

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, September 12, 2016

Note: The audio portion of this meeting was not recorded.

MEETING CALLED TO ORDER AT 7:00 p.m. by Council President Joseph Suster.

INVOCATION BY: Councilman Michael Dudley, Sr.

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

READING AND DISPOSAL OF MINUTES:

CLMN BURKE moved to accept the Minutes of the Special Council Meeting for the City of Garfield Heights for August 29, 2016 as written.

PRESIDENT SUSTER called for a vote on the motion by Mr. Burke.

AYES: Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster
It passed 7 - 0.

CLMN BURKE moved to accept the Minutes of the Council Work Session of August 29, 2016 as written.

PRESIDENT SUSTER called for a vote on the motion by Mr. Burke.

AYES: Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster
It passed 7 - 0.

CLMN BURKE moved to accept the Minutes of the Council Work Session of July 27, 2016 as written.

PRESIDENT SUSTER called for a vote on the motion by Mr. Burke.

AYES: Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster
It passed 7 - 0.

WRITTEN COMMUNICATIONS TO COUNCIL: None.

LEGISLATION OUT OF COMMITTEE: None.

REPORTS OF THE MAYOR AND DIRECTORS:

MAYOR VIC COLLOVA began by deeply thanking everyone who attended, volunteered at or helped organize the 2016 Summerfest. Six hundred residents attended it, so it was a great success. He planned to continue having the Summerfest next year. The Mayor thanked Ms. Wendy Walters for giving him the 200 photos that she took during the event.

Secondly, Mayor Collova spoke about the beautiful ceremony held on September 11, 2016 to dedicate the new 9-1-1 memorial behind the Garfield Heights Historical House. He thanked all those who participated in the ceremony and those who donated toward the monument. It cost \$12,000.00 and the city still needs more donations to pay for it. If you would like to contribute a donation towards the monument, please call Ms. Jennifer Duber or Ms. Pat Salemi at city hall.

Next, in view of the rising use of heroin in Ohio, there will be a Stop Heroin Week beginning on Sunday, October 9, 2016. Residents are invited to gather at Garfield Heights High School at 9:30 a.m. on October 9, 2016 to initiate the week by walking to Garfield Park where there will be a balloon release.

Finally, the Mayor read a Health Department reminder.

A mosquito trap set in Garfield Heights by the Cuyahoga County Health Department has tested positive for West Nile Virus. There have been NO human cases of West Nile Virus reported in Ohio. Health officials have found a low infection rate in mosquitoes and say it is expected at this time of year. Officials said residents should use insect repellent when outdoors and to get rid of any standing water around their homes. For additional information about West Nile Virus, visit www.ccbh.net.

PRESIDENT SUSTER asked if there were any questions for the Mayor on his report, but there were none.

LAW DIRECTOR TIM RILEY did not have a report.

POLICE CHIEF ROBERT BYRNE reported that when the Garfield Heights Police Department had performed an OVI checkpoint on Friday, August 19, 2016 they made six arrests. He thanked the 10 Garfield Heights Police officers who participated in the operation as well as the Garfield Heights Auxiliary Police and State Highway Patrol Officers who assisted them.

PRESIDENT SUSTER asked if there were any questions for the Chief on his report, but there were none.

SERVICE DEPARTMENT DIRECTOR TIM McLAUGHLIN said that the Service Department employees were busy finishing up their summer projects and still had 50 more waterline breaks to repair. This was the second week of the Hazardous Waste Roundup. Residents may bring documents to shred to the Service Department on McCracken Road on Saturday, September 17, 2016 between 9:00 a.m. and noon.

PRESIDENT SUSTER asked if there were any questions for Mr. McLaughlin on his report, but there were none.

PARKS AND RECREATION DIRECTOR BOB DOBIES was absent.

CITY ENGINEER DAVID KROCK stated that the city wished to submit an application for a grant of \$8 million towards the Phase 4 Project.

PRESIDENT SUSTER asked if there were any questions for Mr. Krock on his report, but there were none.

FINANCE DIRECTOR BARBARA BIRO did not have a report.

SOCIAL SERVICES DIRECTOR KATHY RUSH-PARSSONS sincerely thanked the Kiwanis Club for their generous donation resulting from their Empty Bowl Project. Jazzercise classes for the Seniors would be starting in the fall.

PRESIDENT SUSTER asked if there were any questions for Ms. Rush-Parssons on her report, but there were none.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN announced that the deadline for applying for a CDBG Grant was December 23, 2016.

PRESIDENT SUSTER asked if there were any questions for Ms. Kuban on her report, but there were none.

BUILDING COMMISSIONER BILL WERVEY did not have a report.

COMMENTS BY CITIZENS ON THE AGENDA:

CLERK read the rules as follows: Comments shall be strictly limited to brief statements not to exceed five minutes with comments limited to legislation on the current evening's agenda. No citizen shall speak more than once.

PRESIDENT SUSTER asked if anyone wished to comment on the agenda. No one did.

COMMITTEE REPORTS: None.

ORDINANCES AND RESOLUTIONS:

PRESIDENT SUSTER stated that the meeting would move on to Ordinances and Resolutions. The first ordinance would be Ordinance 44-2016.

ORDINANCE NO. 44-2016

AN ORDINANCE PROVIDING FOR HOLIDAY COUNCIL MEETING CHANGES FOR THE YEAR 2016.

Moved by NENADOVICH to CONSIDER BY TITLE:

AYES: Nenadovich, Glenn, Suster, Burke, Vaughn, Dudley, LaMalfa

Motion to SUSPEND THREE READING RULE:

AYES: Nenadovich, Glenn, Suster, Burke, Vaughn, Dudley, LaMalfa

VOTE ON ADOPTION:

AYES: Nenadovich, Glenn, Suster, Burke, Vaughn, Dudley, LaMalfa

PRESIDENT SUSTER announced that Ordinance 44-2016 passed with 7 Yes votes.

ORDINANCE NO. 45-2016

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO DO ALL THINGS NECESSARY TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), FOR THE MULTI-STREET RECONSTRUCTION & WATERLINE REPLACEMENT . PHASE 4-PROJECT, INCLUDING, BUT NOT LIMITED TO EXECUTING ANY AND ALL APPLICATIONS, AGREEMENTS AND /OR CONTRACTS AS MAY BE REQUIRED BY THE OPWC IN ORDER TO SECURE THE GRANT FUNDS REQUESTED,

PER THE ATTACHED OPWC APPLICATION AS PREPARED BY CITY ENGINEER DAVID KROCK.

Moved by VAUGHN to CONSIDER BY TITLE:

AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

Motion to SUSPEND THREE READING RULE:

AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

Motion to WAIVE RULE 24:

AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

VOTE ON ADOPTION:

AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

PRESIDENT SUSTER announced that Ordinance 45-2016 passed with 7 Yes votes.

ORDINANCE NO. 46-2016

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO DO ALL THINGS NECESSARY TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), FOR THE EAST 102ND STREET CHRONIC BASEMENT FLOODING-PROJECT, INCLUDING, BUT NOT LIMITED TO EXECUTING ANY AND ALL APPLICATIONS, AGREEMENTS AND /OR CONTRACTS AS MAY BE REQUIRED BY THE OPWC IN ORDER TO SECURE THE GRANT FUNDS REQUESTED, PER THE OPWC APPLICATION AS PREPARED BY CITY ENGINEER DAVID KROCK.

Moved by GLENN to CONSIDER BY TITLE:

AYES: Glenn, Suster, Burke Vaughn, Dudley, LaMalfa, Nenadovich,

Motion to SUSPEND THREE READING RULE:

AYES: Glenn, Suster, Burke, Vaughn, Dudley, LaMalfa, Nenadovich

Motion to WAIVE RULE 24:

AYES: Glenn, Suster, Burke, Vaughn, Dudley, LaMalfa, Nenadovich

VOTE ON ADOPTION:

AYES: Glenn, Suster, Burke, Vaughn, Dudley, LaMalfa, Nenadovich

PRESIDENT SUSTER announced that Ordinance 46-2016 passed with 7 Yes votes.

MISCELLANEOUS COMMENTS BY CITIZENS

PRESIDENT SUSTER said that the Ordinances had been concluded and asked the Clerk to read the rules.

CLERK read as follows: Comments shall be restricted to any problem a citizen has, which has previously been submitted to his/her Councilperson or to the city hall department directly involved. If submission of a problem to a city hall department or a Councilperson is made and there is a lack of service rendered in this regard, the problem may then be presented during Comments from Citizens at a future meeting. It is the intention of this rule that no request of a first nature is presented on the floor at this time. Comments shall be limited to five minutes. No citizen shall be heard more than once.

PRESIDENT SUSTER asked if anyone wished to comment.

Diane Wells, 4804 East 88th Street. Ms. Wells complained about the high level of noise during Bike Night at Kurt's Lounge. She said that the parking lot of the Blvd. Convenience was full, fights broke out, people shot off guns and the police did nothing.

PRESIDENT SUSTER thanked her for her remarks.

MAYOR VIC COLLOVA said that he understood that the noise there was worse than in the past. He had received one phoned complaint at 7:00 p.m. that night and intended to call the owner of the bar.

MS. WELLS said that motorcycles were parked on sidewalks.

POLICE CHIEF ROBERT BYRNE stated that two extra Police officers were on duty at Bike Night and he had received only two complaints about noise.

PRESIDENT SUSTER thanked Ms. Wells for her comments.

Shari, Owner of the Boulevard Convenience on Garfield Blvd. Ms. Shari said that she allowed Kurt to use her parking lot for Bike Night after 10:00 p.m. and she had discussed Bike Night with him. One of her employees, Tammy Zurencic, who was working for her, called her to say she had to close the store one hour early on Bike Night because of all the disruption in their parking lot. Ms. Shari said there was garbage, bottles, etc. all over her parking lot in the morning.

MAYOR VIC COLLOVA said that things would be different next year.

PRESIDENT SUSTER thanked Ms. Shari for her remarks.

Kurt, 14215 Dressler Avenue and Owner of Kurt's Lounge a.k.a. Kurt's Getaway Bar and Grill at 8909 Garfield Blvd. Mr. Kurt said there were only about 200 participants in Bike Night and they had thrown garbage only into the street. Mayor Jackson had been there.

MAYOR VIC COLLOVA asked him how many motorcycles had attended.

MR. KURT replied 70 to 100. The event was important because it was part of the People's Choice Vote.

MAYOR VIC COLLOVA requested that Mr. Kurt discuss Bike Night procedures with the Police and wished to see a change in 2017.

MR. KURT agreed to do so.

PRESIDENT SUSTER thanked Mr. Kurt for his comments.

T.J. Madden, 8706 Garfield Blvd. Mr. Madden said he owns the daycare across the street from the Blvd. Convenience. On the morning after Bike Night, his parking lot was full of garbage, bottles, feces and urine. He had to clean off his buses before he could use them.

PRESIDENT SUSTER thanked Mr. Madden for his input.

David Mays, 8250 Green Drive. Mr. Mays commented that Bike Night had been a nuisance in 2015, too.

PRESIDENT SUSTER thanked Mr. Mays for his remarks.

Tommy Lyons, 13619 Cranwood Park Blvd. Ms. Lyons explained that she has had a long standing problem concerning the house at 13611 Cranwood Park Blvd. The landlord throws garbage into her yard continually. Clmn Dudley has not handled the situation. Mr. Vince Liotta sent his crew to help her out and she thanked him for that. There is still rubbish around and a door of the house is broken. New tenants are moving in.

MAYOR VIC COLLOVA said something would be done to remedy it.

BUILDING COMMISSIONER BILL WERVEY said he would take care of the matter.

PRESIDENT SUSTER thanked Ms. Lyons for her comments.

Nettie McNeer. Ms. McNeer complained about finding screws, nails and rats in her yard. Besides that, a tree fell down. She was pleased that Police Officer John Holiday came to her home.

PRESIDENT SUSTER thanked Ms. McNeer for her remarks.

Kevin Wasick, 10914 Granger Road. Ms. Wasick thanked Council for their help with a nuisance home.

PRESIDENT SUSTER thanked Ms. Wasick for coming.

Kay Uyeda, 5422 East 96th Street. Ms. Uyeda represented the Hillary Clinton for President Headquarters located at 5422 East 96th Street in Garfield Heights. She offered non-partisan voter registration there and encouraged residents to vote.

PRESIDENT SUSTER thanked Ms. Uyeda for the information.

MISCELLANEOUS BUSINESS:

PRESIDENT SUSTER said that the meeting would move on to Miscellaneous Business starting with Mr. Dudley.

CLMN DUDLEY said that he had enjoyed the Summerfest and was happy it was a success. He was aware of the house at 13611 Cranwood Park Blvd. He had spent a nice peaceful Labor Day. The Councilman explained why he opposed four-year terms for Council Members.

PRESIDENT SUSTER said thank you.

CLMN LAMALFA joked that he was glad Mr. Dobies had not been present to speak for seven minutes and that he had no report.

PRESIDENT SUSTER said thank you.

CLMN NENADOVICH commented that residents often complain to him that the Mayor and Council do nothing so he enumerated many of their accomplishments. The city streets are

clean, there is a sign in front of the fire station, there is a new monument commemorating 9-1-1, there is a Summerfest, a Harvestfest, the debt of the city has gone down, etc.

PRESIDENT SUSTER said thank you.

CLMN GLENN said that the monument for 9-1-1 was vey nice. He reminded everyone that freedom is not free and sharia law is not for the USA.

PRESIDENT SUSTER thanked Mr. Glenn. He favored a four-year term for Council because new Council Members need more time than just two years to learn about Council. When Council recently held a meeting on the topic, that was the majority's opinion. He congratulated Ms. Megan Palmer, who recently completed her Marine training at Camp LeJeune.

CLMN BURKE agreed that four-year terms for Council Members would be preferable to two-year terms. Council Members are committed to doing what the residents want so the residents will vote upon this and make the decision. He enjoyed volunteering in the dunk tank during Summerfest. His Community Awareness Meetings have been moved to the third Monday of each month. A representative of the CMHA will speak at his next meeting.

PRESIDENT SUSTER thanked Mr. Burke and reminded the audience that the next Regular Meeting of Council would be held on Monday, September 26, 2016.

CLMN VAUGHN said that Mayor Collova had forgotten something.

MAYOR VIC COLLOVA replied that Garfield Heights High School had lost their latest football game to Holy Name High School while playing in the rain.

CLMN VAUGHN said that there was a fog delay and the score was 34-21. He declared that Holy Name won because he wore his Garfield Bulldogs shirt. The Councilman felt that four-year terms would be very good. Going on, he deemed that Bike Night should be moved away from Kurt's Lounge. Quaker Steak & Lube holds bike nights every Wednesday, which creates a lot of noise but there are no residents living close by so no one is inconvenienced. The Ward 7 Block Watch would be held on the last Thursday in September at the pavilion on St. Monica's grounds. Finally, he moved to adjourn the Council Meeting and Council unanimously approved his motion.

MEETING ADJOURNED AT 8:20 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Joseph Suster
President of Council

Barbara Molin
Clerk of Council