

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, December 14, 2009

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

INVOCATION BY: Councilman Michael Nenadovich

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 November 23, 2009 as submitted. The minutes were adopted with seven YES votes.

PRESIDENT GERACI: Before we go on any further we're going to eliminate items on the agenda. Items 66, 56, 59 and 60 are all withdrawn. I'll repeat that again. Items 66, 56, 59 and 60. They have been withdrawn. We will move on.

WRITTEN COMMUNICATIONS TO COUNCIL:

CLERK: Yes, there is one item. There is a letter that was given to Council and I'm going to read it.

"Dear School Family:

Tonight something special happened involving our young people and I feel compelled to share the news with all of you. This morning I received an e-mail from a colleague informing me that he had just received a call from a hospice worker. The woman said that there was a man in Garfield Heights that was very ill and not expected to make it to Christmas. Hospice was helping the family to hold their Christmas tonight and she just wanted to know if there was any way that we could provide them with a few carolers for a brief time this evening. Within minutes some of our high school's choir and NHS students were notified and I felt confident that we could help this family out with their special wish. When I arrived at the family's home tonight at 20 minutes early, I was pleasantly surprised to find several of our students already there. Within minutes more students arrived and we were ushered on the small porch in front of the home. The hospice worker informed us that due to privacy laws we could not go any further than this area, but she assured us that the ill man was sitting just on the other side of the door. We then began to sing and the 20 plus students sounded like angels. After our array of Christmas carols were sung the door that we had been singing to opened and out came a very teary-eyed woman. Despite her obviously emotional state she told us that her beloved family member hadn't talked for quite some time, but he could still hear. And he could hear our voices especially when we sang his favorite song, The 12 Days of Christmas as it was during the singing of that song that he gave a faint smile. She then let us know that she was unsure if her loved one would even make it through the night, but she wanted us to know that our efforts meant everything to her family for caroling at Christmas had always been such an important part of their lives. During their time of great sadness this family's hearts were warmed by the efforts of our students.

As I scanned the porch I knew that the lives of these students were truly touched and they would never forget the few minutes of time they took to spend on a stranger in need. We sang The 12 Days of Christmas one more time and then we all left the porch obviously influenced by this event. For all the negative things we always seem to hear regarding today's youth I hope that your hearts are warmed by the positive actions in this little story involving some truly wonderful Garfield students. I am also reminded of how working together for a worthy cause despite short notice we can make great things happen. One lesson these students learned tonight. It is moments like these that should remind us all of the power we have to make a difference in this world for tonight our kids truly made a difference in one person's life."

That's all we have.

PRESIDENT GERACI: That's it. Thank you. Is there any legislation coming out of committee tonight?

LEGISLATION OUT OF COMMITTEE: None.

REPORTS OF THE MAYOR AND DIRECTORS:

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

MAYOR VICTOR COLLOVA: Thank you, Mr. Geraci and Members of Council. I see I started off on the good foot. I got the broken chair. Thank you very much. It's certainly been an interesting two weeks, and that's probably to say the least. I can probably understand a lot better right now why Tom Longo sometimes wasn't in the best of moods because it can get to you, but I am really happy about being the Mayor of the city of Garfield Heights. I'm looking forward to the challenge. I wasn't ready for the challenge to come quite this quick, but I certainly am ready for the challenge. We have a State meeting tomorrow with Paul Marshall to talk about some of the things that have to happen—and have to happen real quick. We're going to be having some sessions with Council to talk about ways we have to put another Plan in front of the State—a revised Plan. The Plan that was put in front of them earlier has to be revised and changed in its entirety and it has to be done by the end of January so that doesn't give us a whole lot of time. We'll be working on that shortly. You know, we're going to have to make some hard decisions. I'm happy with the Council that's here. I think we'll be able to work through this. We'll keep you posted as it goes along.

I also talked with Red-Flex today. They are going to have a meeting the first week of (The Red-Flex is with the red light cameras for those of you that don't know) we're going to have a meeting the first week of January. It's going to take about 60 to 90 days to get it into place. They're saying some time by mid-February we should start seeing it in place, up and running.

With that, I'm going to move into tonight's legislation. On Ordinance 67-2009 we are changing the escrow that's being put up front from 150% to 110%. We think it's a good idea. I spoke with Mr. Wervey on it at length and we think it's a good idea to help some of the contractors and builders and homeowners in the area. If you have any questions on that, Mr. Wervey can explain it in more depth. Resolution 58. We're bringing on Joe Morse. Please stand up, Joe. He is the new Assistant Prosecutor. He's taking Je'nine's spot. Je'nine moved up to Prosecutor. Joe's a great guy with a great talent and I think he's going to be a great thing for the city. Thank you, Joe. I urge the Council to pass the two Ordinances I spoke about tonight. I think the third Ordinance goes without saying. That's changing the meeting from the 28th to the 21st. That concludes my report.

PRESIDENT GERACI: Thank you, Mayor Collova. Any questions for the Mayor?

CLWN MARINCIC: Mayor, I have a question regarding the salaries of Directors. We have levels—pay range levels at 1 through 10, but after that each pay range level has nine other levels. When you bring in a new Director are you bringing them in at the first level?

MAYOR VICTOR COLLOVA: Yes, I am.

CLWN MARINCIC: OK. Are you going to do that with all the Directors?

MAYOR VICTOR COLLOVA: My intention is any Director that I'm bringing on. Anybody we bring on is going to the First Level. Correct.

CLWN MARINCIC: OK. What about the other Directors that have decided to stay? Are they at the first level?

MAYOR VICTOR COLLOVA: The Directors that decided to stay on, what I did was I asked some of the Directors to stay on till the end of the year, some of them to stay on until March. I asked everybody to stay on till at least March. Yes, people that are staying on till the end of the year remains at their pay range Step that has been reduced and then when a new person comes in he will come in at this Step in the Range number I just as it is.

CLWN MARINCIC: OK. So no matter what, they're all within the new pay ranges but if they were at Level 9 with the old Administration they are at Level 9 on this one?

MAYOR VICTOR COLLOVA: Not necessarily. No.

CLWN MARINCIC: OK. I'm just trying to figure out where everybody's at.

MAYOR VICTOR COLLOVA: The understanding is that everybody starts in the beginning.

CLWN MARINCIC: OK. And if they're from the old Administration they're still starting at Step 1 within their pay range?

MAYOR VICTOR COLLOVA: They are starting at their pay range. Not necessarily Step 1.

CLWN MARINCIC: That's what I wanted to know. Thank you very much.

MAYOR VICTOR COLLOVA: You're welcome.

CLWN MARINCIC: I'm glad to be working with you, Vic.

MAYOR VICTOR COLLOVA: Thank you.

PRESIDENT GERACI: Any other questions for the Mayor? If not, we'll move on. City Law Director Mr. Riley. I almost called you Mr. Mack.

LAW DIRECTOR TIMOTHY RILEY: Thank you. I just have a short report. I just want to comment on Resolution 58. Once again, Joe Morse. I think he's going to be an excellent addition to the Law Department. He's been an attorney for over eight years now. Over the past years I've had cases with him as a Prosecutor and seen him in the Justice Center numerous times. Excellent attorney and I think he will make an excellent Prosecutor and do a great job and I'm really glad to have him aboard. Thank you. That's all I have.

PRESIDENT GERACI: Thank you, Mr. Riley. Any questions for Mr. Riley? If not, we'll move on. Service Director Interim Bryan Mahoney

INTERIM SERVICE DIRECTOR BRYAN MAHONEY: Thank you. Our leaf season is completed. Last week we went out. We picked up some stray 25 piles throughout the city. We put our machines away and now we are switching the trucks over for snowplowing. We have 17 trucks, in case you don't know, 17 trucks available for snowplowing and nine of them are large salt and plow trucks. Four are mid-range plow trucks and then we have four small one-ton dump trucks. We also have 800 tons of salt ready for the winter to start the winter off and we're hoping to get into January with that so if we have to get salt it would be under a new budget. Right now we're out patching cutouts, doing some tree trimming and closing anything in for winter that we need to close up. That's all for my report.

PRESIDENT GERACI: Thank you, Mr. Mahoney. Any questions for Director Mr. Mahoney? If not we'll move on. Recreation Director Mr. Jim Bukac.

PARKS AND RECREATION DIRECTOR JAMES BUKAC: Thank you, Mr. President. I loved the letter that Barb read about the kids in this community because being in recreation I deal with so many good kids in this community and kids so many times they get the bad rap. You know, these thugs, and this and that. But that's such a small percentage of the kids that I've had the opportunity to deal with through the years down there at the Rec Center and in our programs. I'll tell you what we should be proud of the kids that we have here.

With that in mind, we have three activities coming up over this weekend, all pertaining to some of the kids that we have in our different programs. First of all, Thursday, Friday and Saturday Garfield Heights High School will be hosting their Annual Christmas Hockey Tournament. So if you want to see some good varsity hockey, it begins Thursday night at 7 o'clock and the games are at seven and eight forty-five Thursday and Friday and then Saturday morning at eight thirty and 10 o'clock in the morning. I think Twinsburg's in it, Canfield and I can't remember the other team. And of course, Garfield. So this should be a pretty good tournament so if you're interested in hockey at the varsity level it's a good place to be.

On Saturday at 5 o'clock we will be having our Annual Skating Recital where the kids in our Munny Skating Program will be doing performances to the songs of the season. So if you want to get into the Christmas spirit, with some of our kids--Saturday at five o'clock.

Sunday at two fifteen we get our annual visit from the guy from the North Pole and he'll be over there at the Rec Center. It will be Free Skating with Santa. There will be pictures on Santa's lap. Santa's not actually going to skate. We couldn't talk him into that. He does not want to get hurt. At any rate, that's Sunday at two fifteen over at the Rec Center so if you are not doing anything we invite everybody to come on down.

Finally we're in the process of re-doing the employee identification cards and some Members of Council have them from previous terms. Obviously Mayor Longo's name is no longer on them so we have to re-do the cards. But any of the new Members of Council, if you want to stop down at the Rec Center and get your picture taken and get an employee ID, Noreen has one with her and so does Tim Riley right now if you want to see them. Just come down and get a picture taken. Also Clmn Suster, if you can work with Sheila Rowan or whatever you have to do to get me the list of the CERT people so we can, you know, get all the CERT ID cards up to date. If anybody doesn't like their picture and you already have one, come down and get a new picture. That concludes my report.

PRESIDENT GERACI: Thank you, Mr. Bukac. Clmn Suster.

CLMN SUSTER: Mr. Bukac, did Mayor Collova sign the backs of the cards? I mean put his signature on so it will be on the backs of the cards?

PARKS AND RECREATION DIRECTOR JAMES BUKAC: It's done.

CLMN SUSTER: All right. Because that's all they were waiting for.

PARKS AND RECREATION DIRECTOR JAMES BUKAC: It is done. You want to show him? It's autographed. He had to do every card individually.

PRESIDENT GERACI: Thank you, Mr. Bukac. Any questions for Mr. Bukac? If not, we'll move on again. City Architect Dave Spehar.

CITY ARCHITECT DAVID SPEHAR: Absent.

PRESIDENT GERACI: City Engineer David Neumeyer.

CITY ENGINEER DAVID NEUMEYER: I have no report tonight, Mr. President.

PRESIDENT GERACI: OK. Any questions for Mr. Neumeyer? If not, we'll move on. Finance Director Mr. Obert.

FINANCE DIRECTOR RICHARD OBERT: I don't have an official report tonight. I'm just saying we're closing the books next week. We're opening them up the following week and I guess we were told that we will be re-writing the Plan again so I'll be busy for the next two weeks. That's all I have.

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

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Thank you, Mr. Chairman. I recently spoke with a representative from the U.S. Bureau of the Census. They're still interested in hiring more employees in the southeast area, specifically Garfield Heights, Maple Heights, Bedford and Bedford Heights. I have a little brochure to pass out to Council Members. The hourly rate is \$15.25/hour. These are part-time jobs. So if you know of any residents in your neighborhoods who are looking for jobs there's an on-line application or description and you have to take a test. So this describes everything. If you could pass that down, thank you.

Also I received a letter from the County Department of Development about the use of some NSP Funds (that's Neighborhood Stabilization Program Funds). They have some qualified contractors to do housing renovation on vacant and abandoned houses. So what I would like to do is ask Council in your Wards, they're looking for properties. I'll give you a copy of the letter. If you have properties in your Ward that you think there are houses that could be re-habbed, send them to my attention and I can compile a list to send to the County and then we can see if we can pay special attention to those. They've also certified some contractors to do the work and that's attached on this letter. That concludes my report.

PRESIDENT GERACI: Thank you, Ms. Kuban. Any questions for Ms. Kuban? If not, we'll move on. Building Commissioner Mr. Bill Wervey.

BUILDING COMMISSIONER WILLIAM WERVEY: I'd like to urge passage of Ordinance 67. Other than that I have nothing this evening.

PRESIDENT GERACI: Thank you Mr. Wervey. Any questions for Mr. Wervey? That concludes the Mayor and Directors' reports.

COMMENTS BY CITIZENS:

PRESIDENT GERACI: Comments from the Citizens on the Agenda. These are the rules. Are there any comments from the community? Comments shall be strictly limited to brief statements not to exceed five minutes with the comments limited to the legislation on the current evening's agenda. No citizen shall speak no more than once. Please state your name and your address.

Bob Halen, 12416 Oak Park Blvd. It's not technically on the agenda, but the Mayor made a comment and I have several questions to the Mayor. I'm kind of stupid because I don't understand the red light cameras.

PRESIDENT GERACI: Mr. Halen, can I stop you for a second? Could you hold off on those comments at the end of the meeting? We could bring you back up at the end of the meeting. It doesn't pertain to the legislation.

MR. HALEN: Well he mentioned it before.

PRESIDENT GERACI: Yes, I realize that, but could you hold off on your comments and we'll bring you back? Thank you very much.

MR. HALEN: OK.

COMMITTEE REPORTS: None.

ORDINANCES AND RESOLUTIONS:

ORDINANCE NO. 67-2009

AN EMERGENCY ORDINANCE AMENDING CHAPTER 1313 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS PERTAINING TO POINT OF SALE INSPECTIONS, EFFECTIVE DECEMBER 14, 2009.

Moved by MARINCIC to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

CLWN MARINCIC: I'm so happy we are doing this and I vote Yes.

CLMN DUDLEY: I do want to say before I vote, we're finally going to get some of those old places fixed up and get some people to come in and actually invest some money and time. That was a bigger thing I would have coming from quite a few individuals who was renovating houses in the community with the fact that it's one and a half times the amount so I think this is going to make a tremendous change and I vote Yes.

AYES: 7

PRESIDENT GERACI: That passes 7-0.

RESOLUTION NO. 57-2009

AN EMERGENCY RESOLUTION TO RESCHEDULE THE DECEMBER 28, 2009, CITY OF GARFIELD HEIGHTS COUNCIL MEETING TO DECEMBER 21, 2009.

Moved by MAHONEY to CONSIDER BY TITLE:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

PRESIDENT GERACI: That passes 7-0.

AYES: 7

RESOLUTION NO. 58-2009

A RESOLUTION RATIFYING THE APPOINTMENT BY THE LAW DIRECTOR OF JOSEPH MORSE TO ACT AS ASSISTANT TO THE LAW DIRECTOR AS THE ASSISTANT POLICE PROSECUTOR FOR THE CITY OF GARFIELD HEIGHTS, OHIO, DURING THE PERIOD COMMENCING DECEMBER 7, 2009, TO SERVE AT THE PLEASURE OF THE LAW DIRECTOR

Moved by MAHONEY to CONSIDER BY TITLE:

AYES: 7

CLWN SARNOWSKI: Mr. Chairman, I have a question. Did the Law Director reference? This is not an emergency so it's taking effect in 30 days. Did the Mayor want it to take effect immediately? And should we change it to emergency?

MAYOR VICTOR COLLOVA: Yes.

LAW DIRECTOR TIMOTHY RILEY: Yes, we would like to have it take effect immediately. Make it an emergency.

CLWN SARNOWSKI: I'd like to make a motion to amend the title and Section 2 to include "emergency".

PRESIDENT GERACI: Clwn Sarnowski amends Resolution 58-2009 to emergency resolution.

CLWN MARINCIC: Mr. Chairman, I would like to add an additional amendment to add a Section 3 and Section 3 would read, "Council declares this Resolution to be an emergency measure necessary for the preservation of the public health, safety and welfare and for the further reason that it relates to the daily operation of the municipal departments. Therefore this Resolution shall be in full force and effect immediately after the adoption by Council and approval by the Mayor otherwise from and after the earliest period allowed by law." You could copy it from Ordinance 66. The last Section 4 states it all.

CLERK: The amendments shall read the wording, it's "AN EMERGENCY RESOLUTION RATIFYING THE APPOINTMENT BY THE LAW DIRECTOR OF JOSEPH MORSE TO ACT AS ASSISTANT TO THE LAW DIRECTOR AS THE ASSISTANT POLICE PROSECUTOR FOR THE CITY OF GARFIELD HEIGHTS, OHIO, DURING THE PERIOD COMMENCING DECEMBER 7, 2009, TO SERVE AT THE PLEASURE OF THE LAW DIRECTOR."

And Section 2 shall be amended to read, "This emergency Resolution shall be in full force and effect immediately upon its adoption by the Council and approval by the Mayor otherwise from and after the earliest period allowed by law".

And we are adding a Section 3 to read, "Council declares this Resolution to be an emergency measure necessary for the immediate public health, safety and welfare and shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor otherwise from and after the earliest period allowed by law".

CLWN SARNOWSKI: I think that was different than what Nancy stated.

CLWN MARINCIC: I have one more question. In the Resolution title at the top it gives the period commencing December 7, 2009. Should we change that to today's date?

LAW DIRECTOR TIMOTHY RILEY: No, because he actually started working as of December 7th.

CLWN MARINCIC: But he wasn't officially employed.

LAW DIRECTOR TIMOTHY RILEY: No, all you're doing is ratifying the Mayor's appointment. The Mayor made the appointment and you're ratifying that. You can ratify it back to December 7th. I mean you could change it till today if you want.

CLWN MARINCIC: Let's go by your word. You're the Law Director.

LAW DIRECTOR TIMOTHY RILEY: OK.

PRESIDENT GERACI: We're going to have the reading over again. We have a correction on that again.

CLERK: Section 3 should read, "Council declares this Resolution to be an emergency measure necessary for the preservation of the public health, safety and welfare and for the further reason that it relates to the daily operation of a municipal department. Therefore, this Resolution shall be in full force and effect

immediately after its adoption by Council and approval by the Mayor otherwise from and after the earliest period allowed by law”.

Moved by SARNOWSKI to AMEND:

AYES: 7

Motion to SUSPEND THREE READING RULE:

AYES: 7

VOTE ON ADOPTION:

CLWN MAHONEY: Before I vote, I'd like to welcome you here to the city of Garfield Heights and it will be a pleasure to work with you and I vote Yes.

CLWN MARINCIC: Welcome aboard and Yes.

CLMN SUSTER: I'd like to welcome you and I vote Yes.

PRESIDENT GERACI: That passes 7 – 0. Welcome aboard.

AYES: 7

COMMENTS BY CITIZENS:

PRESIDENT GERACI: We'll now move on to Comments by Citizens. That will be the gentleman that was up before. These are the rules. Comments shall be restricted to any problem a citizen has which has previously been submitted to his Councilperson or to the City Hall department Directors involved. If the submission of a problem to a City Hall department or a Councilperson is made and there is a lack of service rendered in this regard, the problem may then be presented during Comments from the Citizens at a future meeting. It is the intention of this rule that no request of a first nature be presented on the floor at this time. Comments shall be limited to five minutes and no citizen shall be heard no more than once. Please your name and address.

Bob Halen, 12416 Oak Park Blvd. First I would like to welcome the new Mayor. Welcome to the city. Secondly, your comments on the red light cameras. I'm kind of misinformed or uninformed. Who has possession of the cameras? Is it the city or are we leasing these cameras out?

MAYOR VICTOR COLLOVA: We have hired a company, Red-Flex, to put up the cameras in the city of Garfield Heights.

MR. HALEN: They are putting them up. Are they going to retain ownership?

MAYOR VICTOR COLLOVA: They will retain ownership but it's at no expense to us.

MR. HALEN: OK. Third question. What is the percentage of the fines generated that goes to the Red-Flex Company and how much of a percentage comes to the city as profit?

MAYOR VICTOR COLLOVA: If I'm not mistaken, and Mr. Neumeyer could probably answer better because he's more familiar as an engineer, but I believe that has to be negotiated.

CITY ENGINEER DAVID NEUMEYER: Off the top of my head, Red-Flex gets \$30.00 per ticket up to 200 tickets. After that it goes down to \$28.00 per ticket.

MR. HALEN: So we generate the majority of the fines?

CITY ENGINEER DAVID NEUMEYER: Correct. 70%.

MR. HALEN: Thank you. That's all I wanted to know. Thank you.

PRESIDENT GERACI: Thank you. Anybody else? If not we'll move on. Miscellaneous Business. We'll start with Mr. Dudley.

MISCELLANEOUS BUSINESS:

CLMN DUDLEY: All right. Always the best go first, right. The best community. All right. The whole city is a good city. I wanted to say that I'm looking forward to seeing the trucks in action. Last year was a good year for us. We have been making some people aware of the fact that we won't be doing the plowing I believe it's between 12:00 and 4 a.m. in the morning? Or around that time? What's the correct time on that?

INTERIM SERVICE DIRECTOR BRYAN MAHONEY: We're not going to salt between 12 and 4. We may be out plowing but we're not going to salt between them hours.

CLMN DUDLEY: That's what I meant. You wouldn't be salting between them hours of 12 and 4. It was a good job picking up the leaves. I want to commend you for that. You picked the leaves up, the majority of them and I guess everybody got on program. I even helped rake some, not as much, though. But I wanted to say that I look forward to working with the new Mayor and new Members of Council and welcome them all aboard and for those who don't make it next week I wish you a very Merry Christmas and a Happy New Year. That's all.

PRESIDENT GERACI: Thank you, Councilman. Clwn Marincic.

CLWN MARINCIC: I just want to welcome you aboard, Mayor, and it's nice to see you down there and I want to remind everybody in the audience that our next Council Meeting is not two weeks from now but next Monday. That's all I have.

PRESIDENT GERACI: Thank you, Councilwoman. Clmn Nenadovich.

CLMN NENADOVICH: As always, Mr. Mayor, welcome aboard. Mr. Morse, welcome aboard. I have nothing else.

PRESIDENT GERACI: Thank you, Councilman. Clwn Sarnowski.

CLWN SARNOWSKI: I'd like to also welcome Mr. Morse aboard and welcome to our new Mayor. I look forward to working with you and I have nothing else.

PRESIDENT GERACI: Clmn Suster.

CLMN SUSTER: I'd like to welcome Mayor Collova. I attended a meeting this past Friday and I got some information which I thought was quite interesting. It will take me about 10 seconds to read it to you. It will show you how important it is for the residents of Garfield Heights to shop in the city you live in. For every \$100.00 spent in a locally owned independent business, the city receives \$43.00 in return. That's through taxes, payroll and other expenditures. If you spend \$100.00 in a national chain such as Wal-Mart, K-mart, Sears, etc. and say if they were located in our city, we get \$13.00. So you know the independent people we have within the city we need to help these people along. I've seen some new restaurants open up. In fact this meeting that I attended on Friday we went to this restaurant and we were there for two hours and for the two hours there were four of us there. I'm not saying everybody go out and eat now but people need to help these businesses. If we're going to maintain these businesses and these independent people who are like anybody else and trying to make a living, we need to support them so rather than going over in Independence over there, there's some good restaurants that have opened up within last couple weeks, so that's all I have.

PRESIDENT GERACI: Thank you, Councilman. Clwn Mahoney.

CLWN MAHONEY: Not to be repetitive, but welcome to our new Mayor, our new Law Director and our new Prosecutor.

PRESIDENT GERACI: Thank you. Councilman Vaughn.

CLMN VAUGHN: Best for last again, huh? OK. Again, welcome Mr. Morse, Mr. Riley, Mayor Collova. We begin our working year together, huh? All right. Let's hope it's a good one. With that, I make a motion to adjourn this meeting.

PRESIDENT GERACI: Mr. Vaughn makes a motion to adjourn the meeting. Roll call.

CLMN DUDLEY: Excuse me. I think we had somebody from Family Life Center, Dr. Lytle. Maybe she didn't catch on when you was talking. She might have something to say. You got something to say, Dr. Lytle?

(Inaudible.)

PRESIDENT GERACI: Thank you. There's a roll call on the floor for adjournment.

CLMN DUDLEY: Excuse me. I was looking at a citizen who was calling my attention. What are we roll calling for now?

PRESIDENT GERACI: For adjournment.

CLMN DUDLEY: I think we had a resident who wanted to say something right there?

PRESIDENT GERACI: There's a motion on the floor.

CLMN DUDLEY: I make a motion that we hold that motion off in order to do that.

CLWN MARINCIC: No.

CLMN DUDLEY: What do we do? Because I think she wants to say something. I don't want a resident being have to leave and not voiced their opinion today.

CLMN VAUGHN: I withdraw my motion.

CLMN DUDLEY: OK.

PRESIDENT GERACI: OK. Then if that's the case then we'll.

CLWN SARNOWSKI: Is there any resident wishing to speak?

PRESIDENT GERACI: You have five minutes.

Good evening. I apologize for my lateness. I don't get off of work till 7 o'clock so I had to race to get here. I don't come to Council Meetings often.

PRESIDENT GERACI: What is your name?

My name is Carissa Salee. I live at 13402 Christine Avenue. I have two questions. I have a concern based upon what Clmn Suster said he was talking about how we should support the businesses in our area so that we can keep revenue here in our city. My understanding is some of our services are being cut back because of the lack of income coming in to our city based upon residency, people leaving, unemployment, etc. We have a home right next to where I live that was recently torn down. I'm trying to get a better understanding of how the city deals with the people that come in, take over the properties and how much time is given to them so they can revamp those properties because you see as each property goes down or gets torn down that takes away from the value of my home. It also takes away from the amount of income that's coming in to the city if you have no one coming in to those homes to spend money in our areas. So I'm trying to get a better understanding because I understand we have guidelines and procedures that these companies have to have. But if they are not given ample opportunity to take over and take care of these homes so that we can get them in place then we're going to have a lose-lose situation.

The next question is will there be anything being done regarding the Wal-Mart property that has been closed down because of whatever violations and what's going to be put back in to its place to bring more jobs as well as revenue to be spent in our city?

MAYOR VICTOR COLLOVA: Carissa, let me answer question two before I go to question one. The old Wal-Mart has been leased out by a similar to an I-X Center, it's shows. It's called the Cuyahoga Convention Center. They will be up and running in January. They're already booking shows. That should bring traffic into the city. So that's what's going where the old Wal-Mart store is.

The first question that you asked about the house being torn down next door to you. That house, I'm assuming, was torn down because it was a deplorable house. Is that correct?

MS. SALEE: It was torn down as my understanding is from the gentleman who owned that property plus five others that he had to make a decision to based upon guidelines and timelines that he could not take care of all of the properties within whatever this particular guidelines/timeline was and so he had to make a choice. One other property was being torn down. The property next to me was torn down three weeks ago. So I asked the gentleman, I called and contacted the city and then I contacted the gentleman who owned the property and again, I'm not saying anything against the guidelines that the city of Garfield Heights or any other city has but my concern is that if you do have a company that comes in and buys up properties per se and they need more extended time instead of penalizing them if they are doing what they're claiming they're doing with the other properties and it's showing that they're improving those so we can get more people into them, then why not give them more time as opposed to limiting their time and letting them have to take down a property, tear it down, which again deletes or diminishes my property value or anyone else's property value?

MAYOR VICTOR COLLOVA: I think I'm going to defer this to Bill, being as those are properties but usually when the houses are torn down and when they're deplorable, these people have been given ample time to correct these homes. They are way behind and after a while you can only go so long before you have to do something. Actually the tearing down of those homes that are deplorable is what the city wants to do. Of course we want to rebuild them lots or at least make the lots look a heck of a lot better. But the key is to get them houses down which will in effect help your house value where you are. If you're living next door to a deplorable house that can't be sold or is not being fixed up, you know, in my opinion you would want that house down. But let me ask you, Bill, do you know the house that she's speaking of?

BUILDING COMMISSIONER WILLIAM WERVEY: I'm not intimately familiar with it, but somewhat familiar with it. It's my understanding these gentlemen came in and sort of bought a bunch of houses more or less sight unseen and didn't really know what they were getting into. They didn't have the funds to do the repairs. Very likely, you said this house was next door to you?

MS. SALEE: *(Inaudible.)*

BUILDING COMMISSIONER WILLIAM WERVEY: Very likely, you at some point in the not too distant future, if you desire, are probably going to get the opportunity to get at least half that lot, probably at no cost to you. The houses that are in bad shape are more of a drain on the community than the loss of income from the taxes on the house. There's two trains of thought and one of the trains of thought is that you try to develop these green spaces in the neighborhoods and split those properties up amongst the abutting property owners. But this particular situation I believe these guys came in and they thought they were going to be able to go and just throw a coat of paint on something and then re-sell it or put tenants in it and that's not the case. They were doing something beyond their means to accomplish or trying to do something. I think that on a limited basis you're going to find that this is a good thing to get rid of these houses and get the green space,

MS. SALEE: OK. In our particular Ward, and Clmn Dudley would have to check, we have several houses falling down. I don't I mean I understand your position where they have to meet specific guidelines, but will

there be any incentive for people to come in to rebuild whether or not there's tax credits, etc.? Because as each one goes down you're not going to have as many houses going up as quickly.

BUILDING COMMISSIONER WILLIAM WERVEY: I believe Noreen Kuban was speaking about some NSP Funds that are available to developers to go in and do repairs on homes.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Correct. Mr. Chairman, may I respond? Yes, the letter that I passed out referred to some funding from the Federal government where contractors can purchase and renovate properties for re-sale. So that's one thing that can be done. The other thing is that we do have a Community Reinvestment Area in some areas of the city, Ward 1 being one of those Community Reinvestment Areas. It allows us to offer tax abatement on newly constructed houses if there are five or more units. One thing I am looking at is revising our legislation and maybe making some modifications to the rules to encourage people to purchase vacant lots to develop or build new housing.

MS. SALEE: All right. Thank you.

PRESIDENT GERACI: Thank you very much.

BUILDING COMMISSIONER WILLIAM WERVEY: Ma'am, if you'd like, take my card you can give me a call tomorrow and I can give you more specific information.

PRESIDENT GERACI: Do we have a motion now for the adjournment? Clmn Vaughn?

CLMN VAUGHN: I wish to reinstate my motion that we adjourn this meeting.

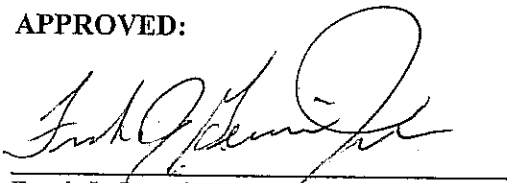
PRESIDENT GERACI: On the Clmn's motion , roll call.

AYES: 7

PRESIDENT GERACI: The next meeting will be on December 21st at 7:00 p.m. Thank you. Meeting adjourned.


MEETING ADJOURNED AT 7:45 p.m.

APPROVED:



Frank J. Geraci, Jr.
President of Council

RESPECTFULLY SUBMITTED:



Barbara Molin
Clerk of Council