the revenue was lost. We explained to the analyst the same options that we presented to you, our residents, over the last three months. The end result of the rating call was that our rating remains the same at BAA1 with a negative outlook mainly because of the uncertainty surrounding the garbage refuse fee on the ballot. Today our bankers sold the refinancing bonds. The impact the negative outlook had on this sale is that it cost the city between 10 and 20 interest spaces points. That brings to somewhere between \$50,000.00 and \$100,000.00 of additional savings that we could have realized but didn't because that negative outlook was attached to the rating.

In the Mayor's report tonight he read you a letter that he received from Sharon Hanrahan, the Chairwoman for the city's Financial Planning and Supervision Commission. This letter was in response to the city informing the Commission, as we were required to do, of the upcoming ballot issue regarding the garbage refuse fee. In the letter Ms. Hanrahan formally informed the city of nothing more than what you have been told in recent finance reports by this Administration since August, that if the garbage refuse fee is lost the city must still be in a position to present the Commission on November 17th a balanced 2013 budget and an equally balanced estimate or forecast for the future years.

Last week I also had many conversations with Tisha Turner, the city's financial supervisor with the State Auditor's Office. In these discussions, she informed me that if the garbage refuse fee is lost the city will have to present a new revised Financial Plan to the Commission on November 17th that shows how the city plans to replace the lost revenue from the garbage fees. We are informing City Council at this meeting, as I have informed the Mayor and the Administration already about the timing involved here. The election is on November 6th, we have a Council Meeting on November 12th and the Commission Meeting is on November 17th. This means that we will have to pass legislation at the Council Meeting on November 12th or have a Special Council Meeting later that week in order to be able to present to the Commission a formally revised Financial Plan, a 2013 Appropriation Measure and the city's forecast for future years. Therefore, based on this information I suggest that City Council begin a formal process of putting into place an alternative Financial Plan that can be used to generate a balanced budget for 2013 and the future forecasted years. With that you have my report.

PRESIDENT MARINCIC: Thank you. Any questions for the Finance Director? There being none, we will move on to Noreen Kuban down there. Economic Development Director Noreen Kuban.

CITY ENGINEER DAVID KROCK: Absent.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Thank you, Mme. President. I have no report this evening.

PRESIDENT MARINCIC: Any questions for our Economic Development Director? Moving on to Building Commissioner Bill Wervey. Do you have a report?

BUILDING COMMISSIONER BILL WERVEY: I have just a couple things, Mme. President. Just to keep people up to speed on vacant houses. We're about 670 houses in foreclosure; about 840 that are vacant. There's about 150 that are owned by banks and of those there's about 312 of them that have point of sales and are actively for sale and are, you know, past the foreclosure process.

As everyone can see the library is moving along. They hope to have it under a roof so they can be warm and cozy and work indoors all winter. The McDonald's has started construction and they are aiming to have a spring completion, contrary to some rumors that it was going to go for quite a long extended period of time. They want to be open in the spring. That's all I have this evening.

PRESIDENT MARINCIC: OK. Any questions for our Building Commissioner? There being none that concludes the reports of the Mayor and his Directors. We will now move on to Comments by Citizens on tonight's legislation. I'm going to 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. Does anybody want to take the microphone and speak regarding issues on the agenda tonight? Show your hand? Anybody?

ORDINANCES AND RESOLUTIONS:

PRESIDENT MARINCIC: There being none we will move right on to the legislation beginning with Ordinance 79-2012. Will the Clerk read the title.

ORDINANCE NO. 79-2012

AN EMERGENCY ORDINANCE PROVIDING FOR HOLIDAY COUNCIL MEETING CHANGES FOR THE MONTHS OF NOVEMBER AND DECEMBER, 2012.

Moved by MARINCIC to CONSIDER BY TITLE

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

Motion to SUSPEND THREE READING RULE:

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

PRESIDENT MARINCIC: Roll call on the adoption beginning with me.

VOTE ON ADOPTION:

PRESIDENT MARINCIC: Before I vote, I would just like to say that I am going to vote no on this piece and the reason that I am doing it is because I have started a new job and I don't know when my hours will be and I originally related to them (my boss) what they would be and what days I would need off. Unfortunately, I am not sure I'm going to get those days off yet and if I vote yes on this I might not be able to make it to these meetings and it's the last thing I ever wanted to do is miss a City Council Meeting. I think in 20 years I've only missed one and that was when my mother passed and I'm not intentionally going to miss another so I have to vote no on this.

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

NAYS: Marincic

PRESIDENT MARINCIC: Ordinance 79-2012 stands adopted with 6 Yes votes.

ORDINANCE NO. 80-2012

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, OR HIS DESIGNEE, TO MAKE APPLICATION AND ENTER INTO AN AGREEMENT WITH OHIO

BUREAU OF WORKER'S COMPENSATION/SAFETY INTERVENTION SAFETY GRANT IN ORDER TO INSTALL ERGONOMIC, SAFETY AND/OR INDUSTRIAL HYGIENE EQUIPMENT.

Moved by MAHONEY to CONSIDER BY TITLE

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

Motion by MAHONEY to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:

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

PRESIDENT MARINCIC: Roll call on the adoption beginning with Clwn Mahoney.

VOTE ON ADOPTION:

CLWN MAHONEY: Before I give my vote, I would like to say that Tim Sagan, from our Service Department, has worked very hard with our Safety Committee at our BWC meetings. He comes to every meeting, as do our other directors and the fire chief has worked very hard on procuring this grant as well. So with that I vote yes.

PRESIDENT MARINCIC: Thank you to everyone for their hard work regarding this. I vote yes.

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

PRESIDENT MARINCIC: Ordinance 80-2012 stands adopted with 7 Yes votes.

ORDINANCE NO. 81-2012

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF GARFIELD HEIGHTS TO DEDICATE THE PUBLIC RIGHT-OF-WAY LEADING TO BLUE SKY CAMPUS, INC. AS OVERDRIVE WAY.

Moved by GLENN to CONSIDER BY TITLE

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

PRESIDENT MARINCIC: You want to offer an amendment to this, Mr. Glenn?

CLMN GLENN: I do. I would like to amend that title to read as the following: An ordinance authorizing the dedication of a roadway leading to a building and parking area owned and operated by Blue Sky Campus, a wholly owned subsidiary of Overdrive Incorporated from North Granger Road on the conditions and understanding stated in a detail herein.

PRESIDENT MARINCIC: So you'd like to delete the present title?

CLMN GLENN: I would delete the present title.

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

CLERK: The amendment is to completely delete the original title of the legislation and replace it by the following.

AN ORDINANCE AUTHORIZING THE DEDICATION OF A ROADWAY LEADING TO A BUILDING AND PARKING AREA OWNED AND OPERATED BY BLUE SKY CAMPUS, INC., A WHOLLY OWNED SUBSIDIARY OF OVERDRIVE, INC. FROM NORTH GRANGER ROAD ON THE CONDITIONS AND UNDERSTANDING STATED IN DETAIL HEREIN.

PRESIDENT MARINCIC: All in favor of the amendment?

LAW DIRECTOR TIM RILEY: Point of order, Mme. Chair. We need a second on that amendment.

CLWN MAHONEY: I'll second that amendment.

PRESIDENT MARINCIC: We do?

LAW DIRECTOR TIM RILEY: It's a motion and you second.

PRESIDENT MARINCIC: We've never put a second on. Never. We need a second on an amendment?

LAW DIRECTOR TIM RILEY: Yes.

PRESIDENT MARINCIC: OK. Will somebody second it?

CLWN MAHONEY: I will second that amendment

PRESIDENT MARINCIC: All in favor say Yea. All opposed? All right.

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

PRESIDENT MARINCIC: I'm going to have to check that out because I know we've never done it in the past.

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 81-2012 stands adopted with 7 Yes votes.

COMMENTS BY CITIZENS:

PRESIDENT MARINCIC: That concludes Ordinances and Resolutions for the evening. Now we will move on to Comments By Citizens. I'll have the Clerk read the rules.

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

PRESIDENT MARINCIC: Thank you. Comments are limited to five minutes. No citizen may be heard more than once.

Wayne Williams, 13960 Milo Road. I don't want to beat this dead horse a whole lot more, but I want to talk about the garbage tax. I am a member, as the Mayor pointed out, of the Financial

Planning and Oversight Commission. This was appointed by the Governor of the State of Ohio to oversee the finances of the city of Garfield Heights while we were in fiscal emergency. I'm also a citizen, a homeowner and a taxpayer. I'm not paid to serve on this Commission. I do it because I care about this city. The function of this Commission is not to manage the city. What we do is review and either approve or disapprove of the budgets prepared by the Mayor and Council. In order to do this we review the budget as submitted. We track it on a monthly or bi-monthly basis to see that it's adhering to the budget. Therefore we have some knowledge of the city's financial position. Under Section 118 of the Ohio Revised Code if the city cannot produce a budget that shows a pathway to getting out of fiscal emergency in a reasonable amount of time the Commission can and will limit spending to no more than 85% of last year's expenditures. This would force drastic cuts in all city services. As the Mayor said, the Police, Fire, Service Department, the Senior Center, the Rec Department. As a citizen I don't want to see this happen and more than that I don't want to be the one who has to vote to make it happen. I can assure you what the Mayor says is not b.s. about this money as some people would have you believe. I have a copy tonight with me of the Financial Report through August of this year. I will share it with anybody that wants to come up here after me and show me where all this excess money is that we have.

Without this \$1.5 million we have two choices. We can have severe cuts in service or we can add some other tax source. The State will mandate that we do balance the budget. Whether this happens or not is not up to the Mayor, it's not up to the Council. It's not even up to the Commission. It's up to you the voters. One last thing, to put this in perspective, that \$12.00 a month will buy you a little bit more than three gallons of gasoline over the course of a month. If you smoke it's maybe two cigarettes a day. For Seniors the amount of \$6.00 a month or 20 cents a day. I think that's a small price to pay to keep the city functioning. Please vote no on Issue 54. Does anybody want this financial report?

PRESIDENT MARINCIC: Thank you, Mr. Williams. Anybody else?

Ron Grams, Bangor Avenue. Council and Mr. Mayor. I don't know what criteria you use for letters of appreciation, but I would like you to consider making one out for Gerald E. Fuerst, Cuyahoga County Clerk of Courts. He's leaving office December 31st and he has been a good friend of the Garfield Heights Democratic Club which is now called a political action committee. He has shown up at all our fundraisers the 12 years that I've been in Garfield Heights. He shows up at the clambake and steak roast. He comes to our Christmas party. I may be prejudiced because I worked for Mr. Fuerst 20 some years too. But he's a good friend and Mrs. Collova even mentioned that before I got involved in Garfield Heights he was coming many years before that. It would be good if we could do something to show that we appreciate his coming to these meetings and showing up.

As long as I'm at the microphone I'd like to tell the people that our Garfield Heights Democratic PAC is a good club. Our last meeting Mary Rose Oakar stopped in as a surprise visitor even though she's running for the Board of Education on a State level and she spoke highly of Rose Lovano, the late activist from Garfield Heights. We've had Elizabeth and Dennis Kucinich show up. It's a good club. Give it some consideration. But about the letter of appreciation, consider it if you can. Thank you.

MAYOR VIC COLLOVA: Mme. Chair, just to respond. Ron, Gerald Fuerst has been not only a friend of the Democratic Party but a friend of Garfield Heights. He has contacted me numerous times in my three years here to see if there's anything he could do to help. He's not the type of guy that you have to call him and ask. He checks in periodically and says is there anything I

can do for you? A guy like this is well deserving. He's been a friend of Garfield Heights for many years and I personally think we should do a proclamation or something for him and in Council we will talk about this.

MR. GRAMS: I didn't know that, but thank you, Mr. Collova.

MAYOR VIC COLLOVA: You're welcome.

Steve W. Prokay, 9801 Sladden Avenue. Good evening, Council Members, Mayor, citizens. I was sitting here this evening and looking at every situation about our yes and no vote. As I was mentioning I'd never in my life seen going down a one-way street at a Council Meeting, but this community is just looking at a one-way street. I would like the opportunity to read a letter to you that I constructed for the other people that are going the other way down the street, which I am sure that you people, the Police Chief, Fire Chief, Mayor is really not aware of or I'm not aware if they really care.

The Citizens for a Greater Garfield Heights encourages you to know the facts before you vote on Issue 54. This is simply what I'm trying to do. Issue 54 is a plan and it's very simple. If you want to get rid of the garbage tax we are currently paying vote yes on 54. Pretty simple. If you want to keep paying the rubbish tax vote no on Issue 54. That's pretty simple to me. It's very important that you understand how we vote on Issue 54 for everybody in the community, which I already mentioned a lot of people have not looked at. The politicians want you to vote no on Issue 54. We're asking you to know the facts before you vote.

Fact. Issue 54, a Charter amendment, abolishes the current rubbish tax created by the City Administration and City Council. Fact. Issue 54 has nothing to do with police and fire services. I've read the thing that you guys had passed and I don't see anything about police and fire. I do personally myself believe this is a scare tactic only because we voted for a Mayor that I believe would sincerely instead of asking the people what they can do, see what he can do. Issue 54 and this is a fact, we already pay for our rubbish pickup through our high property taxes. Garfield Heights probably ranks one of the if not the highest property taxes within the county. Fact. There are people in Garfield Heights living on fixed incomes such as Social Security, modest, as according to the Police Chief, modest pensions and other forms of fixed income. These incomes have not increased over three/four years. The current raise we're going to get in Social Security is gone already if this tax continues. So we're what? Five years behind? Fine. Yet, the cost of food, medication, utilities and other household items have increased. Should we put this on the backs of the people that could least afford it? I don't think so. There are many individuals and families that just cannot afford this tax any longer.

PRESIDENT MARINCIC: You have one minute left, Mr. Prokay.

MR. PROKAY: Thank you. I'll try to finish by then. The fact is we want to abolish this current rubbish tax. You must vote yes. We urge residents to take control of the wasteful spending of politicians to get rid of the current rubbish tax we are now paying for. Vote yes on 54. Remember. A yes vote will get rid of the current rubbish tax that is currently in place and will be putting money back in your pocket. I'd like to know, I couldn't comment before on what the Mayor's special financing and it's not for people in the community. Six dollars or two dollars. It's \$144.00 a year. New people coming in it's \$380.00 a year. They won't even come in to get a double on Garfield Heights. Thank you very much.

MAYOR VIC COLLOVA: Mme. Chair, I need to respond because there's a couple things that Mr. Prokay said that is not true. Number one, he said that the Council put this fee in place. What he neglected to say was that it was voted on and approved by the majority of the residents of Garfield Heights and that had the people voted against it it would not be in place. We would have had to take other measures but he forgot to say that it was in fact voted on by the people. I will also say that he said that politicians are trying to get 54 to pass for whatever reason. He didn't say what. He said wasteful spending. But nobody that Mr. Prokay or any of his colleagues that are opposed to the rubbish fee, that are pushing for the passage of the removing of this rubbish fee have not come. They talk about wasteful spending but they have not come to this Administration and said this is how you're wasting the money. They like to pull things out of the sky and stand there and talk about these are facts and he did not say one fact at that microphone that, in my opinion, makes any sense whatsoever. We understand that this is a burden on everyone and this is not an added tax, this is to continue what has already been there and in fact, we have reduced it. I talked to Mr. Prokay for several minutes if not an hour the other day trying to explain to him everything. This is something that he doesn't want to look at. He doesn't want to hear anything other than he's paying too much money and we understand that. We understand the Seniors' problems. We're trying to reduce it. We're trying to get it to a manageable place, but by taking it away Mr. Prokay and his colleagues still have not said and my door's open all the time. This is what you should be doing, Mayor. This is the way to save money. Council, this is what you're doing wrong. There's nobody at this table that's that proud that we're not going to take advice. Especially if it's advice that works. So I would reach out to these people and tell them if they can come up with \$1.5 million that is reasonable I will run around and tell everybody to vote for it. But until that time for the betterment of the city, we have to say vote no. Thank you.

CLMN DUDLEY: Mme. Chairman. I want to make a quick comment. I'm not a politician. I'm an elected official. I just wanted to make that correction, OK?

CLWN MAHONEY: Mme. Chair, I also have something I'd like to say to Mr. Prokay although he's gone because obviously as he stated he really cares, doesn't really care long enough to hang around and listen to the truth. It's something I want to say. Maybe he could watch it on TV? You know he comes into these chambers with his rhetoric and his falsehoods. Everything that man said to you was not true. We have heard from people such as Mr. Williams, our esteemed Mayor, our esteemed Ron Tomola, our Finance Director. These people that are putting these things up all they want to do is destroy anything the Council and the Administration has worked for very hard to do. They have worked very hard to change our Charter, which is our Bill of Rights, the Constitution of the city and for them to go around wanting every time they don't like something that we're trying to do to get this city back where it should be they want to change our Charter. It's disgusting to me and it really pisses me off! I'm very sorry I said it. I apologize for saying it. That's all I have for now.

CLMN GLENN: Mme. Chair, I, too, would like to respond to the gentleman. I've been out talking to some voters, residents in Ward 4, and I have a good communication. I've been talking to all the voters: the early voters, the retirees, they all want to keep the services in place. Especially the police and the firemen. The police protect the elderly, the firemen save the elderly so I am proud to say that I'm sure that Ward 4 had early vote going our way to keep the no vote on it. I, too, am a Senior and I do appreciate our police and firemen. This is not a tax. It keeps everything in place. It's not a cost to the voters. So if we just vote no, keep the things the same, we're slowly but surely getting out of debt. With that I conclude, Mme. Chairman.

PRESIDENT MARINCIC: Thank you. This gentleman's been waiting so patiently here.

Christopher Harsh, 1703 Lorimer, Parma. But I'm not proud. I'm trying to leave. I'm looking for a new home. I thank Clmn Dudley for the invitation and you all for your time tonight. I am exceptional with time management. I will be done in five minutes. My name is Chris Harsh, like I said. I'm the Director of Community Organizing at ESOP which is Empowering and Strengthening Ohio's People. I am here tonight to let you know about some of the services that we offer your homeowners. The Director of Housing said earlier tonight you have 670 families in foreclosure. You have 840 abandoned houses as the results of foreclosures primarily I presume and ESOP is a HUD-certified housing counseling agency that offers free services to all homeowners throughout the State of Ohio. We've been around for 18 years. We got started off as a little community group in Cleveland and by the end of the 90's recognized predatory lending as a problem in our communities. We became one of the first organizations to bring together homeowners to fight predatory lending and recognized the immediate need for homeowners to have somebody that can help them when they do fall behind and into foreclosure so we became a HUD-certified counseling agency in 2008, Then the Attorney General of Ohio, Richard Cordray, chose us as one of the organizations that would be expanding throughout the State to help homeowners. We are now in nine cities serving urban, suburban and rural homeowners. We've helped 17,000 families stay in their homes at no cost to themselves.

So I wanted to let you know about some of the services that we offer these 640 families. We provide services for people on three different levels.

We are providing services to people who need interest rate reductions to lower their monthly payments.

We provide services to people who need hardship restructuring in case of illness, loss of income, retirement or loss of a job.

And we are helping families apply for the Restore Instability Program which can provide Ohio homeowners with up to \$25,000.00 in funds available to get them caught up and current on their mortgage. All these services, like I said, are free and available to anyone. If they want to call our offices the number is (216) 361-0718. We also have a toll-free number available throughout the State at (877) 731-ESOP. That's (877) 731-ESOP. One thing that I have available for people and I believe it's upstairs as well is a scam warning. As the foreclosure crisis spread throughout the County some very shady folks decided this would be a great way to make money. Go to a family that is already in foreclosure, already struggling and tell them that for their last \$500.00 they can stop their foreclosure. Unfortunately, we've met too many people that fall for these scams. A true HUD-certified counseling agency is not allowed to charge homeowners. We would not be a HUD-certified agency if we did. And we are actually better and have a better track record. We help 75% to 85% of the families that come in to our program find a successful path toward keeping their home. So again that number's 361-0718 if you'd like to call. You just have to bring in the right papers. You can set up an intake and one of our counselors will be happy to work with any family from Garfield Heights that needs to talk with someone about helping with their mortgage.

The last thing I want to mention is that Vice President Joe Biden said in his debate with Congressman Ryan the other night that 14 million homes in America are underwater, having never missed a mortgage payment. If you average out three people per house that would be 42 million Americans. That's almost one in eight people in America living in a house that's underwater. By "underwater" we simply mean that you are owing more on the house than it is

currently worth. The recent auditor's devaluation of housing values in Cuyahoga County has had I'm sure, a very sharp impact on this body, but it also means that families are now looking at the prospect of having to spend more money on their house than they will ever get back out of it. This is what the term underwater means. When the United States Government voted to bail out the banks for \$700 billion in 2008 it took them about a month to transfer the funds. But when you ask a bank if they can lower your principal from 150.

PRESIDENT MARINCIC: You have 30 seconds.

MR. HARSH: Yes, Ma'am. That you paid down to the \$100,000.00 value that you might now have it takes them six, seven, eight months and they have no response. We are organizing homeowners to go to these banks and get principal reductions which can help homeowners stay in their homes as well and most importantly pay for the actual value of what you own. So if anybody has questions I have more of these available. I also brought a copy of our Annual Report for the Members of Council and the Mayor.

PRESIDENT MARINCIC: Thank you.

MAYOR VIC COLLOVA: Mme. Chair, If I may, Chris, we have a new Family Resource Center that has been up and running for about the last month. Some of the calls they've been getting is about the foreclosure of course. If you have any information that you can leave we'll make sure that it gets to the Resource Office. OK?

MR. HARSH: Absolutely. I appreciate that. Would you all like a copy of our report this evening?

CLMN DUDLEY: Before you sit down, Chris, I want to tell you that's a great organization and I tell people don't let pride get the best of you. I'm on the Board of Directors going on five years now but I am also going to become a client because of three years on an entry that I didn't get compensated for yet. I tell you they fight hard for people. ESOP fights harder than almost any other organization I know. Don't let your pride get the best of you and cause you to be homeless. I'm proud to serve on the board with ESOP. Great organization. Thank you, Mme. Chairman.

PRESIDENT MARINCIC: Thank you.

Bob Halan, 12416 Oak Park Blvd. There sure has been misconceptions about this 54 issue. The gentleman prior to this last gentleman spoke, but not with all the facts. This city, among hundreds, thousands of cities in the United States suffered primarily because of the Federal Government that used to subsidize the cities. The Federal Government cut that subsidy. The State cut the budgets and they cut out helping the cities. Thirdly, the biggest cut they felt besides the previous two is the County cut our budget. Add to that the foreclosures. That's why we're in the financial bottom along with the thousands of other cities in the United States. This man that just spoke about prior about the problems. This has nothing to do with the City Council or any of the Administration. First of all, this misconception of where the money on real estate taxes go. Two thirds of it goes to the school system in any Ohio city. This guy is talking through his hat. What remains of that two-thirds goes to the State, the County and we're at the bottom of the list—the city. That's a small portion of the pie. This fund for 54 shouldn't be put in the General Fund. It's not added. I don't know where some of the people get their information but they certainly didn't get it from common sense. I'm sorry he spoke, but I'm glad I did because I believe this should pass. Thank you.

PRESIDENT MARINCIC: Thank you. I appreciated those words, Mr. Halan. Anybody else wishing to speak tonight?

Mildred Whitmore, 13154 Forestdale Drive. I would like to ask the question. How long have this dump been down on Broadway? At 12750?

PRESIDENT MARINCIC: What dump are you talking about?

CLMN DUDLEY: Mme. Chairman, she's talking about the one that me and Bill discussed. That big hill that sits behind the church.

BUILDING COMMISSIONER BILL WERVEY: It's been there about a year and a half. Recycling. There's no garbage there. It's all construction and demolition debris that comes in there. The EPA has been on the site, etc. and I understand there have been some problems and I've talked to the owner recently about making sure they keep it sprayed to keep the dust down, etc. but there's no material in there other than demolition debris.

MRS. WHITMORE: You mean all those rags and papers, etc. that's hanging out there is all debris?

BUILDING COMMISSIONER BILL WERVEY: It all gets run through a machine and part of it is done by hand but it all gets recycled.

MRS. WHITMORE: So we have to live with all that dirt up there four stories high? That dirt, trash, everything coming out of that stuff over there?

BUILDING COMMISSIONER BILL WERVEY: I believe he's making an effort to get the amount of material that they keep on site to a lower level because we've had some other complaints other than you, Ms. Whitmore. I know that there's been some other residents and we've been in discussion with him to get levels down. He needs to make an effort to get the stuff in and get it ground up and recycled and get it off the property.

MRS. WHITMORE: Is this the same company they ran out of Slavic Village?

BUILDING COMMISSIONER BILL WERVEY: He's always been here.

MRS. WHITMORE: Why is it just this year that all these big piles four stories high with paper and everything just flying in the wind? I can see that this looks more like a dump than anything else.

BUILDING COMMISSIONER BILL WERVEY: This business has been in operation as the recycling center for probably about 1.5 years now. They got some grants from the Ohio Department of National Resources to purchase some of the equipment for this recycling. As they said they're making efforts to keep the quantities down.

MRS. WHITMORE: It just seem like in Ward 1 anything pertaining to a lot of dirty trash is there. You got the pre-cast concrete place, you had Collinwood, you got this dump, you got the garden center. All of this dirt. We can't keep nothing clean over there.

BUILDING COMMISSIONER BILL WERVEY: I will speak to that again and make sure that they're aware of the neighbors' concerns and that's something that he's. When I last spoke to

him they were thinking about doing some kind of automated spraying so they keep it misted to keep dust and flying stuff down.

MRS. WHITMORE: I wish some of you all could just drive by and see all that rags and flying stuff up on these big piles. Four stories high. Thank you.

CLMN DUDLEY: Mme. Chairman, I had to mention that we just received that. It was actually not a part of Ward 1. It was actually another Ward. Ms. Whitmore did bring it to our attention. Matter of fact me and Bill Wervey had talked to this and Bill was going to go over to talk to the gentleman because the pile had grew to the point where you could see it over the top of the trees and her comments is true that when you look out and you see some of the rags, etc. it becomes unsightly. It looks bad behind the church. It looks bad and the other businesses that sit down there when you drive down the street it is unsightly. And like I say Bill says he was talking to them because he need to bring that hill down. It needs to come down, Mayor. You ride down the street and you can see it. As far as the other stuff we can get the sweeper out there to sweep off when you come off 480 and Broadway to the gardens or whoever's down there. We got the sweeper to kind of handle what we filled in in the quarries but when you ride past and you see that, it is nasty and it's trifling-looking and Bill did go over there and talk to them. Mr. Wervey did go talk to them. We asked them to bring that hill down some, but it don't need to be up there with what he has lying around there. I appreciate it, Mrs. Whitmore.

PRESIDENT MARINCIC: Mr. Riley, can we legislate how high he can have that?

LAW DIRECTOR TIM RILEY: I think we could look into that.

PRESIDENT MARINCIC: Could you? And get back to us?

LAW DIRECTOR TIM RILEY: Sure.

PRESIDENT MARINCIC: Thank you. Anybody else wishing to speak tonight? There being none we will move on to Miscellaneous Business and since I was last last time I'm going to be first this time.

MISCELLANEOUS BUSINESS:

PRESIDENT MARINCIC: It never ceases to amaze me how people can come up and speak on something without having all the facts and figures and the correct information. I have served with Mayor Collova now for almost three years and I've been involved in and out of city politics for about 20. I've never seen a Mayor like this. I've never seen an Administration like this. I've never seen a City Council like this. Nothing gets by them. They don't waste a nickel. They don't waste a dime. They look everywhere to save the city money. The fact is there's nothing left to cut. There's no way we can come up with anymore funding and I think the small fee for trash collection was the best option for everybody in this town. I know the fee will disappear, but it can't disappear next month. If it does, so will our recreation. You'll watch that disappear. You'll watch our Senior Center disappear and then you'll watch major layoffs and you'll see city services disappear. Please don't let this happen. Please vote no on Issue 54.

CLMN SUSTER: Just a reminder that when the clocks change that you'll be able to put your rubbish out at 4 o'clock thanks to Mary Ryan's reminder. Mary watches more rubbish than –no-no-I can't say that right. I thank Mary for reminding me tonight about that, but at 4 o'clock you can put the rubbish out when the time changes.

It's not a joke about Issue 54, you know, that services are going to be cut. You can rehash this out for hours. One thing I'd like to say is when Mr. Prokay got up here and he talked and as Mrs. Mahoney said as soon as he got done he left. Anybody in that group that comes up here to talk, no matter who it is, they come up here, they say the little bit of lies that they have to say and then they leave because they don't want to hear the repercussions or they don't want to hear the truth of what's really going on. You heard Mr. Tomola say that they had a telephone conversation with Moody's and because of the way our rating is Mr. Prokay and his group—remember that—remember who they are—they cost the city anywhere between \$50,000.00 and \$100,000.00. We could have used that \$50,000.00 to \$100,000.00. Am I right, Ron? These are the things you have to look at. You don't want to see anymore city services cut. They're to bare bones. We had our Finance Meetings and there are things that the city actually needs that we just can't afford. I know Ron's put all the departments--where did you call that about the purchase orders?

FINANCE DIRECTOR RON TOMOLA: Emergencies only.

CLMN SUSTER: Yeah, that's the only way that they can get anything is if it's a real big emergency and then he can take a look at it to see if we can buy it. That's how bad things are.

I would just like to say that if you see anything suspicious (and I know Captain Cappretta would agree with me) don't be afraid to call the Police Department. I heard something this past Sunday which really you know you always think you're safe in your home. I have a resident that the husband and wife were asleep in bed and the next thing they knew there was a gentleman coming through their bathroom window. If you talk about cutting services and we lose police officers we're hoping that maybe in the future we could put more police officers on, but if we don't have the people to go around patrolling the areas we're going to have even more problems and I'll tell you school time is a joke. It is a joke with these kids coming home from school. I stopped a fight last Friday. That's neither here nor there.

My last thing is I would like to say and he left was Brian and I'd like to say that may God watch over Brian while he's deployed in Afghanistan and bring him back to the city of Garfield Heights safely. That's all I have.

PRESIDENT MARINCIC: Here, here. OK. You are timing, aren't you?

CLWN MAHONEY: I, too, would like to say to Brian, Pat and Rob, our three officers that were here tonight. They put themselves on the line everyday. They leave home and they don't know if they'll be going back home. It's hard for their families when they leave like Brian's going into Afghanistan in January, I hope everybody can keep all of our police officers and Brian in our prayers.

I'd like to welcome Captain Tim Cappretta. You did a good job. Also I'd like to comment on Mr. Williams. Thank you for all you do for sitting on that committee. You work a lot of hard hours and very rarely do you get thanks. Thank you for what you do.

On a less important issue, I would like to wish everybody Happy Halloween. Please watch out for the kids. I think I made my point about Issue 54. I hope that everybody realizes that things will change if it passes and we don't vote no on it.

I have one other issue I wanted to talk about in my Ward. It affects all of our Wards. I talked to my colleagues about this in caucus. We've had some issues with people forgetting that we have

an ordinance against knowingly harboring or owning or possessing a pit bull or a pit bull mix in the city of Garfield Heights. The ordinance number is 505.215. I just want to put a reminder out there that it is against the law to own them or to harbor them or to possess them, even if they aren't your animal. So please take that into consideration and again, God Bless to our police officers.

CLMN VAUGHN: Thank you. I'd like to remind everybody Thursday evening Ward 7 will have their monthly Block Watch and we're going to be inside the Augustine Room at St. Monica's. All are welcome to join us.

I'd also like to welcome and encourage young families to be out with their children on Halloween and I'm happy to hear that we're going to have extra officers out. Remember the hours are from 6:00 to 8:00. Senior citizens, if you don't feel safe turn off your light and if you have a problem just call the police immediately.

To Officer Brian, God speed. I hope you return to us soon and I pray to God that there's a job here for you when you come back.

On Issue 54 we need to get out. I've been out in my Ward the past few weeks putting up signs, talking to people. We need to defeat this. We need to move on. We're finally at that turn where we're trying to turn this city around. Let's continue it and let's not stop and let's not have these people take us down. With that, that's all I have to report.

PRESIDENT MARINCIC: Thank you. Clmn Glenn.

CLMN GLENN: I'd like to talk about Issue 54 again. The people I've been talking to--I'd say four out of five--want to keep it in place. They want to vote no. I'm confident that this is going to be a no vote. Everything's going to stay in place. We're going to continue on and have our fire and police and all the programs that we have here in Garfield. I am a positive thinker on this, not just for my own opinion but talking to the voters. We are going to go through this on a positive note. Thank you, Madame.

PRESIDENT MARINCIC: Thank you. Clmn Nenadovich.

CLMN NENADOVICH: Yes, I thank you, Mme. Chairman. On this Issue 54 while I've been out walking people are telling us that you had a 9.5 levy passed. What are you doing with the money? It didn't come to the city, ladies and gentlemen. It went to the schools. The city didn't get a penny of it. Nine point five went to the schools. We realized nothing from that. You're voting on what we the city has. The 26% out of the County taxes that we get. That's what we're operating on. Not one of these people that come down to this meeting make the Finance Meetings or listen to the State. They all know what the State says but they're reading it somewhere in some newspaper that we don't know about. Because I come to the Finance Meetings with the State. I come to the Finance Meetings with Mr. Tomola and Mr. Suster and the Finance Committee. They're not at these meetings. They don't know what our financial situation is. They could tell you what it is in their minds. They may be thinking that they're getting that 9.5. Maybe they don't know? And these were people that were part of this Administration at one time. Not this Administration, but the Administration of Garfield Heights. We have to go out and pass the word to vote no on Issue 54. We want these officers to come home with a job. He's going to have enough to worry about coming back let alone is he going to come back to a job. We want to keep our city services. We want the city to grow. This Administration has done a great job pulling the city together. Don't turn us back now, please.

Vote no on Issue 54. I urge you. The city, my Ward, everybody I talk to I pass the word. Vote no on Issue 54.

And as always I want you to remember the Vets. We got another special Vet to pray for. He's going over. We got to keep him in our prayers. We want him back the way he left here.

Again, watch out on Halloween. Watch the kids running across the streets. Drive extra careful that night. If it says 20 do 15. Be careful out there. With that, I thank you.

PRESIDENT MARINCIC: OK. Clmn Dudley.

CLMN DUDLEY: Well they going to have to change that saying. When I was growing up they said a fool don't age, but tonight we discovered that wasn't true. All right? Let me set my clock here. I'm going to skip something else I wanted to talk about and go to the point. We had the Halloween party and I said we had a great one at the center. I wasn't able to attend but some of the kids said they had a great time so it was a good job. Like I say on recreation you hear me complain. I don't complain about the Recreation Department. I always complain that we don't have enough recreation for the kids in this city. For the individuals to want to take away what little we have, if you got children, if you raised children, you know that's absolutely wrong. You know that individuals don't care about nobody. Not even themselves if they ever had children in this city. We need more for the children. We don't need less for the kids.

I want to mention something, too. Issue 54. You need a no vote. Maybe when I was riding around the other night and I saw some fellows selling drugs at my Open Pantry. Maybe I should have called Mr. Crokay or whatever his name was and we could have sent him up there to see these kids. I'm telling you. Maybe when some time when people are sick or we have problems with a Senior and their response time for a paramedic it don't make no difference what age. Like I told you. I still credit the other day they did save my son's life when he was jumped several houses down. Maybe we can call on Mr. Crokay because they are going to come. The police are still going to come. They not going to not come because this don't make it. But I'm saying we don't want to cut short. That extra minute could mean the difference between life and death. When you got somebody hanging around the home like when they was going into that one house up there by Maplerow and that fellow ran through the school up there on Rexwood he ran through Miles School he had that pistol in his hand, etc. Can you imagine if we short some safety forces and it's taking long? That man had a gun when he cut through that school when the neighbors saw him. The quick the police got them before he could have did something to that woman in that house by herself. We can't afford this right now, people. Even with the Building Department, you know, you got a lot of old houses and Ward 1 I based it on a different department. I have a great relationship with the different Departments. I don't run them. They run the Departments. It came up like you said before some of the houses you wouldn't have had. He didn't work on no special issue. I didn't ask him to take care. He took care. I drive the neighborhood several times a week and I'm telling you, you check the Department. I make calls and I'm not afraid to call if I see somebody trying to sell drugs. I'm not afraid to call if I see somebody doing something wrong in the neighborhood they shouldn't be doing. but at the same time I want a quick response. I sit there some times and see how quick they come up there. Because I want the change. I want people to feel safe. If you look at 131st. I've been trying to sell that to people. I say hey, we got good departments and people will feel safe when they come in and out of your store. We keep the front clear as much as possible for you. People want a good community. They want an environment where your family will feel safe when you live there. These individuals like I said they have their right to collect the petitions, etc., but they have no answers. They want the city to fall because they didn't get the positions that they was

looking for. They could care less about your family. They could care doggone sure less about my family. But I'm not going to sit back and let them bring this community down and nobody up here is going to sit back and let them bring it down. We may have our differences but our differences are based on what we want to do to create a better community. When you vote no and you can drop the price to lower the town, but don't let them mislead you, people. I'm telling you don't let them mislead you. They don't show their faces up in the Ward 1 community. I'm proud to say only about eight people signed their petition in the Ward 1 community. Bless you heart there. They won't even come up in there. They are like little cowards. Howling around just catching like an ache in your side and not fully explaining to you what you're signing. You need to vote no. You can't afford to cut no services. We cannot go backwards. I didn't come here to go backwards. I'm telling you let's get out there. Let's show our support. Let's vote no on Election Day and when we do it this time, believe me if we do it this time you're not going to hear from them. They ain't going to do the three strikes. We need your support, people. That's the main thing we have. We need that no vote on Issue 54. You got any questions feel free to call somebody and talk about it. Next time you call the police call on them too. Let's see who gets there first? That's all I got to say, Mme. Chairman.

PRESIDENT MARINCIC: Thank you, Clmn.

CLMN VAUGHN: Mme. Chairman, I have one thing that I forgot. I'd like to inform everybody what I was called out for was we have a new visitor in Ward 7. They had a fox tonight down on Thraves. Some kids and officers from Maple Heights chased it back into the Milo Woods so we now have a new resident fox living in Ward 7.

PRESIDENT MARINCIC: Before I adjourn I just want Mr. Riley to know that Rule 26 of Council says I don't need a second on an amendment and I make a motion to adjourn. All in favor say.

(Voice from audience.)

PRESIDENT MARINCIC: Actually I can't let you. I'm sorry, sweetie, unless somebody makes a motion to let you take the microphone?

CLMN DUDLEY: I make the motion.

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

PRESIDENT MARINCIC: Come on.

MR. WILLIAMS: I just want to point out that the next Commission Meeting is November 17th.

CLMN DUDLEY: Mme. Chairman.

PRESIDENT MARINCIC: OK. We'll get adjourned yet.

CLMN DUDLEY: If you would like to contribute any candy for the Halloween party next Saturday and that's for everybody in the city. It's not just for the Ward 1 community. It's at 13455 Dressler Road. You can contact me or you can take the candy up to Dressler to the Family Life Center where all families; all kids is welcome. No matter where you live. Thank you, Mme. Chairman.

PRESIDENT MARINCIC: OK, Clmn. We have a motion on the floor to adjourn. All in favor say Yea. All opposed. The meeting stands adjourned. AYES: Marincic, Nenadovich, Glenn, Suster, Vaughn, Mahoney, Dudley

MEETING ADJOURNED AT 8:32 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Nancy Marincic
President of Council

Barbara Molin
Clerk of Council