

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, October 25, 2010

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

INVOCATION BY: Councilman Thomas Vaughn

ROLL CALL: **PRESENT:** President Frank J. Geraci, Jr.
Council Members Dudley, Marincic, Nenadovich,
Sarnowski, Suster, Mahoney, Vaughn

READING AND DISPOSAL OF MINUTES:

Moved by Cllm SUSTER to accept the minutes of the Regular Meeting of City Council of October 11, 2010 as submitted. The minutes were adopted with seven YES votes.

LEGISLATION OUT OF COMMITTEE: None.

WRITTEN COMMUNICATIONS TO COUNCIL: None.

REPORTS OF THE MAYOR AND DIRECTORS:

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

MAYOR VIC COLLOVA: Mr. Geraci, Council. A small report this evening. I wanted to start off and talk a little bit about the Ohio Western Reserve National Cemetery. For those of you who don't know what this is, this is a cemetery for Veterans. I want to read a little bit about it because they do a great job. In 1987 the Department of Veterans' Affairs identified the Cleveland area as one of the areas of the country most in need of burial space for Veterans based upon Veteran population. In 1993 the Secretary of Veterans' Affairs selected the 274 acre site in Medina County 45 miles south of Cleveland in Rittman, Ohio. In March 1999 the cemetery was officially designated the Ohio Western Reserve National Cemetery. This cemetery is for Veterans who can't afford burial for themselves or their family members or spouse and it includes--the National Cemetery benefits include--a burial plot, assistance with committal service, gravesite opening and closing, a grave liner, a gravesite headstone, marker, or columbarium covered with inscriptions, United States burial flag, perpetual care of the gravesite and a memorial certificate bearing the President's signature. Funeral director's services are not covered. This is available to any Veteran in the Cleveland area. This is something really nice. I have some pictures here and I have a couple brochures if anyone is interested. What I would like to do, if you would, there's just a couple pictures, but pass them around because it really looks good and it's something really great for the Veterans so if anybody's interested the gentleman's name is Michael Prorak. His number's 216-581-2389 and this is for Veterans, spouses and dependents. I wanted to bring that forward to you tonight.

The next thing I want to talk about, I want to read you an update from RTA. We just received this.

“I hope that you heard about the exciting announcement made this week by Governor Strickland of additional State of Ohio investments in public transportation. Based upon the information released RTA is eligible for up to \$5.4 million annually for 2011, 2012 and 2013 to preserve existing transit services as determined by the local transit operators. As RTA develops its budgets for 2011 and beyond we will best determine how to allocate these resources for their intended purpose. I am sure that the customers can agree that our first priority must be to assure that no additional service cuts are necessary. Additionally the Governor announced a new Statewide competitive grant process of up to \$10 million annually to add critically needed new transit services in the area.”

You know, Garfield Heights, we were affected by the RTA cutback so this is something good coming down from the Governor's office that we may look forward to gaining back some of our service. We'll keep you updated on that.

The next thing I wanted to talk about. I got a letter from WOW!

“Dear Mayor Collova:

This is to inform you that effective on November 10, 2010 ESPN Classic will move from Channel 33 to Channel 338. Digital basic service will be required to receive this channel. WOW! Customers will be notified through a number of communications including bill messaging, e-mail notification of the WOW!”

So that will be taking place on November 10th.

With that I want to get into some of the legislation tonight. Ordinance 71. What we're doing is we had at the last meeting we had a block grant, a Community Development Block Grant for \$325,000.00. The grant is actually \$350,000.00 so we're amending it to read \$350,000.00. Ordinance 74 is a change of the date for the December meeting from the 27th to the 20th.

Resolution 45. Is Beverly Beavers here? Or anybody from the family? No? Beverly Beavers is being elected as Grand Worthy Matron of the Amaranth Grand Chapter in the Prince Hall Affiliated and on behalf of the city that's certain that you have our congratulations.

On Ordinance 66 it's the third reading on the second hand dealers and the pawnbrokers and we've discussed that on numerous occasions. With that, Mr. Chairman, you have my report.

PRESIDENT GERACI: Thank you, Mayor Collova. Any questions for the Mayor? If not, we'll move on. City Law Director Mr. Riley.

LAW DIRECTOR TIM RILEY: Thank you, Mr. Chairman. I just have a brief report tonight. The agreement with Red-Flex regarding refunds on the 10 mile overtickets has been finalized and people can be expected to receive their refunds somewhere between six and eight weeks from now. We had to go through a lot of exchange of information to get it done and it has been done. The refunds should be starting hopefully in six to eight weeks. With that you have my report.

PRESIDENT GERACI: Any questions for Mr. Riley? Service Director, Mr. McLaughlin.

SERVICE DIRECTOR TIM McLAUGHLIN: Thank you, Mr. President. We are working to close up some of our summer projects. Working on some of the water breaks that we're not going to get to

for a final repair. We're going to tie them up for the winter to make them safe. In the last weeks we planted some trees; did some patchwork. Today we started the leaf program. I only put two trucks out because I still have some of the other crews working on some of the other projects. We'll be going street to street. We started Garfield Blvd. today. We'll be going street to street. I'm asking that residents rake the leaves out on to the tree lawn and not into the street. I got some calls today when some problems came up where everything was raked out in the street. I got one area where it closed off half a lane because of the way the people raked them out into the street. We're asking that in order to not block up the sewers and cause any other kind of safety concerns to leave them on the tree lawn. Also if someone does not want to wait for the leaf trucks to come they can bag them and the rubbish will take them.

My mechanics are going through the final checks of the winter equipment. They've replaced a lot of things. Got a lot of things ready. In the next week they're going to be going through the final checkpoints on it. That's all I have.

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

CLWN MARINCIC: Mr. McLaughlin, tell me what it takes to fix a pothole? What do you got to do? What kind of work is involved? Can just any person go out and fix a pothole?

SERVICE DIRECTOR TIM McLAUGHLIN: Anybody can be taught to do anything. I mean you have different situations, different kinds of holes. There's different kinds of patch. I mean, you know, I'm sure anybody could be taught to do it.

CLWN MARINCIC: Is it dangerous?

SERVICE DIRECTOR TIM McLAUGHLIN: Well, you're working in the street, you're working with traffic, you're working with a product that is extremely hot. Through the years I've seen guys accidently get burned. There could be some things that could happen.

CLWN MARINCIC: What do you think of volunteers doing it?

SERVICE DIRECTOR TIM McLAUGHLIN: No.

CLWN MARINCIC: Too risky?

SERVICE DIRECTOR TIM McLAUGHLIN: We talk about volunteers and I understand where this comes from. I just had a discussion today with the Mayor, I mean, we have plenty of things around here that get volunteers: Community Garden, the Harvest Fest they had, the CERT Program. There are quite a few people that volunteer here, but there are some things that we have to do ourselves. Also there's Union contracts that say that they're entitled to do that work. So if you bring in other people that are doing their work, they do have a right to grieve and take care of it so I mean I don't know what else to say other than I don't agree with having volunteers.

CLWN MARINCIC: I'm bringing it up because one of my residents called me and I virtually told them exactly what you did and I just want to make sure you're in agreement with me because I too feel that it's a skill that somebody has to be taught. It could be dangerous and you have to be insured and I don't see that the city's insurance would cover them.

SERVICE DIRECTOR TIM McLAUGHLIN: It's not just patching. There's times we have to cut things out. There's jackhammers involved. There's saws, etc. You just don't bring somebody in and say here, go do it.

CLWN MARINCIC: Thank you Mr. McLaughlin, that's all I have.

PRESIDENT GERACI: Any other questions? Recreation Director Mr. Bob Dobies.

PARKS AND RECREATION DIRECTOR BOB DOBIES: Mr. President and Council Members, good evening. The soccer program has completed its season today with the Pee Wee Division competing. We have completed the Minor Division, with the Force reigning as champs in the Major Division along with the Arrows as reigning champs so I'd just like to extend my thanks to all our players and coaches who volunteered their time which culminated in another successful season.

Don't forget we'll have the Halloween Skate this Saturday October 30th from 5 to 7 p.m. We'll have a fun-filled evening with candy and trophies for Best Costumes.

I would like to update you on the progress of the work going on at the playgrounds with the Cuyahoga County Department of Development Grant received although there was a delay in getting the equipment delivered, Anderson Recreation has installed the equipment and continues this week with some final touches. The city then will back fill as needed to make the upgrades to safe landing zones where they put the new equipment. Although some of the old equipment was retained the addition of the new equipment will definitely give each area a facelift which we can be proud of and benefit the children of our community.

Mr. President, again, I would like to remind everyone that the school district has the operating levy on the November ballot. I know these are difficult times but I would like to ask all to support Issue 57. Ms. Reid, our Superintendent and Mr. Sluka are here to give an over view of the situation and answer any questions that citizens may have. Thank you. That concludes my report.

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

ACTING FINANCE DIRECTOR RON TOMOLA: Thank you, Mr. President. No report.

PRESIDENT GERACI: Any questions for Mr. Tomola? City Engineer, Mr. Krock.

CITY ENGINEER DAVID KROCK: Thank you, Council President. A short report. The Henry Street closure has been delayed. Looks to be November 8th before that will be closed. They're having some construction delays with some ground water issues. I'll let you all know when we know more.

The manhole rehabilitation project continues, a little slower I think, than they had originally anticipated, but it is moving along. I did put some information in front of each of you regarding some streets as sort of a final draft of what streets we're looking at doing and I'll be in touch with each of you individually to talk about it. Thanks.

PRESIDENT GERACI: Thank you, Mr. Krock. Any questions for Mr. Krock? Economic Development Director Ms. Kuban.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Thank you, Mr. President. I just wanted to make note of our Harvest Fest that we had yesterday. It was a really good event. We had 275 people attending and this was a fund raiser for our Community Garden so we would be able to buy plants and seeds for next year. I don't know if Chris Piazza is here? Is she in the back? No? OK. She took the lead and was involved in getting this organized. Becky Repasky from our department helped get the grant funding for the first year, but I wanted to say that it was really a

whole community project. Clmn Nenadovich was in charge of our hayrides. The little kids had fun but I think the big kid over there had some fun too. His wife was a baker. Boy Scout Troop and Pack Number 137 spent the afternoon there and helped. Melanie Rapp-Weiss from our library, the manager---Melanie, wave--was there all afternoon. Some of our gardeners were there. I see Mary Ryan in the crowd and a lot of businesses donated. This was 100% volunteer. One hundred percent was donated and no city money was involved and Dave Mays won the basket over there, so he'll be taking that home tonight.

I'm referring to some grants. I know that the Rec Director has been having the playground equipment installed. I just want to remind everyone that that was a 100% grant-funded project. No city money was involved in that. The Mayor already discussed this week's grant application for Ordinance 71-2010. That's just to correct an error in the previous legislation. That concludes my report.

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

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

PRESIDENT GERACI: Any questions for Mr. Wervey?

COMMENTS BY CITIZENS:

PRESIDENT GERACI: If not, we'll move on. Comments from the Citizens On The Agenda. The rules are this portion of the meeting is for the residents' comments on tonight's legislation only. Comments are limited to five minutes. No one can speak more than five minutes. Please raise your hands. Anybody? Raise your hand. If not, we'll move on.

COMMITTEE REPORTS: None.

PRESIDENT GERACI: We'll move on to Ordinances and Resolutions.

ORDINANCES AND RESOLUTIONS:

ORDINANCE NO. 66-2010

AN ORDINANCE REPEALING CHAPTER 721, OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS RELATIVE TO JUNK AND SECONDHAND DEALERS WITHIN THE CITY OF GARFIELD HEIGHTS, AND REPLACING IT WITH CHAPTER 721 RELATIVE TO PAWNBROKERS AND SECONDHAND DEALERS.

Moved by SUSTER to ADOPT ON THE THIRD READING:

AYES: 7

PRESIDENT GERACI: That passes 7-0.

ORDINANCE NO. 71-2010 (AMENDED)

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND ENTER INTO AN AGREEMENT WITH THE COUNTY OF CUYAHOGA DEPARTMENT OF DEVELOPMENT FOR THE PURPOSE OF IMPROVING STREETS IN THE CITY OF GARFIELD HEIGHTS.

Moved by SARNOWSKI to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:
AYES: 7

VOTE ON ADOPTION:
AYES: 7

PRESIDENT GERACI: That passes 7-0.

ORDINANCE NO. 74-2010

AN EMERGENCY ORDINANCE PROVIDING FOR THE DECEMBER 27TH, 2010 COUNCIL MEETING TO BE HELD ON DECEMBER 20TH, 2010.
Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:
AYES: 7

VOTE ON ADOPTION:
AYES: 7

PRESIDENT GERACI: That passes 7-0.

RESOLUTION NO. 45-2010

A RESOLUTION HONORING THE CITY OF GARFIELD HEIGHTS RESIDENT BEVERLY J. BEAVERS FOR BEING ELECTED GRAND WORTHY MATRON OF AMARANTH GRAND CHAPTER, INC. ORDER OF THE EASTERN STAR, PRINCE HALL AFFILIATED.
Moved by MAHONEY to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:
AYES: 7

VOTE ON ADOPTION:
CLWN MARINCIC: Congratulations and I vote Yes.
AYES: 7

PRESIDENT GERACI: That passes 7-0.

COMMENTS BY CITIZENS:

PRESIDENT GERACI: We'll now move on to Comments By Citizens. The rules are you cannot bring up anything of a first nature. You must have previously brought the problem to a Councilperson or a City Hall department. You are limited to speak only once and for five minutes only. Please raise your hand to be recognized.

Mrs. Linda Reid, Superintendent of Garfield Heights City Schools. Good evening. Thank you for the opportunity for me to share some of the highlights of our school district. When I say highlights, that's exactly what I want to talk about. I'll start with our high school. Our high school, for the sixth year in a row received an Effective school rating from the Ohio Department of Education. They made 10 out of the 12 indicators which means if they'd made one more indicator they would have

had an Excellent school rating. That is a heck of an accomplishment. I think that could be highlighted by the fact that we had our all time high graduation rate this past school year of the 2009-2010 school year. We've been as low as 82%. We've hovered around 88% - 89%. This past school year we received a rating of 93.7% so our graduation rate is on the rise. As for our graduating class of 2010 it's spectacular. They earned over \$4 million in scholarship money and that means a lot to our families here in Garfield Heights. That means as they start to take the ACT, the SAT a lot of their athletic opportunities that they were given when they start to apply for colleges and any other type of post-secondary institution those institutions are saying that you did such a good job that we're going to offer you a scholarship to attend our institution and this year's graduating class of 2010 accomplished \$4 million in scholarship money. We see the football teams and we see the basketball teams and the track teams and they did very well last year however our academic team if you have not watched them on Academic Challenge they put up a heck of a fight. They did so well that they were invited to a national competition in New Orleans this past summer and did very well there as well.

Middle School. Middle School's grades are on the rise. That's always been a challenging area for Garfield Heights and I have to say the last two years their State scores have gone up. In fact for the first time our 6th, 7th and 8th Grade students have passed more than 75% of those students passed the reading exam and once again the State in my 11 years here we have not done that . So those grades are on the rise. We also applied for a competitive technology grant. Kids today have to be very fluent in technology. Our science department applied for a competitive grant. That means that we wrote for grant money against other school districts, other 611 school districts in Ohio and we're one of a few that received that grant. What the grant is about is teaching our young people today about being more energy efficient, about learning how to take what you have and be conserving and saving money and so we'll get you an update as we work through that.

As we go down to one other piece about you can't learn if you're not in an environment that's conducive to learning. So one of the initiatives that we have this year is called PBIS. You'll find out in education we have a lot of acronyms. That means Positive Behavior Supports. What that also means, I'm going to show you a sign real quick. I took this from the cafeteria. Well it was one of them. Again we talk about be safe, be respectful, be responsible and you can't read everything but what we're telling kids is if you don't know what it looks like this is what we expect a student in Garfield Heights City Schools to behave like. If you walk in any of our schools you'll see from Elmwood to the high school to the middle school you will see signs like this. Of course it might look a little different at middle school than it will at Elmwood because of the age of the children but this other sign I'm going to hold up is we talk about how to behave in the cafeteria or our expectations at arrival or dismissal time. That's probably our biggest challenge is dismissal time. We're working on it. Restroom. Hall room. When we have guests in the building how we expect you to behave in assemblies, sporting events, any type of parent event, and how to behave and be a student in the classroom. So we're real excited about this. This is something for the first time that we've set out these expectations district-wide and what we are seeing is our expulsion rate and our suspensions there is a decrease going down, but I'll keep you up to date on that.

I'm going to keep to the time limits and I'm going to turn it over to Mr. Sluka. Thank you.

PRESIDENT GERACI: Thank you, Ms. Reid.

Mr. Allen Sluka, Treasurer of the Garfield Heights City Schools. I'm going to check the clock here to make sure I stay within my time frame. I know that we're all financially challenged and I'm here to talk a little bit about the schools being financially challenged too and just give you a brief highlight. Mrs. Reid always gives the good news and I always seem to give the bad news. I'm not sure why that is but maybe it's the world of finance as Mr. Tomola knows, as we are challenged. Just a

couple things that are going on with school and school funding. Did everybody have a chance to read the Sunday article in The Plain Dealer in the Forum? There was a nice article on the challenges facing schools and school finance and you also got to see some of the issues that are on the ballot in a lot of school districts on the ballot and The Plain Dealer endorsed them all because I think that they also see for the first time the challenges of school funding.

What's the challenges of Garfield High School funding? Let me just briefly go over those and I'll talk about the levy. The challenges to Garfield High School funding is over 55% of our revenues come from the State of Ohio. The State of Ohio has been funding us for the past years. That's why we haven't had a operating levy passed since 1992 because the State has been taking care of us and our funding levels has been going up from them. And they've been keeping track, the issue being now with the stimulus coming in and going away. Stimulus came in for two years. It did supplement the State of Ohio funding for schools it supplanted. Now the stimulus is going away and the State for all that I'm reading the State is not going to make up that stimulus money so we're actually going to be losing revenue once the stimulus money goes away from the State of Ohio. Fifty-five percent of our revenue comes from the State. The State is \$8 billion in debt. The only area they have not touched is school funding. So we're hoping that Mr. Strickland has already pledged his commitment to stay with his school funding motto. I'm not sure what Mr. Kasich is his idea for school funding because he has not come out and said anything about it. So that's a little scary to us in the school world because you know we're having those issues.

The other thing is the State, over 55% of our funding comes from the State. The State's on a two year budget. This is the end of their second year budget so we do not know when future funding is coming from the State because they're not required to disclose their budget until June 30th. That's a little scary too for us. We also are getting reimbursed. The tangible personal property taxes were reimbursing us from the State for that loss. The Legislature has made our State more tax friendly. That is starting to go away too in 2012 to 2015 so we're losing revenues there.

Meanwhile, what steps has the school district taken? The school district is required to balance their budget. They are required to balance their budget at the end of the year. We cannot borrow money like the Federal Government, we cannot ask to in the short term to do something. We have to balance to zero by the end of the year. So what have we done over a two year period? We have reduced expenditures by over \$4 million. Over a two year period we have reduced staff by over 70 individuals. There are 70 people that have lost their job. We are balancing the budget. We have the lowest school district expenditure per pupil in Cuyahoga County. We spend the least per pupil in Cuyahoga County. We're required to balance our budget. So we can only go so far to try to maintain our educational programming. That's why this levy is crucial. We are on the ballot. A five year emergency levy that would generate \$3.9 million for five years. It's an 8.9 mill levy. Now, you ask yourself 8.9 seems like a lot of mills? It really is in a low evaluation area though. It's not. It's going to cost the average homeowner in Garfield Heights \$20.00 a month. Only \$20.00 a month. That's the average home that's based on an \$88,000.00 market value. Keep in mind that we do not tax on the market value. We tax on the assessed value which is 35% of your market value. Also keep in mind the State also picks up an additional 12.5% for rollback and if you're a Senior citizen you get Homestead so you're really not paying the full boat. You're only paying 87.5% on a 35% of your market value for the tax. So that's where we're at right now. We are taking steps. We continue. The Board has made it a priority for the school district to balance the budget. They've also made it a priority that we be transparent with our finances. We've been on GHTV, we've been in the papers publishing articles. We are doing newsletters. We're telling you everything that's going on. We're trying to be as transparent as possible. So I ask you to keep reading the paper, get informed, if you would please, just read about it and we are open to questions at the Board of Education at any time if you need additional information. Thank you very much.

CLMN DUDLEY: Mr. Sluka, you mind if I ask you a two part question?

MR. SLUKA: You sure can.

CLMN DUDLEY: Because it's been asked of me a couple times. I'm curious myself. First of all, when I ask you both the questions you can just answer both of them. What is going to happen if this levy don't pass? And I wish you the best on it. Second of all, is it absolutely no other resources where you can come and obtain that money to make up for that deficit that you're going to face?

MR. SLUKA: I can answer both in the same question. If the levy does not pass we do a five year forecast. School districts are required to do five year forecasts. They're the only public entity that has to do a five year forecast. The State of Ohio doesn't even have to do a five year forecast. They don't have to budget five years. They budget two. We have to do it for five so it is a requirement of the Board of Education. Our five year forecast is showing a deficit next year and the following years. The State Department of Education says what are you going to do to make up that deficit so you don't go into a fiscal emergency situation? We have to come up with a plan and what we've done in the past years to address the deficit is to reduce costs. That's what we need to do even for next year for the projected deficit we have to keep cutting until we match out to zero.

Now you're talking about the other end is why can't we get additional revenue somewhere else? Because State law says there's only so much of a mechanism that school districts can do to get revenue: property tax and income tax only on the residents of the community. They're used to be an income tax on people that worked in the community but the Legislature wiped that out about six or seven years ago. We can do an incremental property tax. We can do an all-in-one property tax, but we're limited to what we can do. We can't do a joint sales tax. There's not a lot we can do. Go outside and look for alternative sources. We are limited by State law of just where we can get our major portions of revenue. That's our issue. We can't go outside. We can't advertise on buses. We can't advertise on buildings. We can't get the revenue and do that. It's against the law. We cannot charge for even transportation. We can't say that you know, you want to be bussed. We're going to charge you. We can't do that by law. We're limited by the Ohio Revised Code and we can make our own set of rules. That's our issue. I hope that answered your question?

PRESIDENT GERACI: When is your next School Board Meeting?

MR. SLUKA: Next School Board Meeting is November 3rd, after the election.

CLWN MARINCIC: Can I ask you one quick question?

MR. SLUKA: Sure. I'm here.

CLWN MARINCIC: Several months ago there was an article in The Plain Dealer about some grant money that was distributed to cities and I know that Parma got quite a bit; Maple Heights got \$700,000.00. Did we apply for that?

MR. SLUKA: Are you talking about Race to the Top?

CLWN MARINCIC: Yes.

MR. SLUKA: Mrs. Reid has more information on Race to the Top. I think that she would be better prepared to answer that.

CLWN MARINCIC: This is the topic on the streets, just in case you don't know that?

MR. SLUKA: I just want to make sure I answered your question, Councilman?

CLMN DUDLEY: That's OK for now.

MR. SLUKA: Thank you.

MRS. REID: That's a three-parter. I'll try as quickly as I can to do that for you. First of all Race to the Top was a Federal grant. My experience with Federal grants for eight years before I had this position is that one thing I've learned is that the Federal Government doesn't give you something without strings attached. It's very specific. It's never a pot of money that you could use for any reason that you'd like to. So Race to the Top, this was an unusual grant that required the cooperation of three entities: the school board, which myself and the teachers' association. Before you can move forward in the process you need to have three signatures on what they call a Memorandum of Understanding. Mr. Dobies and myself wanted to apply for the grant, but we did not have the third signature. It wasn't that the individual himself would not sign it, but it was the Union did so because it was a membership. What we did was we took the information from the State of Ohio and presented it on three different occasions to the teachers' union on Race to the Top information. Did we have all the information we needed? The Ohio Department of Education still hadn't applied for the money so we were still given limited information from the Ohio Department of Education. The vote was taken. I need to tell you that there was great deal of teachers that voted to proceed for the grant but there was more that voted not to so without having a majority obviously the Union President can't sign for that. So I must repeat that we had the commitment of the school board and the superintendent to be able to do that.

But I need to tell you what Race to the Top was and what it wasn't, which wasn't always stated in the papers. It is first of all, once again, it wasn't a pot of money that was going to be able to bring the jobs back, you couldn't pay for any student activities, it wasn't going to be able to buy textbooks, it wasn't going to be able to replace computers. Race to the Top was again about I guess I can say a school improvement type grant with regards to adult training. When we have teacher training, principal training and you are able to provide professional development. And again, we'd like to be able to provide this to our teachers absolutely. Again it wasn't about a replacement of here's your pot of money. The amount of money would have been \$92,000.00 over a four year period, but once again on a Federal grant there are what we call assurances. You are going to assure the Federal Government that it will be used to send "x" teachers to training, to send "x" amount of administrators to training. We still continue to do that because we value the training and we will still continue even without it. So once again, that was the one thing I don't think was clarified. It wasn't like turning away free money that could be used for anything. It was very specific.

CLWN MARINCIC: Thank you. I appreciate that.

MAYOR VIC COLLOVA: Mr. Chairman, if I may talk a little bit about the school board? I'd like everybody to know that since I've been Mayor I've had several opportunities to meet with the school board and ask for favors to help the city. They have responded each time positively. We have a great relationship with the school board. I'm proud to announce that we have a school system that is turning around, I have noticed that. I'm proud of the people that are in charge. I'm proud of the kids that are doing the job. The Academic Team was phenomenal. It was great to read something that good about Garfield. The only thing that I can say is that when I talk to realtors and I talk to investors about how do we fill the empty houses in Garfield Heights, the vacant houses, the first thing they talk about (there's no question) is the tax dollars it costs in Garfield Heights. That's always the first thing they say. Right next to that they talk about how good the school board is. How good the school system is. You need to have a good school system to bring people in

because young families want to have the schools for their children. The school board is making that happen. I understand your financial problems and I want you to know as Mayor I certainly support you and I will be voting for the issue. Thank you.

Joe Turik, 5119 East 131st Street. Gentlemen and Ladies, good evening. The potholes. These potholes. They are annoying me. I don't know if they are annoying anybody else? They certainly do annoy me. There are all kinds of little cracks up and down Turney Road and you guys all know it. Now according to Mr. McLaughlin, there isn't going to be anything done with Turney Road, is there?

SERVICE DIRECTOR TIM McLAUGHLIN: I don't know. I never said nothing about Turney Road.

MR. TURIK: You don't know, huh?

SERVICE DIRECTOR TIM McLAUGHLIN: No, I never knew anything was wrong with Turney Road that you're bringing up now?

MR. TURIK: I didn't say volunteer yet but I'm going to say it now.

SERVICE DIRECTOR TIM McLAUGHLIN: I didn't say volunteer either.

MR. TURIK: Anyway we got a problem on Turney Road. There are a million little cracks and when these little cracks when winter comes these little cracks are going to grow up to be big cracks. They got them all over in the crosswalks. You said that you got to have some knowledge of how to fill in a pothole. OK, I guess it does require a certain amount of knowledge to fill in a pothole, but I still think that a volunteer group could be put together. There's got to be a half dozen young guys who are going to be careful enough not to get run over by a car. You say it's such a difficult thing, but look at the other side. Kids crossing the sidewalks. What if they turn their ankle? And they break their leg or ankle? Doe the family have any recourse, Mr. Attorney, to sue the city?

LAW DIRECTOR TIM RILEY: No, I mean if you got a crack in the street and somebody trips over it it doesn't necessarily mean the city would be liable.

MR. TURIK: So you crack your leg on the pothole or if somebody's driving down the street and he's looking to avoid a hole and smashes into another car, nobody has any recourse to the city?

LAW DIRECTOR TIM RILEY: Well it would depend on the circumstance of it. You know, the pothole, how long it's been there, did we have notice of it, it's not a simple to answer question.

MR. TURIK: I would hope that you would put something together. If it's not volunteers maybe you get some of the young guys up at the jailhouse and you give them a day off early if a guy was on DUI or whatever they can send them up the river for and give them a day off or a day out on the road. Have them sign some kind of a waiver that if you get run over by a 10 ton truck you're not going to sue the city. You'll be careful how you fill in these potholes. Mr. McLaughlin I'm sure he's capable of teaching some of these young fellows how to fill in potholes and how to drive the big steamroller down. Is that not possible?

MAYOR VIC COLLOVA: Mr. Turik, we can look into it and we will. If I can just say something before I forget and you trip over a pothole, please tie your shoe. Your shoe's untied and I don't want you tripping on your laces. I'm being serious.

MR. TURIK: I didn't quite get what you said

MAYOR VIC COLLOVA: Your shoelace is untied. I just don't want you to trip and fall.

MR. TURIK: Don't trip and fall in a pothole?

CLMN SUSTER: No, your shoe's untied.

MR. TURIK: That's your right. You're saying that nobody has any recourse to the city if they do but I'm sure you can find an attorney that can prove you wrong.

MAYOR VIC COLLOVA: It could very well be true. We'll check into it.

MR. TURIK: I'm not going to check into it but I'm going to wait for spring when we have all these potholes on the street and everybody's driving to miss them and kids crossing the street and it's all going to come back to you guys.

MAYOR VIC COLLOVA: You're right.

MR. TURIK: Absolutely. Now come spring you're going to have a bigger job filling in them potholes. You don't have enough men to do this job when the potholes are smaller; you're going to have a bigger job when the potholes get bigger. Am I right?

MAYOR VIC COLLOVA: You're 100% correct.

MR. TURIK: So where's the money going to come from come spring or summer?

MAYOR VIC COLLOVA: Joe, I wish I could tell you.

MR. TURIK: Are you going to borrow it from the State?

MAYOR VIC COLLOVA: I was thinking of borrowing it from you. You got a little extra cash?

MR. TURIK: The State's a billion dollars in the hole now.

PRESIDENT GERACI: Mr. Turik, you've got 30 seconds to wrap it up.

MR. TURIK: I do have 30 seconds? That's enough to say good night.

PRESIDENT GERACI: Thank you, Mr. Turik.

CLWN SARNOWSKI: Mr. Chairman, I have a question. Mr. McLaughlin, if there's a pothole in the city, our city will fix it? Correct?

SERVICE DIRECTOR TIM McLAUGHLIN: The streets haven't been repaved in a few years. We're in a freeze and thaw city. It's not just Garfield Heights. It's everywhere that you drive. We went all the way until July patching holes. Actually the Finance Director has told me we are out of our budget in asphalt so we've used everything we can. Cracks need to be sealed, not patched. Patch does not fit down in the little cracks. They need to be sealed. The crack sealing program has always been as you all know as part of the total repaving, which again, we have not done it in three years. We do the best that we can with what we have.

Peg Dawson, 5274 East 135th Street. My update on my investigation concerning the billboard sign. Now, I did figure out how to write a petition. A petition is placing the outdoor advertising at this site presents a great amount of residential inconvenience. We, the undersigned are concerned citizens who urge our leaders to act now to eliminate the outdoor advertising device in the vicinity of the cul-de-sac on the northern end of East 133rd Street, on the south side of the Interstate I-480. I just started and I have 20 signatures signed, dated with their addresses. They all live on 135th and 133rd. No one was aware in 2006 that it was going to go up and they are against it. I have at least 10 more people as we know it's hard to find get people to sign them and match up but that's another 30 people. I still have more. So I just wanted to keep you updated and I wanted to mention that the Ordinance 27-2006 on July 2006 which was approved unanimously back then it says the placement of the advertising device at this site presents a minimum amount of residential inconvenience. So which proves that we didn't know about it and there's a lot of people that do. Then the Ordinance 38-2010 in June of this year which may have been approved by many of you and seven approved totally that one was an emergency one approving the Mayor to go ahead with the new contract. Now I also found out that for the people to be notified they are notified just like you are, 72 hours and on a weekend. Now that's not fair. I know that it's the Codified Ordinance but when you turn it into an emergency we lose the option for the three readings which would give us six weeks so this is one item. I'll be here a lot of times because I've got about 10 items just on this investigation that I want you as Council to realize what's going on and what's happening to your own people is that we have less than 32 hours and the last time it was approved because of emergency. I'm going to come back with more names to let you know the status of what's going on with this.

PRESIDENT GERACI: You have 30 seconds to wind it up.

MS. DAWSON: I just want to wrap it up as far as this is something that whether it's the billboard sign or anything, 72 hours notice is not fair as far as the residents. We don't have time. I'm hoping that you take into consideration when I come back with more and more names against the sign. Thank you.

PRESIDENT GERACI: Thank you.

MAYOR VIC COLLOVA: Let me ask you a question before you leave. You were up here a couple months ago with something similar about this billboard.

MS. DAWSON: A couple weeks ago.

MAYOR VIC COLLOVA: A couple weeks ago?

MS. DAWSON: It was about four weeks ago. I didn't realize that you actually came in for that holiday. What was it? Columbus Day. I honor you for that. I would have been there. I thought nobody came in.

MAYOR VIC COLLOVA: Thank you for honoring me. I appreciate that. But the last time you were here, whenever it was, you were talking about you contacted the State, you contacted there was some kind of a rule out there. You had all this stuff going for you and you were going to stop it. Did you get any response from the State? Did they come back and told you that they were not going to put it up? Because it is the State's property.

MS. DAWSON: Oh, no. What I told you the State I was told by the director of the ODOT body over here on Transportation Blvd. "We are not in the billboard sign business. We would not put it up." So

I have her verified along with the advertising device control person in charge in Columbus again like I told you then, they are not in the billboard sign. They would keep it down.

MAYOR VIC COLLOVA: They haven't told you that was illegal because of this new law that you had mentioned?

MS. DAWSON: Pardon me?

MAYOR VIC COLLOVA: You had mentioned some new law that was out there?

MS. DAWSON: It's not new. It was 1965 the Highway Beautification Act?

MAYOR VIC COLLOVA: Yes.

MS. DAWSON: It hasn't been approved yet. It has not been signed. The property has not been given to the city so the people at FHWA which is part of that Highway Beautification Act has not seen it across their desks so they have no comment till they see it.

MAYOR VIC COLLOVA: OK. But once they see it they will probably stop it?

MS. DAWSON: They said they can't quote that until they see exactly what they're offering again.

MAYOR VIC COLLOVA: OK. Then we're more than eager to hear what they have to say and then we will respond accordingly.

MS. DAWSON: There is a new little glitch that I found. It's called the Reverse Clause. Reversionary Clause. Mr. Adam Sheets had said clearly to me that like 35 years ago that property was figured out through the designers or civil engineers that that was made as a cul-de-sac for the city for emergency purposes. That's probably why it will be given back to you on that basis on that reason. All right, that's fair but under the State usually signs a statement that it was designated the land was bought it was designated and built for a cul-de-sac as part of a byway and cannot be used for anything else. If it is, it will be reversed back to the owner—the State. That is what I'm waiting for now is that if that Reversionary Clause which is normal put in there even the grass the little bit of a grass any property so that is the glitch.

PRESIDENT GERACI: Ms. Dawson, could you wind it up?

MS. DAWSON: I'm sorry. That's not my five minutes.

PRESIDENT GERACI: I know.

MAYOR VIC COLLOVA: Just to finish up. What you're saying is great. It's going to be reversed, etc. If the State or somebody stops it we don't have a problem. So when you bring that information in we'll be more than happy to hear of it. I want you to know that right now we're going forward with putting the billboard back up as soon as we're allowed to do it. If you have something that's going to stop us that is a State law, please bring it forward.

MS. DAWSON: Oh, yes, rest assured that the State Representative, Mr. Kucinich, everyone is investigating that the State as I had said crosses their t's and dots their i's.

MAYOR VIC COLLOVA: No problem. We don't need that \$500,000.00. We'll get it somewhere else.

MS. DAWSON: Thank you.

PRESIDENT GERACI: Anybody else?

MS. DAWSON: I don't think it's to make statements like that about money. I want to mention. He mentioned it. The first contract was for \$600,000.00 in 2006. The new contract is for \$500,000.00. And from 2006 until now we had zero so we lost \$180,000.00 on this deal.

PRESIDENT GERACI: Ms. Dawson, let's wait until the State decides what they're going to do with this. Thank you, Ms. Dawson.

MS. DAWSON: Thank you.

Allison Raymer, 12800 Carpenter Road. I am bringing up this topic of the Garfield Mall sign on Turney Road. I know it's a sore spot in the city and with other people, but last week there was a storm that came through in the wee hours of Friday morning and the bottom metal plates—steel—I don't know if it was heavy duty aluminum literally flew across Turney Road because most of the storms that come through Garfield Heights come from the Northwest. Being that I live on the first house on Carpenter I may as well have a bulls eye on the front of my house. These plates landed no further from my front door my front windows from here to the corner of this divider here. It was very frightening. This happened about 1:15 in the morning. This sign is always having trouble. I just can't fathom that in this day and age with modern technology and the advances that have been made in structural engineering and testing of wind velocities that something cannot be done with this sign. I can't tell you how many times I have had Marc's fly down the street or some of these other stores. These signs they get airborne and they fly. The Service Department was there first thing in the morning and they picked them up. It took four of the men—they had one truck there. They had to call in a large dump truck. It took four guys to lift. I'm not talking little pieces of metal. They easily were six foot across and five feet high. They were the base of the sign that's over there those red panels. There were three of them laying over there. It took four guys to load them on top of this dump truck and they were still hanging over the edge. I'm sure a lot of people are thinking it doesn't really affect us. We live at the other end of town but you know I think the city really is dodging bullets when these things are flying off that sign. That could have killed somebody that night very easily on Turney Road. I think but for the grace of God that the hour that this took place that there was such little traffic on Turney Road. It would have sheered the top off of somebody's car.

I understand the gentleman that owns Garfield Mall. I'm sure he's not doing much to improve those signs, I'm sure he's probably using cheap merchandise. All structures require maintenance. Plastic through the years will start to dry out and get brittle and crack. That's why those things are flying through the air. God forbid if one of those are flying through the air tomorrow. The weather just before I left the house to come here I saw the weather report. They're expecting anywhere from 50 to 60 mph winds from the Northwest. Something really needs to be done with that. I don't think the city could afford to have somebody killed in an accident.

MAYOR VIC COLLOVA: You're 100% right. If there's something wrong with that sign it needs to be taken care of. They are in receivership. The shopping center. There is a bank appointed Receiver... Am I correct, Bill?

BUILDING COMMISSIONER BILL WERVEY: Yes.

MAYOR VIC COLLOVA: ... that's overseeing that. We need to talk to him. We need to get that sign straightened up.

BUILDING COMMISSIONER BILL WERVEY: We've been in contact with him and we've looked at the sign last week. This was a couple days before the wind blew this off. I was notified by somebody, I think Clmn Vaughn, about the wind and the damage at your house and I talked to the Receiver and they are going to take steps to repair. The owners of the shopping center had not put much money into it over the years. They're facing some problems now. And contrary to many situations like this it appears the Receiver actually has access to some funds and making some improvements and this is one of the first things they are looking into doing some kind of fencing and more maintenance to keep the litter under control and to do something about the paving and the property and the lighting because they want to be able to market it and they claim that cash flow is good there and they don't understand why the owners are in the position that they're in right now but we're going to get the sign taken care of.

MS. RAYMER: I know there's a lot of other issues with that area there. That whole shopping area there. But again, other than the stop signs aren't in place and the stop signs are in the street where there is and the stop signs on poles that's a hazard but this is going to kill somebody.

BUILDING COMMISSIONER BILL WERVEY: This sign's going to be addressed.

MS. RAYMER: But he can't just have his two nephews come in with a drill.

BUILDING COMMISSIONER BILL WERVEY: I don't think that's what will happen in this case.

MS. RAYMER: Are there problems? Are there issues with the huge sign from City View? That's sitting right in the open on 480. Is that what's happening with the signs over there?

BUILDING COMMISSIONER BILL WERVEY: I don't believe so. What I think happened here is that people went there to make repairs or changes and didn't put the fasteners back in.

MS. RAYMER: Apparently. Is there anybody here from the Service Department? Did you see those?

SERVICE DIRECTOR TIM McLAUGHLIN: No, I didn't see them.

MS. RAYMER: Go look at them. We should recycle those. We'll make a fortune. Seriously. There's so much weight to them. The officer. God bless her. When she came we tried to lift them up and we couldn't.

CLMN VAUGHN: Allison, I was up there that morning when that flew apart and I thank your crew for getting out there and picking them up. In talking with Mr. Wervey and the gentleman in the receivership there's all kinds of issues down there, but the sign has to be the number one issue because tomorrow I'm sure there's going to be something else flying off of that sign. The one that says Citi Trends is falling apart now.

MS. RAYMER: Those are two separate. There's Citi Trends and the one that's next to it. Just as I was coming here today the two of them were buckling so they will go tomorrow.

CLMN VAUGHN: That will probably go tomorrow. What's really kind of astounding is that there was an SUV parked at the corner and when I went up to look at the SUV after this flew down the

car wasn't touched. I thought this car would be all mangled up. By the grace of God the way this hunk of tin or metal whatever, landed.

MS. RAYMER: They literally were laying about five inches away from the back of it. The officer was flashing the light.

CLMN VAUGHN: All right. Just unbelievable. We're testing the Powers to Be if we let this go on much longer.

MS. RAYMER: Not to mention it's somewhat of an eyesore. It's a pretty ugly sign. For as huge and grandiose as he put this sign up, he doesn't really have anything down there to back it up. He should do something with it. Safety first. Thank you very much.

CLMN VAUGHN: Thank you, Allison.

PRESIDENT GERACI: Anybody else?

Rick Pirrone, Garfield Heights. Just a couple questions to Mrs. Reid and Mr. Sluka. Mr. Sluka went ahead and said it's only going to cost us an average of \$20.00 a month. Social Security's not getting a raise up until 2012. I'd just like to understand where the cuts have been made? I know you made a lot of cuts, but you got a high salary teacher market here in Garfield Heights and no matter how much money is given to the schools.

PRESIDENT GERACI: Mr. Pirrone, can I interrupt you for a second?

MR. PIRRONE: You sure can, Mr. Geraci.

PRESIDENT GERACI: You have an issue about the schools. I wish you would take it up at the School Board Meetings, not at a Council Meeting.

MR. PIRRONE: Why is it here at the City Council Meeting then?

PRESIDENT GERACI: They had the opportunity to speak on regards to the levy and they had that opportunity. If you have an issue about the schools and you want information about the levy, go to their meetings.

MR. PIRRONE: OK. Thank you.

PRESIDENT GERACI: Anybody else? Anybody else? Let's move on. Miscellaneous. Clmn Dudley.

MISCELLANEOUS BUSINESS:

CLMN DUDLEY: I'll make it quick tonight. I just want to let people know, first of all, I'd like to thank the Recreation Department and also Noreen and her assistant for finding the grant. We got a couple additional items for the kids to play on at the Forestdale Playground. That's good news right there. Also we are having our 4th Annual Halloween/Harvest party at the Family Life Center which is also on Saturday from 5:30 to 7:00 p.m. There will be candy, games and prizes for the kids. It's a program that we hold annually to keep the kids safely off the street and this is our 4th annual program we're holding. So I look forward to seeing some children there.

I also wanted to mention several people was asking so the easy way to get it out there if you have some free time and you like to volunteer in the community I asks people to contact me. I always got good things for you to do to bring the community up to par and help it look better and give a

little faith at work. Basically, that is it and far as my vote, several individuals asked me which way I'm going so I can do this is a total that I am in support and I am voting No for both issues because I'm in support of red light cameras and I am also in support of maintaining our fire department, rubbish, and the police and other workers. So if you have that question I am in support of it. Thank you. Vote No to support it.

CLWN MARINCIC: First of all I want to encourage residents to go and check out Garfield Park. I think it's one of the city's best treasures and right now the colors are magnificent. I think they are peaking right now through next weekend, so don't miss it. I try to take it in daily and it's just beautiful. I want to wish everybody a Happy Halloween and keep your ghosts and goblins safe. Have them wear light colored clothes. Halloween is from 6:00 to 8:00 p.m. and please be with them and watch over them carefully when they're out there.

I want to remind people also to vote on Tuesday November 2nd and to please vote No on Issue 56 and 57 because the city really needs this funding and I truly do believe the city's a whole different place since we put those traffic cameras on the street. I tell everybody I'm a walker and I walk this town and what a pleasure it is to walk and it can only get better in my opinion if they put up the red light cameras as we initially had hoped they would be. Finally I'd like to thank Mr. Mays. He left me some Halloween candy. It's kind of spooky with the skeleton but thank you. Thank you very much. That's all I have.

CLMN NENADOVICH: Yes, I'd like to thank Noreen and Mr. Dobies for the grant money they got the city. Becky and all of them. The playground does look good. I stopped by Hy Court Park today. I had to drop something off for Ms. Piazza. Looks great. I guess they're working in Ward 3. They started Friday you said at Donovan Park? So we'll be getting the same kind of face lift so go in there and enjoy the park. Also I got a little note here. I don't know why they couldn't see Vince? He is standing up. My buddy, Vince, over there I'd like to thank you for the popcorn machine and all the work you did. Vince's popcorn machine is a fixture around the city. I mean anytime there's anything going on you smell popcorn. Vince is the guy with the machine. He's right there. That's my buddy. I can pick on him like that. I wish you all a Happy Halloween and I also am voting No on both 56 and 57 just in case you have to ask, because we definitely need the funding and I thank you very much and God Bless you all.

CLWN SARNOWSKI: I'd like to wish everybody a Happy Halloween also and urge you to don't forget to vote on November 2nd and I also am voting No on Issue 56 and 57. We need the revenue to keep our city going.

CLMN VAUGHN: A couple things before we wrap this up. First of all, there will be a high wind tomorrow so stay away from the sign near Turney and Rockside because I want to see everybody here in two weeks.

Halloween will be celebrated on Sunday evening and please, those that will be out driving, please drive slow. Everybody turn on your lights. Light up the neighborhood. Let's be safe. If it's a nice night be out with the kids. If you see anything think nothing of dialing 9-1-1. I'm sure the police will be out and about and if anything is suspicious please call.

Thursday evening we'll be having our Block Watch for Ward 7. We're moving inside for the winter months so we'll be down in the small cafeteria at St. Monica's. And I urge everybody to go out and vote and do your civic duty. I'll be working the polls. Stop by and see me. I'll be up there on Tuesday. So with that I say who's next?

CLWN MAHONEY: It's always rough to be one of the last people because everybody says everything that you wanted to say anyway so with that I wish everyone a Happy Halloween and I have nothing else.

CLMN SUSTER: I would just like to take a minute to thank Mr. Gene Glenn who was asked this past summer to be in charge of the Charter Review Committee. The Charter Review Committee spent a lot of time. They spent approximately six weeks going through the Charter seeing what things needed to be done. We had promised them that once all this stuff is done within the next couple weeks that we would start having meetings in order to prepare even though it wouldn't be necessary to have until the November election of next year, but what happens a lot of times is that these Charter Reviews have suggestions and nothing's done with them. We told them we would do it and we are going to do it for you.

One other thing that I'm happy to report is that we formed a Block Watch Meeting. We've been having it over at the Fire Station on McCracken Road and next month we will have it there but in December we have to move. The only reason we have to move is because we have so many people. We have people walking from McCracken and 113th to come to the meeting, which I'm glad about and we're going to change the date. It will be on the first Monday of the month rather than the 3rd Tuesday so all things are going with the Block Watch. They're doing great. I, too, have voted No on Issue 56 and 57. So like everybody else knows we need the revenue and if we're going to continue to make Garfield Heights a good place to live we need that money and we'll make it a great place to live. With that I'd like to make a motion we adjourn.

PRESIDENT GERACI: Roll call.

AYES: 7

PRESIDENT GERACI: The meeting is adjourned.

MEETING ADJOURNED AT 8:08 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Frank J. Geraci, Jr.
President of Council

Barbara Molin
Clerk of Council