

# MINUTES OF A REGULAR MEETING OF COUNCIL

## CITY OF GARFIELD HEIGHTS, OHIO

Monday, September 10, 2012

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

**INVOCATION BY:** Clmn Joseph Suster

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

**EXCUSED:** Mahoney

**CLMN SUSTER:** Mme, Chairman I would like to make a motion that we excuse Clwn Mahoney this evening.

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

### **READING AND DISPOSAL OF MINUTES:**

**PRESIDENT MARINCIC:** Reading and disposal of the Minutes from the Special Meeting of Council from August 6<sup>th</sup> and the Regular Meeting of Council from August 13<sup>th</sup>.

**CLMN SUSTER:** Mme. Chairman, I'd like to make a motion that we accept the Minutes of August 6, 2012 and August 13, 2012 as submitted.

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

**WRITTEN COMMUNICATIONS TO COUNCIL:** None.

**LEGISLATION OUT OF COMMITTEE:** None.

**COMMITTEE REPORTS:** None.

### **REPORTS OF THE MAYOR AND DIRECTORS:**

**PRESIDENT MARINCIC:** Moving right along to the Mayor's report, Mayor Collova, I'm sure you have a lengthy report this evening.

**MAYOR VIC COLLOVA:** Thank you, Mme. Chair. It's not too lengthy but we'll get into it. First off I want a remind everyone again about the pit bull ordinance that we have in Garfield Heights. We've had a couple pit bull attacks. one on a mail carrier and another on another animal and

just so you know, pit bulls are in fact against our ordinances and illegal in Garfield Heights so certainly keep that in mind because if you have a pit bull you will be ticketed.

The second thing I want to talk about is because of the some of the good fortune that we've had over the last few months and this last year, actually, the city is looking at and Council is looking at reinstating a few programs to the city one of which would be reinstating Safety Town with Chief Sackett along with Beth, was the former officer that was in charge of Safety Town looking into restarting that and we're getting some ideas and we're looking at some different prices but we would like to do that next year for the 2013 year. Another thing we're looking at doing is reinstating weekend and night service calls through the County for sewers. This is for emergencies only. This has not been done for probably five or six years. We haven't had this. We are going to put it back up. We have informed the County starting this week that if you have an emergency or a weekend call you can call them. They will make sure and identify that it is in fact an emergency and not just something that you want to do for convenience and so we're putting that back into play. Another thing that we're looking at doing and I think this is going to make some of the young men and probably some of the young ladies in this area happy is we're looking at teaming up with Garfield Heights High School with the Board of Education to form a City Basketball Program that we're looking at starting next year. We'll have more details to follow but these are some things that we're looking to institute in a very short period.

I want to talk a little bit about our new program that will be starting very shortly probably within the next couple of days. We are beginning a Garfield Heights Family Resource Center. What this is going to do is we are bringing in the Juvenile Diversion Program from the Court into the city. Right now we have a Juvenile Diversion Program that has worked excellent. We have young men and young ladies that go in front of a Magistrate for committing non-serious crimes--jaywalking, fighting--the non-violent crimes--and they go in front of a Magistrate and he, instead of going down to Cuyahoga County Detention they are sentenced to community service and this has been going on for close to two years now. Vince Liotta and Lenny Piazza are in charge of that program. That has been working out of the Courts. We are going to bring that into the city. They will be working into the city and our hope is with this program that when these young men and ladies are ordered to do community service that part of that community service will be some counseling of some sort watching movies or something to help them with some of the tough things that go along with being a young man and a young woman so we have brought in a lady that has done this in the past. Her name is Ruth Pollack. She's very familiar to a lot of people here. Is she here? Or is she back there anywhere? No? OK. She is excellent. She worked with Melissa Thompson from the schools and did this for quite a few years when the schools had put this program together. This is going to be going into effect on Thursday the first day we will be expecting calls. It's also for anybody—not just Juvenile Diversion, if there's parents that have concerns about their kids and they would like to call and get information they will be directed on where to go. It's a service that's well needed in Garfield Heights and we're pleased to be able to do that. I want everybody to know Council is aware of this from our Council session that this entire program is being financed through the Court. They are financing this at no cost to the city so we're very fortunate from the Courts to be able to do that for us.

I want again and I know Chief Sackett's going to talk a little more about it, but I have tell you that Chief Sackett and his crew and when I say crew I mean that respectfully Officer DePenti and Detective Dillon along with Chief Sackett has put together a program for this Drug Forum that's second to none. We've been discussing it quite a bit. We actually have interviews with the TV. We had news people in here today and it's being televised as we speak. This is going to be one heck of a program and it's for everybody. Nobody out there should be saying I don't have anybody involved in drugs because statistics show one out of every four families are involved

some way with someone in the family a friend that is involved with drugs so this is going to be a program to not only help the people that are addicted but also to give parents an idea of what to look for. The signs to look for. The early signs in young men and ladies. This isn't an adult addiction problem. This isn't a high school addiction problem. Speaking with the Police and Detective Dillon this is something that takes place in middle school and hopefully not younger but in middle school so this is going to be a great program. It's at the Fine Arts Theater in Garfield Heights and Garfield Heights School Board's been great to partner up with this give us that location for the venue so that's going to be great. I appreciate it if everybody would come and bring your friends because we're expecting a lot of people and there's something in store that you're really going to be surprised if you remember some of those old things some of the older people like myself remember this. Scared Straight. Remember when they used to have Scared Straight? This has a little bit of that in it. I think so. It really is a good program so I hope to see everybody there.

The other thing I wanted to say is as Joe reflected early tomorrow is 9/11 and we need to take time out to reflect on the people that lost their lives to tragedy that caused a whole country to operate different than we did before. 9/11 changed our lives forever and now we need to reflect back on those who lost their lives and the families that lost their loved ones.

One last thing before I get into the legislation. As you can see Mr. Dobies is not here tonight. If you get an opportunity in your prayers think about his mom. Mr. Dobies' mom is very, very bad. She has cancer. She's in hospice and she doesn't have much time and we've all gone through something like that or know somebody that went through something like that so keep him in your prayers.

With that I'll get into legislation. Tonight Ordinance 54 and 55. This is much like the fire contract extension that we did last month. The police have agreed to a two year extension on their contract. This is really good for the city. They're going to stay status quo for the next two years. They understand the pitfalls that the city's going through and want to do their part and we appreciate it and I want you to know that these policemen and firemen are giving this extension. When they gave their concessions a couple years back and they gave some pretty good concessions when we really got in trouble in fiscal emergency, part of the contract stated that at the end of the contract they would get back the concessions that they gave. So when they extended this they've already extended it one year, now they've extended it two more years that's three years they've gone without getting back those concessions so they've really stepped up to the plate and I appreciate what they've done. Ordinance 62. It's an updated agreement for Granger Road resurfacing project. ODOT is paying 100% for this. It would normally be 80/20. They have agreed to pay 100%. The city's only paying what will be their handicap ramps and Engineer Dave Krock has been working on that. We have a cost that is insignificant when you talk about the big numbers. Ordinance 63. We're given the County the authority to act as our agent in bidding out the houses to be demoed with the Land Bank when they have a house that's supposed to be demoed instead of the city going through the process of bidding it out and finding somebody to do it they're going to do that for us and this contract allows them to do that. Ordinance 64. This is basically to remain in compliance with the County's Ethics Program. Ordinance 65 is authorizing and directing the Finance Director to establish the Garfield Heights Family Resource Center Fund. As I said the Family Resource Center is starting. The funds are coming from the Court to the city and once they come here we have to establish a fund to put the money in so to pay out of that fund so that's what Ordinance 65 entails. Ordinance 66. This is the appropriations for the remainder of this year that have to be put in place for that Resource Center. Ron's going to get into that in his report. Ordinance 67, Ron's also going to get into this in his report. Basically we are refinancing our bonds. Approximate savings over 15 years will be

a bit over \$600,000.00 in the refinancing. That can help us out quite a bit and Ron will get into that in some detail. Ordinance 68. Again some financial steps that we have taken to enhance the State Recovery Plan. Ron's going to talk about that and some of the issues, not all, but some of the issues that we've done to be able to close that gap. It's really been good for the city as you could see. Ordinance 69. We're setting new positions on the pay ordinances. We have some new positions coming into the pay ordinances. Basically the Resource Center people that are going to be working there and that's the majority of that. Ordinances 28 and 29. Only procedures done by Finance Department. These are regarding tax levies. Ron's going to get into that in his report also. With that, Mme. Chair, you have my report.

**PRESIDENT MARINCIC:** Thank you. Anyone have any questions on the Mayor's report?

**CLMN DUDLEY:** I ask one thing, Mayor, when we go into that agreement with the school in order to use their gym I would suggest that we get it in a written contract because like the last meeting when you was present they told me one thing but the School Board President and treasurer and former Superintendent Reid, but when I walked out of the room it was an absolute like so I'd like it in black and white because I know next year's an election year. They may go back and say we can't afford utilities like when they put that area in for the use in the beginning and it was taken away. So I'd like it in black and white if we do something with the School Board. I appreciate that,

**MAYOR VIC COLLOVA:** The only thing I can say is I have no problem trying to come up with a contract but in this situation we are asking the schools to be able to use their property, etc. for our program. I'm tickled to death that they're even agreeing to do it so I don't know how many stipulations we can put on that but we will certainly look for a written contact.

**CLMN DUDLEY:** Right because it's a stipulation that the people are already paying the taxes so they're just asking for something in return. That's all.

**PRESIDENT MARINCIC:** That's all you have?

**CLMN DUDLEY:** Yes.

**PRESIDENT MARINCIC:** Just for the benefit of the people here and those home watching it later on regarding 69 we are adding those two positions. We're not going to go around hiring people at this time. Those are being paid for through the Court's funds. Correct?

**MAYOR VIC COLLOVA:** Absolutely.

**PRESIDENT MARINCIC:** OK. Just to clarify that so people know the city is not going to be paying the salaries.

**MAYOR VIC COLLOVA:** We sat down with the Court and they already have three people involved in that right now. We are adding one additional person that will be paid by the Court so we'll have four people that will be staffing that center and three of them are already in place.

**PRESIDENT MARINCIC:** Someday maybe we'll be able to hire somebody, huh? Anybody else have any comments or questions on the Mayor's report? There being none we will move on to Mr. Riley, Law Director. Do you have a report this evening?

**LAW DIRECTOR TIM RILEY:** Thank you, Mme. President. No report tonight.

**PRESIDENT MARINCIC:** Any questions for the Law Director? There being none we will move on to Chief Sackett. I know he has a report?

**CHIEF ROBERT SACKETT:** Thank you. Lt. Gary Wolsky has been with the department 33 years. He's retiring next Tuesday. September 18<sup>th</sup> will be his last day so if you see Gary around, he's definitely earned his retirement. Wish him well in his retirement.

The Drug Forum. This coming Wednesday two days from tonight at the high school, 7 o'clock like the Mayor said. Invite everybody to show up. There's going to be something for everybody, There will be some pretty emotional stories. There are some people that are going to talk that have been through this. They're not just telling what they heard third hand. They been through it. They are going through it. So you're going to hear some pretty good stories. I especially would encourage parents to come parents of any age of kids. This treatment specialist we brought in to speak I listened to him again last night. He has some very, very good information, some parenting tips if you will for parents starting from age 0 all the way up to the teen years. He's got some really good ideas on what to tell parents to look for as far as how to avoid the whole situation altogether and I think you'll find that useful. Again this coming Wednesday 7 o'clock at the high school. Invite everybody to attend. With that you have my report.

**PRESIDENT MARINCIC:** I'm really curious, Chief. I wonder if everybody here raised their hands if you know somebody in your family or friends who's been affected by drugs or alcohol, raise your hand? This forum is a good idea isn't it?

**CHIEF ROBERT SACKETT:** It certainly looks like it.

**PRESIDENT MARINCIC:** Encourage them to come on Wednesday night. Anyone have any questions for our Chief? There being none, our Service Director and our Recreation Director are not here so we will move on to Dave Krock our City Engineer.

**SERVICE DIRECTOR TIM McLAUGHLIN:** Absent.

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** Absent.

**CITY ENGINEER DAVID KROCK:** Thank you, Council President. I'd just like to report on McCracken Road the progress that's been going on. It is down to one lane in each direction if you've driven it lately. Some of the work the new concrete's been poured at Broadway and that work will continue there. But the work's coming along pretty well. In the next two months if the weather holds we'll be looking pretty good. So if there's any questions as things move along let me know. There's a little bit more on your Council report but I know there's a lot on the agenda so we'll skip that for tonight. Thanks.

**PRESIDENT MARINCIC:** Any questions for our City Engineer?

**CLMN NENADOVICH:** Mr. Krock, we had been talking about it. Do you have any idea when you're going to bid that program for the Bancroft Road sewer project?

**CITY ENGINEER DAVID KROCK:** Yes, that bid's September 19<sup>th</sup>, Councilman.

**CLMN NENADOVICH:** Thank you.

**PRESIDENT MARINCIC:** Any other questions for our City Engineer? There being none, Finance Director Ron Tomola, do you have a report?

**FINANCE DIRECTOR RON TOMOLA:** Yes, Mme. Chairman, I do. Since quite a lot of the evening's agenda relates to the Finance Department let me get started. Let me start with Resolutions 28 and 29. These are standard housekeeping issues that the city does every year. Resolution 28 is a request to the County for advances in the property tax collections throughout the year not just on the settlement dates. Resolution 29 is the acceptance of the amounts and rate that is determined by the County Budget Commission and authorizing the tax levies for the year 2013 collection.

Ordinances 65, 66 and 69 deal with the creation of the Garfield Heights Family Resource Center. This was a topic discussed at the work session that was held last Thursday night. I'm sorry I could not be with you at that meeting but apparently all questions were answered satisfactorily as I received no calls in regards to the work session. 65 basically sets up the new fund for the center. 66 sets up the new appropriation and 69 sets the positions into the pay ordinance so that I can pay the employees who operate out of the center.

Ordinance 67 relates to the refinancing of the city's 2002 bond issue. This project began in early summer of 2012 with preliminary discussions between the Finance Department and the city's bankers. The potential savings identified after months of work is slightly over \$600,000.00 over the remaining 15 years that this issue will be outstanding. The savings is basically due to the lower interest rates that the new issue can be sold at versus the original rates from 2002. The 2002 issue was a very low rate issue and for the remaining years on the bonds the rates ranged between 4.5 and 5.5% while the anticipated new rate of the 2012 issue will be estimated in the range of 3.1 to 3.4%, thus resulting in a \$600,000.00 savings.

This brings me to the last piece of legislation from the Finance Department. Ordinance 68 which relates to the amendment to the city's 2008 Financial Recovery Plan. Over the past 2.5 years the city has put in place many cost saving factors and revenue enhancements that were never formally included in the city's recovery plan. I'm not going to go over each of these items individually but I would like to highlight a few. Item 7 relates to the bond refinancing issue that I just discussed. Item 4 relates to the new financial systems installed in the Finance Department last year which provide the city with up to date current financial information including encumbrances as is required by State law. These systems allow Council and Administration to reliably track all revenues and expenditures on a daily basis which helps us in our planning and forecasting for future projects and expenditures. I would like to refer here to the August 2012 Financial Statement that you should have received via e-mail last week from the Finance Department. This document identifies for the first time since 2008 that the city has posted a positive balance in the General Fund after encumbrances. I don't know about you but this is a major accomplishment to me and I think that many need to be identified in helping make this day happen. First the City Council for having the foresight to make the hard decisions that were required over this period of time to make this day a reality, the Mayor and his Administration for proposing those policies and programs that Council enacted even though many were not very popular that ultimately resulted in this positive balance in August 2012. The city employees for the concessions that they agreed to over this period of time that have made this day possible. And lastly and most importantly the residents of this city for allowing this Council and this Administration to implement those programs even though unpopular that now reflect in this positive balance, which brings me to the last item, item number 8 to the amendment of the recovery plan. This item identifies the garbage refuse fee that the Administration proposed and Council enacted in 2010. At the time of its enactment the fee was set at just enough to pay for

the annual cost for the residential pick up and disposal fees. Also at the time the Mayor and Council said that they would look at the annual fee and if the time was right they would reduce and/or eliminate the fee in the future. Many comments were made about this statement, mostly to the effect of yeah, right, once they get your money they don't give it back. Last month this Council and Administration did just what they said they would do 2.5 years ago. They looked at what would be required for 2013 and decided to reduce the fee by 20%. I fully expect this Council and Administration to keep their word and look at this fee every year and continue to reduce it as needed.

Let me finish by saying that I am currently working on revising the city's Five Year Forecast as has been requested of me by the Financial Planning and Supervision Commission. I'm hoping to have this completed by the end of the week. One of the reasons this has been requested is because I had to report to the Financial Supervisor the Charter proposal that our residents will again be voting on in November. I have to show them the impact that both the reduced fee as proposed by this Council and the Mayor and the total loss of this revenue based on the Charter language will have on the city's forecast. I can tell you this. From the portion of the forecast that I have completed if the Charter amendment passes, which takes away the garbage refuse fee it will put the city right back where we were in October 2008 and everything that this Council, this Administration, the city employees and the residents have accomplished over the last three years will have been lost. With that you have my report.

**PRESIDENT MARINCIC:** Thank you. Any questions for our Finance Director?

**CLMN SUSTER:** I don't have a comment. I just wanted to say that he thanked quite a few people but he forgot to thank himself. There's a lot of times I go by here late at night and I still see that Ron's here and I know he's put a lot of work into this along with the Mayor and the Administration in putting us in the financial situation that we're in and I myself would just like to thank you, Ron.

**PRESIDENT MARINCIC:** I would like to echo that. I feel the same way.

**CLMN NENADOVICH:** I also would like to say at this time, Mr. Tomola, you were right. There were a lot of hard decisions to make, but the hardest part is yet to come. The Directors and the Mayor most of all the Mayor, he's going to take the hit on this. Council's going to take a hit but the Mayor's doing this. The Mayor's doing that. He's busting his hump for us. We got to appreciate this and his tough job is yet to come this following year. It's going to be a rough one. Especially if that levy goes the way some people are planning it to go. I wish him the best and I wish my colleagues and the Directors the best too.

**PRESIDENT MARINCIC:** Any other comments?

**CLMN DUDLEY:** I need to go back to the Law Director. What do the no vote means and what do the yes vote means?

**LAW DIRECTOR TIM RILEY:** We don't know. The ballot language hasn't been officially certified to me but this will not change. Because it is put up as a Charter amendment the people have to vote to change the Charter. So if you change the Charter you are eliminating the fee. If you vote yes the fee goes away. If you vote no it stays. The reason for that is that the Charter amendment that is being put up is an attempt to repeal the original legislation. The problem is when you repeal legislation it's supposed be done by referendum. Then you can ask that question. Do you wish to repeal section such and such of the code? But the people that put this

petition forward made it a Charter amendment so the language has to be do you want to adopt this provision of your Charter which eliminates the fee? So the confusion. I worked with the language quite a while to try to come up to make it as least confusing as possible but you can do anything with a yes and a no based on the way the petition was presented to the city. OK? So everybody should know that if you want to keep the city the way it is vote no on that amendment.

**CLMN DUDLEY:** Ail right. Thank you.

**CLMN NENADOVICH:** Mr. Riley, again, I know you just said it, but the city did not write this language. The people that put the petition up wrote this language?

**LAW DIRECTOR TIM RILEY:** Absolutely. Yes I took the language right off of the petition so there would be no argument.

**PRESIDENT MARINCIC:** Anyone else? OK. We will move on to Noreen Kuban, Economic Development.

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Thank you, Mme. Chairman. I'd like to announce that we have received a grant award, the CDBG Grant for \$150,000.00 for the development of a multi-purpose trail along McCracken Road from Broadway East and this was announced by County Executive Ed Fitzgerald at his press conference on August 29<sup>th</sup>. That bidding and construction will be starting in 2013.

One thing I want to note I sent this out to City Council and I put some extra copies on the desk over there, but there was an article in the paper on August 28<sup>th</sup> and it was discussing five lenders who will be offering some benefits to mortgage holders. I want to relay some pertinent points in this article. Five banks settled with the Federal and State regulators early in 2012. In Ohio five companies agreed to commit \$90 million in interest savings to borrowers who refinanced their loans and \$102 million to reduce that principle and payments on homeowners loans. The five lenders are Chase, Ally, GMAC Mortgage, CitiBank, Wells Fargo and Bank of America. Now the settlement did not really specify which customers would be eligible so a lot of the lenders are sending homeowners packages in the mail so pay attention if you get one. If you don't get one contact your lender. But in general customers who owe more than their homes are worth and are up to date on the mortgage are being offered lower interest rates. Customers who are behind on their mortgage loans are going to be offered reductions in principle and lower payments. So again the five lenders are Chase, Ally, GMAC, CitiBank, Wells Fargo and Bank of America. We're also sending out a mass mailing to people who have these lenders because we have access to a database and City Council members if you could announce this at your Block Watches or put it in your newsletters it would be much appreciated.

I get to do Timothy McLaughlin's report tonight so I will do my best imitation. Street sweeper is out. I'm doing my McLaughlin imitation. Tree truck is working on the work tickets. Street repairs from the Cleveland Water cutouts are being repaired and there's going to be a Hazardous Waste Roundup at the Service Garage on 13600 McCracken and that will be on Monday September 17<sup>th</sup> through Friday September 21<sup>st</sup> and Monday September 24<sup>th</sup> through Saturday September 29<sup>th</sup> and Monday through Friday our regular hours of 7:30 to 3:30. And on Saturday September 29<sup>th</sup> it will be 8 to 12. So you can bring all your hazardous waste products, paint cans, etc. to the garage. On September 29<sup>th</sup> which is a Saturday at the Service Garage we're going to have another Shred-it truck there and it will be there from 9 until 12. This is only for

Garfield Heights residents, but you can bring all your personal papers, paperwork and come to the garage and they will shred it for you,

I know the Mayor mentioned about the sanitary sewer cleanouts that we'll be doing on weekends and evenings but the phone number to call is (216) 443-8201 and it's only for sanitary sewers.

Finally, a few local high schools are having a fundraiser to collect electronics, one of which is Garfield Heights and that will be on Saturday September 29<sup>th</sup> from 9 to 2 p.m. at the school and the students are removing electronic parts and they are getting their time in as volunteers to raise money for the Garfield Heights Music Boosters. The electronics they'll accept are industrial, medical, household equipment, security and communications devices, personal electronics and computer and office equipment. They will not take computer or television monitors or large appliances. That concludes Tim's report.

**PRESIDENT MARINCIC:** Any questions for our Economic Development?

**CLMN VAUGHN:** Ms. Kuban, there seems to be some confusion about the Dunkin' Donuts. Can you give us any information?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** We can't talk about it at this point.

**CLMN VAUGHN:** OK. This is turning into another McDonald's. Thank you.

**PRESIDENT MARINCIC:** Ms. Kuban, so we got the CDBG Grant, huh?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Yes.

**PRESIDENT MARINCIC:** That's going to go from Broadway up McCracken or?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** It's going to go up East. It's going to be on McCracken East of Broadway and it will be on the North side of McCracken and it will be a multi-purpose trail—walking, biking. There's no sidewalk there as you know so that will serve.

**PRESIDENT MARINCIC:** It's coming from the Cleveland borderline?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Right.

**PRESIDENT MARINCIC:** OK. Down to Broadway.

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** And that will also create access from Kerrush Park which has some recreational facilities down McCracken which will take you to Broadway and to the Garfield Metro Parks so it will link up two different park systems.

**PRESIDENT MARINCIC:** I could tell you weren't Tim. You didn't fool me.

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** I did my best.

**PRESIDENT MARINCIC:** Does anyone else have any comments?

**CLMN NENADOVICH:** I'd like to speak to the Noreen portion of your comment. Is that the portion of the trail that we walked on one day?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** No, that was the Johnson Millstream Trail and we did not receive funding for that. That was the first year we put in for that with the city of Cleveland. We will jointly apply for that again next year. Sometimes you have to apply more than once, but this was an important part of that and when we reapply for the Johnson Millstream project it will be good to be able to point out that we already got this funding.

**CLMN NENADOVICH:** OK. Thank you.

**PRESIDENT MARINCIC:** Any other comments for our Economic Development/Service Director? There being none, we will move on to Building Commissioner Mr. Wervey. Do you have a report?

**BUILDING COMMISSIONER BILL WERVEY:** I don't have anything really new. Just an update on foreclosures. We're holding at about 690. We got about 150 houses that are bank owned now. There's about 830 that are vacant and there's 301 of those vacant houses that have active Point Of Sales and are actively for sale. That figure seems to be going up just a touch. Some of these houses are getting into and on to the market. That's the only thing I have this evening.

**PRESIDENT MARINCIC:** Anybody have any questions for our Building Commissioner? There being none, that concludes the reports of the Mayor and his Directors. Now we will move on to Comments by Citizens on the evening's agenda. I will have our Clerk read the rules.

**COMMENTS BY CITIZENS ON TONIGHT'S AGENDA:**

**CLERK:** Comments are strictly limited to brief statements not to exceed five minutes with comments limited to the legislation on the current evening's agenda.

**PRESIDENT MARINCIC:** No citizen may speak more than once. Anyone who wishes to speak regarding items on the agenda just raise their hand?

**ORDINANCES AND RESOLUTIONS:**

**PRESIDENT MARINCIC:** There being none we will move on to legislation. The first item we have tonight is Ordinance 54-2012. Will the Clerk read the title.

**ORDINANCE NO. 54-2012**

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE EXECUTION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF GARFIELD HEIGHTS AND THE FRATERNAL ORDER OF POLICE, LODGE 67 (SERGEANTS AND ABOVE).

Moved by SUSTER to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion by SUSTER to WAIVE RULE 24:

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Ordinance 54-2012 stands adopted with 6 Yes votes.

**ORDINANCE NO. 55-2012**

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE EXECUTION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF GARFIELD HEIGHTS AND THE FRATERNAL ORDER OF POLICE, LODGE 67 (PATROLMEN).

Moved by VAUGHN to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion by VAUGHN to WAIVE RULE 24:

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

**PRESIDENT MARINCIC:** Before I vote I would like to thank our police sergeants, patrolmen, dispatchers, jailers, even our firefighters for agreeing to extend their contract for a couple more years and I really, really appreciate it and I happily vote Yes.

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Ordinance 55-2012 stands adopted with 6 Yes votes.

**ORDINANCE NO. 62-2012**

AN EMERGENCY ORDINANCE REPEALING GARFIELD HEIGHTS ORDINANCE 39-2012 AND, SUBSEQUENTLY, AUTHORIZING THE MAYOR TO ENTER INTO A NEW AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF GRANGER ROAD.

Moved by SUSTER to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion by SUSTER to WAIVE RULE 24:

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Ordinance 62-2012 stands adopted with 6 Yes votes.

**ORDINANCE NO. 63-2012**

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION FOR THE PURPOSE OF ACTING AS THE CITY'S AGENT TO DEMOLISH AND/OR REPAIR VACANT BUILDINGS THROUGHOUT THE CITY.

Moved by DUDLEY to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion by DUDLEY to WAIVE RULE 24:

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

**CLMN GLENN:** Before I vote I'd like to mention the fact that the Wards 1, 2 and 3 are getting the benefit of the tearing down of the houses. Ward 4, 5, 6 and 7 are not getting the benefit of this and that I'm saying Yes.

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Ordinance 63-2012 stands adopted with 6 Yes votes.

**ORDINANCE NO. 64-2012**

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO SIGN CUYAHOGA COUNTY'S ETHICS ORDINANCE CERTIFICATION FORM AS IT PERTAINS TO AGREEMENTS BETWEEN THE CITY OF GARFIELD HEIGHTS AND CUYAHOGA COUNTY.

Moved by NENADOVICH to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Ordinance 64 stands adopted with 6 Yes votes.

**ORDINANCE NO. 65-2012**

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO ESTABLISH THE GARFIELD HEIGHTS FAMILY RESOURCE CENTER FUND, NUMBER 228, WITHIN THE CITY'S BUDGETARY FUND STRUCTURE

**CLERK:** And I have a Fiscal Officer's Certificate to read.

**PRESIDENT MARINCIC:** No, not on this one. That's on the one for the bond.

**CLERK:** I'm sorry. I thought it was number 65.

**PRESIDENT MARINCIC:** No, that's OK.

**CLERK:** Sorry

Moved by NENADOVICH to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion by NENADOVICH to WAIVE RULE 24:

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Ordinance 65-2012 stands adopted with 6 Yes votes.

**ORDINANCE NO. 66-2012**

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 74-2011; ORDINANCE 22-2012; ORDINANCE NO. 30-2012 AND ALL OTHER TRANSFER AND ADDITIONAL APPROPRIATION ORDINANCES, AND ESTABLISHING THE BUDGET FOR THE GARFIELD HEIGHTS FAMILY RESOURCE CENTER FUND, FOR THE YEAR ENDED DECEMBER 31, 2012.

Moved by VAUGHN to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion by VAUGHN to WAIVE RULE 24:

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

**PRESIDENT MARINCIC:** Ordinance 66-2012 stands adopted with 6 Yes votes. And somebody shut the back door. Don't we have to keep it open? It's an open meeting. Or doesn't it matter? Thank you very much.

**ORDINANCE NO. 67-2012**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,900,000 FOR THE PURPOSE OF REFUNDING AT A LOWER INTEREST COST CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE IMPROVEMENT BONDS, SERIES 2002, DATED AS OF MARCH 15, 2002, AND DECLARING AN EMERGENCY.

*(The Clerk read the Supplemental Fiscal Officer's Certificate.)*

**PRESIDENT MARINCIC:** I need individual roll calls on this starting with Clmn Suster.

Moved by SUSTER to CONSIDER BY TITLE

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

Motion by SUSTER to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:

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

**PRESIDENT MARINCIC:** Roll call on the adoption.

VOTE ON ADOPTION:

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

**PRESIDENT MARINCIC:** Well, when you do it like that I'm so glad we don't anymore. I'm happy to say that Ordinance 67 stands adopted with 6 Yes votes.

**ORDINANCE NO. 68-2012**

AN EMERGENCY ORDINANCE APPROVING AND AMENDING THE MAYOR'S 2009 FINANCIAL RECOVERY PLAN, ATTACHED HERETO WITH PRIOR AMENDMENTS, AND DIRECTING THAT THE HEREIN IDENTIFIED AMENDMENTS TO THE PLAN BE SUBMITTED TO THE FINANCIAL PLANNING AND SUPERVISION COMMISSION AT THEIR NEXT REGULAR MEETING.

Moved by DUDLEY to CONSIDER BY TITLE

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

Motion by DUDLEY to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:  
AYES: Dudley, Marincic, Nenadovich, Glenn, Suster, Vaughn  
ABSENT: Mahoney

**PRESIDENT MARINCIC:** Roll call on the adoption beginning with Clmn Dudley.  
VOTE ON ADOPTION:

**PRESIDENT MARINCIC:** I want to thank everybody for all their hard work that's gotten our city to where it is today and I gladly vote Yes.

**CLMN NENADOVICH:** Same for me and I vote Yes.

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

**PRESIDENT MARINCIC:** I'm happy to say that Ordinance 68-2012 stands adopted with 6 Yes votes.

**ORDINANCE NO. 69-2012**

AN EMERGENCY ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 01-2010 OF THE CITY OF GARFIELD HEIGHTS.

Moved by SUSTER to CONSIDER BY TITLE

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

Motion by SUSTER to WAIVE RULE 24:  
AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn  
ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:  
AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn  
ABSENT: Mahoney

**PRESIDENT MARINCIC:** Roll call on the adoption beginning with Clmn Suster.  
VOTE ON ADOPTION:

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

**PRESIDENT MARINCIC:** Ordinance 69-2012 stands adopted with 6 Yes votes. This is the one we need the second on.

**RESOLUTION NO. 28-2012**

AN EMERGENCY RESOLUTION REQUESTING ADVANCE IN TAX SETTLEMENT.

Moved by SUSTER to CONSIDER BY TITLE

Seconded by NENADOVICH

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

Motion to SUSPEND THREE READING RULE:  
AYES: Suster, Vaughn, Dudley, Marincic, Nenadovich, Glenn  
ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Resolution 28-2012 stands adopted with 6 Yes votes. We are almost there.

**RESOLUTION NO. 29-2012**

AN EMERGENCY RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Moved by SUSTER to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion by SUSTER to WAIVE RULE 24:

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Resolution 29-2012 stands adopted with 6 Yes votes.

**COMMENTS BY CITIZENS:**

**PRESIDENT MARINCIC:** That concludes Ordinances and Resolutions for this evening. Now we will move on to Miscellaneous Comments. I'm going to have our 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:** No citizen may speak more than once. Everyone is limited to five minutes.

Bob Halan, 12416 Oak Park Blvd. Before I have a comment I want to know is there a doctor or a nurse in the house? The reason why I ask I might die of a heart attack getting a positive response to the questions that I keep bringing up every meeting. McDonald's and the road extension? Anybody got anything positive to say so I can have a heart attack?

**MAYOR VIC COLLOVA:** They're both doing fine, Bob. Thank you.

**PRESIDENT MARINCIC:** Are you feeling OK now? Thank you. Anybody else wishing to speak tonight?

Leonard Leone, 11301 Briarcliff Drive. Before I start I want to thank Mayor, the cutting crew, Mr. Liotta's crew for what they did for my requests so they should be commended. Mr. Glenn, you have a problem with the city's services?

**CLMN GLENN:** What are you referring to?

**PRESIDENT MARINCIC:** Wait. Do you want a response?

**MR. LEONE:** I'm not done yet. You have a problem with our city services? Yes or no?

**CLMN GLENN:** I'm asking you what are you referring to?

**MR. LEONE:** What am I referring to? What right have you to go into another Ward and paint fire plugs when you live in Ward 4? Yes I did. I have a right, Mme. Chairman, and my question is disrespect. At least you could have confronted whatever Councilman or whatever it was to do that. You showed disrespect for your colleagues here and I don't appreciate it. That's very, very not nice of you to do that. I think you should apologize to Mme. Chairman and the Council for disrespect for all of you. You should fire this man and let the man lose one or two meetings to have disrespect for all of you. Mayor, my question to you is this. Who is supposed to paint the fireplugs? The fire department? Service Department?

**MAYOR VIC COLLOVA:** According to the contract with the fire department it's not their responsibility. I know they have done it in the past but according to the contract it's not their responsibility. The Service Department it's never been done. I don't believe I shouldn't say never but as far as I can remember it hasn't been done by them. So we have an option as a city to go out and get somebody to do it. We've talked about that at different meetings on bringing in a group to come and get them all. Mr. Glenn has done his Ward I think last year or the year before he did his Ward. I don't think we have anybody identified, Mr. Leone, as to who does that. I don't think it's a particular job.

**MR. LEONE:** My question, Mr. Mayor, is don't you think it's disrespectful to go into another Ward? At least he should confront you instead of just coming in to do some work?

**MAYOR VIC COLLOVA:** I don't know if it's disrespectful. I would say that you probably should contact the Councilperson in that Ward.

**MR. LEONE:** That's all I'm asking and that's all I think Mr. Glenn should have done.

**CLMN GLENN:** Are you finished there, Mr. Leone? I'd like to respond to that. First of all, you should get your facts straight first. What fire hydrants are you talking about specifically that I went out of the Ward?

**MR. LEONE:** Did you go over to Ward 3?

**CLMN GLENN:** I did.

**MR. LEONE:** Did you ask Clmn Nenadovich for permission to go over there?

**CLMN GLENN:** I did not have to.

**MR. LEONE:** Why? Why?

**PRESIDENT MARINCIC:** Let him finish, Mr. Leone, please.

**CLMN GLENN:** First of all you should understand the fire hydrant there. I painted that fire hydrant on a request. The owner of the house came out and thanked me for it. Somebody else requested it. I'm not going to mention names or anything else. As far as the other fire hydrants, I did it. I had no complaints about it. You don't like the fire hydrants painted red? To look nice? You want this city to look downgraded?

**MR. LEONE:** That's not the question.

**CLMN GLENN:** That is my answer.

**MR. LEONE:** What right have you.

**PRESIDENT MARINCIC:** I think we're getting into a debate now that's better solved after the meeting.

**MR. LEONE:** I'm saying you're still showing disrespect to Mr. Nenadovich.

**CLMN NENADOVICH:** I was told by the resident he did it as a request to the resident.

**MR. LEONE:** I wasn't aware of that. OK. Thank you.

**CLMN GLENN:** Is that an apology?

**MR. LEONE:** Yes, it is.

**CLMN GLENN:** OK. Apology accepted.

**PRESIDENT MARINCIC:** Thank you. Just so you know you can paint as many in my Ward as you like.

Paul Long, 4688 Horton. The hydrant that he's talking about is in front of my house. He knocked on my door, asked to paint it. I told him fine. That's fine. What's the problem? I think they look great. Don told me that it was the fire department's job. They were on rotation for doing it. I ain't seen a fire hydrant painted in 50 years. Thirty years I have lived in the city. Has anybody seen one painted? What's the big deal? Have you drove down on Garfield Blvd. looked to the left and seen the streets? They look a lot better. What's the big deal? It's a fire hydrant beautifying the city. What's the problem?

**CLMN VAUGHN:** Maybe this is something we can look into in the Court Diversion?

**MR. LONG:** Court Community Service. Why can't they do it?

**MAYOR VIC COLLOVA:** Actually we looked into it. There is a problem with transportation. When you talk about the Diversion Program? There's a difference between Court Community and Diversion. To answer the Diversion Program we can't transport them. We have to bring them to one location and they have to stay there. There are some dangers. We would have to worry about the kids in the street painting the fire hydrants.

**MR. LONG:** So they stay on the tree lawn.

**MAYOR VIC COLLOVA:** Ever see some of the drivers drive up on the curb? I understand where you're coming from. I would like to see al the fire hydrants painted. That's part of making a city look good. I don't have a problem with it.

**MR. LONG:** I don't understand what the big deal is about this? Why such a commotion?

**MAYOR VIC COLLOVA:** Just think how nice that fire hydrant painted would have looked good last year if you did it on your own? It would look great.

**MR. LONG:** From what I understand you got the paint from the fire department? Special paint?

**CLMN GLENN:** Last year I got the paint for the fire hydrants from the fire department. This year I got some paint for the fire hydrant. The paint last year and the paint I was given this year is of low quality. You can tell from last year the paint did not last too long. I went out on my own accord, bought paint on my time, my labor and painted most of the hydrants in our Ward 4. I intend to finish them all up if I'm so allowed. Nobody has told me to stop painting fire hydrants. If I could sell two or three houses in Ward 4 if it helps to sell the houses I want to do it. I'd like to see all the fire hydrants painted in the entire city. The cost of doing fire hydrants is minimal compared to other programs the city has. So the benefits of it, if nothing else, it brings pride to this city.

**CLMN DUDLEY:** I want to come to Mr. Glenn's defense. You got to realize that when you pay your taxes, and I didn't even check with our Finance Director, the money goes into the General Fund so no matter where you live in the city you could be in Ward 7, Ward 6, Ward 1, you'll be paying Ward 7's salary or Ward 6's salary. Your money is not just going to your Councilperson. It goes in a General Fund so no matter where you live in this city you pay all of our salaries from the Mayor on down. So it should not be an issue with that. Like you say, feel free to come over and paint fire hydrants for us. I'm not complaining. Come right on over.

**CLMN GLENN:** Clmn Dudley, I'm trying to set an example for the rest of the Council people.

**CLMN DUDLEY:** That's why I want you to come over so you can show me by example. Lead by example. End of subject. Thank you, Mme. Chairman.

**CLMN VAUGHN:** Mr. Glenn, come on up to Ward 7. There's 230 of them. Show me how.

**PRESIDENT MARINCIC:** I'm not painting any.

**CLMN SUSTER:** Me neither.

**PRESIDENT MARINCIC:** But I will show you how to type a newsletter. Anyone else have comments this evening?

Patricia Papesh, 5287 East 117<sup>th</sup> Street. Nice to be seen. I brought this to my Councilman's attention and it concerns signage. I was informed by my Councilperson that Council legalized one sign per business earlier this year. My question is why can't Garfield Heights take as much pride in itself as Pepper Pike, Beachwood, any other town around here? Right now you can drive down Rockside Road eastbound between the Post Office and Turney Road and you'll find a half dozen sandwich board signs telling you that you can get bologna for \$2.99 at Marc's or bread or lettuce or tomatoes. It looks like trash. You've all been sitting here talking about how our town should look neat, paint the fire hydrants, get the signage off the roads if it isn't supposed to be there. One sign in front of a store or business and there's half a dozen. If they're not following the ordinance make them do it. I'm mad as heck because I have pride in the city. I've lived here for 35 years. I cut my grass. I get an annual plaque from Nancy about how we keep the yard nice. Then you go down Turney Road you go down Transportation Blvd., you go down Rockside Road and what do you see? Signs. All over the tree lawn. If I put stuff like that out on the lawn you'd be there. You can't have that. God forbid we put our trash out before six o'clock. But those signs are out there 24/7 seven days a week. Do we have a law stating one sign? Would you please make sure it's followed? Thank you.

**MAYOR VIC COLLOVA:** Can I respond, Mme. Chair?

**MS. PAPESH:** And by the way I would ask what you two were doing that was so busy for almost a month that neither of you could respond to my e-mails?

**CLMN VAUGHN:** I sent your request on to the Building Department and I discussed it with the Mayor.

**MS. PAPESH:** I'm mad. I love this city. People ask me what are you doing?

**CLMN VAUGHN:** I've lived here for 55 years. OK? I'm trying to work with the businesses in this community who are giving back to this community so that we can bring more business in. OK? I'll be honest with you. You're the only complaint I've had in Ward 7 about this. OK? I've discussed it with the Mayor, I've discussed it with Bill. I'm sorry that you're upset with it. I feel that I want to be able to work with the businesses. Mayor, would you like to?

**MAYOR VIC COLLOVA:** First off let me say that you are 100% correct. There's an ordinance in place like that and by all rights that ordinance should be enforced. Like many other ordinances. We have a pit bull ordinance and every time I go out I see somebody walking a pit bull and there are a lot of ordinances that are not enforced and it very well could be our fault. The problem with the Administration and myself and the Council is we're between a rock and a hard place. We're losing so many businesses in the city. When you talk to the businesses they tell you we need to advertise, especially on Rockside because everybody's set off the road. We have a car wash off of Rockside that unless you absolutely look to the left you'll never know they are there and they've asked us should we go out of business? What should we do? In my mind I know the ordinance says what the ordinance says but quite honestly you are the only complaint that I've heard of which doesn't mean your complaint is wrong. Your complaint is 100% right. That's what puts us in a tough spot but the reality is that the whole idea of building Garfield Heights is to build it with business and I can tell you that there are signs. If you go into Independence and some other cities you do see it. I was in downtown Twinsburg. I see these signs. They are done nice; they're done right. I'm not saying it's right and I'm saying you're right because the ordinance is what it is. I'm just saying we're in a tough spot because we have to tell the business, I know you're in trouble but some of the residents don't like the way it looks so you have to just stay in trouble. That's the hard part.

**MS. PAPESH:** My response? Thank you for pointing out that I am correct. Most people like to tell me you're dead wrong. By the same token you're all talking about making the city look nicer. This doesn't make the city look nicer. I don't think Marc's is going out of business any time soon. So I don't buy that remark about well we have to give in to the businesses. No. Not Marc's.

**MAYOR VIC COLLOVA:** So we just sort of say to them follow the rules and that's the way it is? The rules are the rules and you have to follow them? I guess you're right?

**MS. PAPESH:** And they spend a lot of money every week. I get a flyer in my mailbox that they've paid for for printing and mailing and they need to do that as well? They are spending a lot of money on advertising. That should not be part of it.

**PRESIDENT MARINCIC:** Ms. Papesh, your time is up.

**MS. PAPESH:** If I'm giving time to him to speak I have to rebut.

**PRESIDENT MARINCIC:** I know but your time is up. I'm sorry, Pat. You could stick around after the meeting. I'm sure the Mayor will happily talk to you. Thank you, Pat.

**MS. PAPESH:** My pleasure.

**PRESIDENT MARINCIC:** Anyone else wishing to speak tonight? There being none we will move on to Miscellaneous Business beginning with Clmn Dudley.

**MISCELLANEOUS BUSINESS:**

**CLMN DUDLEY:** OK. First of all I encourage people to come, what time was that? I had a flyer at home. Was it 7 o'clock, Chief? OK. I strongly encourage people to come to the drug and alcohol thing that is being held at the high school this coming Wednesday at 7 p.m. Sometimes people have relatives and they think it's kind of comical when that relative is drunk all the time and you find it amusing until you bury them because of his liver, etc. or her liver's gone. We got a lot of young kids, I mean, in general not just this city but all over with problems with alcohol and a lot of them have problems with drugs that's not being addressed so they don't feel they have anybody they can address it to.

Also like I said let's talk about this rubbish levy right quick. I want to get this in. When we talk about this rubbish levy and even though some individuals choose to bring it in, they are entitled to their own opinion. Sometimes it's just like parents when you think you're doing something right and actually you may be doing something wrong. It's like the child with a stomach ache so the parents turns around and gives the child some adult Pepto-Bismol and this is an infant. It was done in good taste and they thought they were doing the right thing but it was wrong. Same thing applies to this rubbish. We definitely need to keep this. It's been lowered \$3.00 a month. It's done great things for the city. You can see the city's changing. You need the safety forces to stay intact. You're dealing with a different breed of young adults you have to deal with. We have people move to the city and they want good things for their children but some of their children are bringing bad entities from their old city with them. We have lot of little drug places that is trying to pop up here and there. You find yourself calling the police. You need them first responders. Our residents is living a little longer, God bless they hearts. You have to keep your safety forces such as your fire department. We know that we have a lot of vacant homes we have to maintain our Service Department; a lot of grass have to be cut. All that come in terms with additional tax and I want to say one thing too. It's like in the city of Garfield Heights is all right sometimes but sometimes we complain about things that really help the city and don't hurt the city for what we do. You elected us to make some tough decisions. The tough decisions we making and I'm asking you with that \$3.00 cut to support it by voting No. When you go to the polls to vote on this levy coming up for rubbish. Vote No on it. Let's maintain it and eventually it's going to go away. We did stick to our word and I appreciate the Mayor and he do work hard. The man don't have time to talk outside of these meetings and we have to maintain it. We can't afford to let it go. If anybody was trying to remove this levy can come up with a better idea I tell you I want to hear it. I think something reasonable something for real. No dumb stuff. I really want to hear what they got to say that can help us. I'd like to see the plowing come back for our Seniors.

Another thing I wanted to touch on because I told a couple residents I ran across and it's a safety issue. My question about the school safety that we had no security guards in our schools I had several women who had stopped me while I was grocery shopping in the Dollar Store and told me they had removed they kids because they were fearful for the child's safety from bullying and other problems going on in the school. After what happened at I believe Success Tech in Cleveland, right next door to us. Then you watch Columbine, you watch Chardon there is no reason why there should not be security guards in them schools. If they say it's a money issue that you can't hire these guards I came up with a plan to give you several million dollars. Several million dollars. You will put this children safe in the school. If a kid is getting beat down at school ain't no teacher going to jump in between three students jumping on one student to protect that child. We need security in the school. Ladies told me they took their children out--

pulled three of my kids from Cleveland into alternative schools because of the problems that they had when they was in Cleveland schools. They told me how they took their kids out.

**PRESIDENT MARINCIC:** Mr. Dudley, your five minutes is almost up.

**CLMN DUDLEY:** I'm going to wrap it up but I want to get that school issue. That is your babies. That is our babies in that school and I wish people would start speaking up. You need security up in that school. If they ain't got no money for it then they need to do open enrollment and take the money for them kids in that school, but you can't leave it like it is. That's all I have. Thank you.

**PRESIDENT MARINCIC:** Thank you. You have good timing. Mr. Nenadovich.

**CLMN NENADOVICH:** I, too, echo Mr. Dudley's words on that—on the upcoming issue on the ballot. We must vote No. We need that revenue to keep our city solvent. We've come so far this would just devastate us. It would put us back three years. We're starting to see changes. We're starting to see good. Let's keep up the good work.

And as always I want you to remember the Vets. There's over 3,700 of them that has died now in this conflict that we've had since 9/11 which started it all. As far as 9/11 goes we got to remember one thing. Our Vets are our heroes but the real heroes are also here in our country protecting the homeland. Our police, our fire, our safety services. They are the heroes at the homeland. We see them overseas. We hear about the war but you got to remember the ones that are here. Let's remember them. They are heroes also. With that, thank you.

**PRESIDENT MARINCIC:** Thank you. Clmn Glenn.

**CLMN GLENN:** Thank you, Mme President. I'd like to say that we had a good Block Watch attendance there. We had a good time at our cook out. I'd like to thank some of the citizens here who mentioned the fact about the fire hydrants. Fire hydrants if I could sell a couple houses in our Ward we could fill up those houses—fill up the tax base.

I'd also like to say that this garbage tax, like the fire hydrants, I'm going to lead by example. Come November I will be at the polls supporting the garbage tax and hope everybody follows my example for the Council people out there. We need this garbage tax to be passed. We do want to keep our fire and police so I'll be out there. Will the other Council people be out there? Thank you.

**PRESIDENT MARINCIC:** I think we want it to fail, don't we, Tim? Yeah, we want it to fail. Is that all you have?

**CLMN GLENN:** That's it, Madame President.

**PRESIDENT MARINCIC:** Once again I'd like to echo if you want to paint my hydrant you go ahead. I want to encourage residents and to let people know even if they don't have issues with anybody they know with drugs and alcohol if you know anybody and they are out there and they are all over the place. I could name five people off the top of my head that I know have issues with it. Encourage them to come. I'm sure the Chief has put together an excellent program. That would be at 7 o'clock, right Chief? In the Fine Arts Center? OK. Not in the cafeteria—the Fine Arts Center?

**CHIEF ROBERT SACKETT:** Yes, the Performing Arts Center.

**PRESIDENT MARINCIC:** OK. Thank you very much. Lastly I'd just like to say thank you (now I'm going to sound like Clmn Nenadovich) with 9/11 tomorrow it makes me think about our military and I'd like to thank every single one of them that's put their life on the line every day for us and tomorrow any time I see anybody as I do always I'm going to say thank you. With that I move on to Clmn Suster.

**CLMN SUSTER:** In talking with Mr. Tomola this evening before the meeting started he's going to put together a schedule for this year again we're going to hold the Finance Hearings early. We used to do it in January and February and this year again we're going to start at the end of September. If anybody has any dates that they cannot attend try to get hold of Ron before he goes and puts the schedule together. He'll get together with the Directors and find out when they're available to be there.

There was some talk back in April when we put up legislation to go on summer session which meant we'd only have one meeting a month. I will say one thing--this has probably been the busiest summer that we've had as far as meetings go with Special Council Meetings and Work Sessions and I myself I feel that every one of them was necessary and that's how we're getting to the position that we're in right now financially. So if anybody thinks that we didn't work this summer believe me we've been to a lot of meetings.

Also with the rubbish I know it's going to be very important that everybody vote No on this. If we get enough money together maybe we can paint everybody's fire hydrant. The people doing this they are not looking out for the best interest of the citizens. They're looking out for themselves. They have no plans. They're like some of these other people that go out and say they can save money here they can do this but they don't tell you how they're going to do it. They're not here to help us one bit. All they want to do is tear the city down and someday hope that they hold some political position where they say I'll give you back everything that you lost before because the other guy took it away from you. It's not going to happen that way. I mean you talk about operating barebones that's where we're at right now. A lot of times you see these service guys and you hate to ask them can you do this or can you do that because you know they don't have the people that they had before. So by voting No you're not going to lose anything. You're going to be picking up and as it was mentioned earlier if we see six to eight months down the road that keeping this that we're saving money or we're coming up with an excess we'll drop it again. I'd be the first one to suggest that the legislation be put up to do that. I want the people to know that. We made a promise that we would look at it yearly and if we were in the black we would cut it and the Mayor's come up with that and that's where we're at. Like I say these people have no ideas. They don't even know where they're coming from so with that I'm done.

**PRESIDENT MARINCIC:** OK. Clmn Vaughn.

**CLMN VAUGHN:** Again, as my colleagues have said, just vote No. Tell everyone just vote No. Once we find out what the issue number is we can start making signs; we can start getting them put up and yes I will be putting a sign up in my yard that says vote No on issue whatever it is. We don't have any funds to really fight this. This has got to be done grass roots by word of mouth. My newsletter will be coming out instructing people of Ward 7. I've spoken about this at our Block Watch. Vote No. Anybody has any suggestions where we can make up this money come forward. In the 3.5 years that I've been sitting on this Council nobody has come forward with any suggestions on where else we can get this money from so please by all means.

I want to talk a little bit about 9/11 tomorrow. Put your flag out. When you see a first responder, policeman, fireman, EMT person go up and thank them. This is an issue close to my heart. My

father was a Cleveland policeman. I remember the day the captain walked up the driveway and told us he was hurt. I remember it like yesterday. And on Friday I'm going to Fairfax, Virginia, to see my son get sworn in on the fire department there. So please these people put their lives on the line every day and they don't make a lot of money to do it. So please take the time out tomorrow and say thank you. With that, Ms. Chairman, that's my report. Motion to adjourn.

**PRESIDENT MARINCIC:** All in favor say Yea. All opposed. The meeting stands adjourned.

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

ABSENT: Mahoney

**MEETING ADJOURNED AT 8:28 p.m.**

**APPROVED:**

**RESPECTFULLY SUBMITTED:**

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Nancy Marincic  
President of Council

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Barbara Molin  
Clerk of Council