

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, April 11, 2016

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

INVOCATION BY: Councilman Matt Burke

PRESIDENT SUSTER: Roll call please.

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

READING AND DISPOSAL OF MINUTES:

PRESIDENT SUSTER: Thank you. The reading and disposal of the Minutes of Monday, March 14, 2016.

CLMN BURKE: Mr. President, I would like to make a motion we accept the Minutes of the Regular Meeting of Council of the City of Garfield Heights of Monday, March 14, 2016 as written.

PRESIDENT SUSTER: On the motion made by Mr. Burke to approve the Minutes of the Regular Meeting of City Council of March 14, 2016, all those in favor signify by saying Yea. All opposed?

AYES: Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster
That passes with 7 Yes votes.

PRESIDENT SUSTER: Minutes of the Special Meeting of Council of March 21, 2016.

CLMN VAUGHN: Mr. President, I would like to make a motion we accept the Minutes of the Special Meeting of Council of the City of Garfield Heights, Ohio of Monday, March 21, 2016 as written.

PRESIDENT SUSTER: On the motion made by Mr. Vaughn for the Minutes of the Special Meeting of Garfield Heights City Council of March 21, 2016 as printed, all those in favor signify by saying Yea. All opposed?

AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke
That passes with 7 Yes votes.

WRITTEN COMMUNICATIONS TO COUNCIL:

PRESIDENT SUSTER: Do we have any written communications to Council this evening?

CLERK OF COUNCIL: Yes, we do, Mr. Chairman. We received a letter from the Garfield Heights Board of Education dated April 7, 2016, regarding the Ways and Means Committee Meeting of March 2, 2016 and I am going to read it.

(The Clerk read the above-mentioned letter in its entirety. See Attachment A.)

PRESIDENT SUSTER: Thank you. Mayor, did you have something you wanted to say?

MAYOR VIC COLLOVA: At my report.

PRESIDENT SUSTER: OK.

LEGISLATION OUT OF COMMITTEE: None.

REPORTS OF THE MAYOR AND DIRECTORS:

PRESIDENT SUSTER: There being none, we'll move on to the report of the Mayor and his Directors. Mayor, do you have a report for us this evening?

MAYOR VIC COLLOVA: Yes, Mr. Chairman, I thank you very much. I want to talk a little bit about the letter the school board sent that was just read to everybody. Before I get into the actual letter I want to say I've been Mayor for 6 ½ years and I can honestly say my relationship with the school board has been excellent. I have many friends on the school board administration. You know, almost everybody on the school board is a friend of mine. Everyone knows the relationship between Bob Dobies (who is a school board member) and myself. He's one of my oldest and dearest friends, bar anybody. So this is not easy for me to respond publicly the way I am going to respond in a few minutes, but I want everybody to know the disappointment I have with the school board in choosing to put this publicly in front of everybody--the residents, to be on TV, to be in the Minutes, the reality of this thing is they should have called us if they were disappointed with the meeting and asked for a meeting so they could find out exactly what took place, what the intent was and what the flavor of the meeting was. For whatever reason they opted not to do that. They opted to try to make this Council and this Administration and myself-- they are trying to ridicule us a little bit publicly and that's why I'm going to respond the way I am, but I want you to know that this response is in reaction to their response and I hope when this is over we could certainly fix this and get back on the right track.

I want to talk about some of the falsehoods they claimed in the letter.

Number 1, a falsehood, as claimed by the school board, every time the city makes cuts the school board passes a levy. Well, let me tell you something. For 6 ½ years this Council and my Administration have been making cuts. We do it constantly. There's no separate time or special time to make cuts. We do it almost all the time. Let me give you some reality. There have been 10 levies on the ballots since I've been in office 6 ½ years: one in 2009, two in 2010, three in 2011, one in 2012, one in 2014, one in 2015 and so far, one in 2016. Now some of these are levies failed; they were put back up. Some of them were renewals. Some of them were additional levies. Ten levies in 6 ½ years and they're saying they don't know when we're going to do cuts and they wonder why we say every time we do a cut the levies come up.

Another falsehood claimed by the board is the city needs a courthouse rather than a new stadium. In the Ways and Means Minutes, one of the Councilmen said they believe we need a

new courthouse and jail because it's in terrible condition, before we need a stadium. The reality is what would be wrong for a Councilperson to believe he prefers a new courthouse over a stadium? But yet that's a falsehood, they said.

Yes, the school board hires off duty officers to patrol the events at the football field, but after each event every available car goes to the football stadium to make sure that there are no problems and continue to monitor the fans until all are dispersed. A little surprised the board didn't know this, when one of the board members is a retired Garfield Heights police officer.

Another falsehood claimed by the board. One of our Council said when the high school was built, residents were promised they could use the workout room, but the school only allowed the residents to use it for six months. That's what one of our Council people said. And the school board is right. It is not an accurate statement. They stopped it after two years. Either way, whether it was six months or two years, you did not fulfill your promise to the residents. But yes, you're right, it was a falsehood. Instead of six months, it was two years.

And again, you're right; a Council misspoke when he said after the levies passed the school board gets raises. I agree this is not true, but let me ask you this. Did the teachers, employees and administrators get raises? I certainly believe they did.

Another falsehood claimed by the board. One of our Councilmen said the school board receives the highest amount of taxes. They dispute that. The board said that's not true. Let me explain. Out of our property taxes here in Garfield Heights, the Metro Parks, city library, MetroHealth, CVCC and the County Health and Human Services receives 18.5%. The city of Garfield Heights receives 21.5% and the Garfield Heights School receives 60%. Now I'm not a college graduate, but it's not hard to figure that 60% is a heck of a lot higher than 21 or 18. So I can't quite see the falsehood there.

As far as your claim it was discussed at our meeting businesses would move out if the levies are continued to pass, I'm surprised they would even comment about something they obviously know nothing about. Let me explain about how businesses get hurt with taxes. Using the outlet mall as an example, we have a \$100 million project we are trying to bring into the city. If this project was going to be built in Twinsburg, the yearly property tax for the mall would be \$2,021,000.00. If it was going to be built in Valley View, the yearly property taxes would be \$1,918,000.00. In Garfield Heights, because of our high taxes, the property tax for the same project is \$3,532,000.00. Now continue raising the taxes with levies and other ways and how long is it before businesses move out? We have to control the taxes. I have realtors telling me the biggest problem in selling homes in Garfield Heights is our tax rate. I'm not blaming it all on the school. There are some other reasons: the Average Pay Fund, the levies. I understand that, but the reality is our tax rate is where it's at and for us to bring businesses in to this city to save us, to keep us where so we don't have to increase the taxes, calls for bringing businesses in and they're not going to come in with this high tax rate. And in their letter, the board wants to tell me this is *opinion*, not fact. Give me a break on that one.

As Mayor and Council, along with our Administration and employees, we understand the problems high taxes do to our residents and businesses. These are some of the things we are doing to avoid having to raise taxes. We've been buying our fire and police vehicles off the Internet, government.org, just like e-bay. We bought five or six police cars for about \$3,000.00 to \$4,000.00. We bought a fire truck for \$9,000.00. Today we are bidding on four vehicles for between \$1,000.00 and \$3,000.00. Am I proud of that? No, but you have to live within your

means. You can't go out and splurge if you don't have the money. That's what the city does to control taxes. I'm not sure what the board does, but that's what the city does.

Now in a letter written by one of the school board members they said if the city needs a new courthouse, be pro-active and put a levy on the ballot to fund it. What a simple solution. Just simply raise taxes again. These are exactly the things we're trying to avoid, but that's what this school board member suggests we do.

I guess the one statement made by a single school board member that hurt the most was he referred to the city being in fiscal emergency, not the school board, implying in my mind the city does not do a good job fiscally, but the school board does. You know what? He's 100% correct. We were in fiscal emergency for over three years and it wasn't easy. It was tough, but you know what? We got out and we're doing pretty good. My question to the school board member is when is the school board going to stop getting the Fs on the State report card? I wonder if it's going to take over there years?

I would love a new football stadium, folks. I appreciate going to the football field and I go there a lot. I know it's unfair for the young men and young women who use the track to have something as deplorable as this. I understand and want a new football field, but we have to figure out a way to do it without raising taxes. Now the school board, fortunately, has a concern and their concern is to the school, the kids that attend the school. That is their concern. Unfortunately, this Council and myself and the Administration we have to think about the whole city. The school is a part of the city, but we have to look at everything. They don't sit down with the businesses with me and hear the talk about how high taxes are. They go to the meetings and they say you know what? It's only going to cost you \$3.00 and you got a \$75,000.00 house this levy's only going to cost you \$3.00. That's true. How much do you think it's going to cost a business like that outlet mall that's putting a \$150 million project in? It's certainly a little bit more than \$3.00. We can't continue to let these taxes grow. I don't have the answer, but I would love to sit down with the school board and figure out a way to go after this football field in another way. I'm not saying they have not brought all this into play. I'm not saying they haven't went out and thought of every possible way, but I think that they have to understand that when this board up here, when this Council says that they have to think about other things other than a football stadium, the school board has to say why? And that's what they should have done. That's what they didn't do. They opted to make this thing public. I did not want to do this because of my friends on the school board and I do not want to hurt the relationships with the school board because I know how important it is for the community to have a good school district, but I cannot let them come out and chastise this Council and myself and my Administration. I won't allow it to happen. I hope we can work this thing out. I hope cooler heads prevail and they can sit down and put this behind us and make this thing work right.

So with that I'm going to get into tonight's legislation. Ordinance 15 allows for the Engineer's plans to be prepared for the Granger Road Rock Scaling Project. Ordinance 16. An ordinance to prepare plans and specifications for the Multi-Street Reconstruction & Waterline Replacement Project Phase 2. This cost will be funded by the Cleveland Water Department. Ordinance 17 is an ordinance to prepare plans and specifications for a competitive bid for the Dressler Avenue Project. All costs to be reimbursed by the Cuyahoga County Community Development Block Grant. Ordinance 18 is an ordinance to prepare the necessary plans and specifications for the Multi-Street Reconstruction & Waterline Replacement Project Phase 3. These costs will be funded through the Cleveland Water Department and Ohio Public Works Commission Grant.

Resolution 8. An emergency resolution providing for one Council Meeting to be held on the second Monday in the months of May, June, July and August of 2016. Resolution 9. A resolution creating a Peace Officer Dependent Fund Board for the purpose of assisting in the review and determination of the validity of the claims made under the Volunteer Peace Officer Dependent Fund. In this in Garfield Heights is made reference to our Auxiliary Officers. Resolution 10 is a resolution to apply for the Natureworks Grant of the Ohio Department of Natural Resources. Mr. Chairman, you have my report.

PRESIDENT SUSTER: Thank you, Mayor. Does anybody have any comments on the Mayor's report? Does anybody have any comments on the Mayor's report? There being none, we'll move on to Police Chief Bob Byrne.

POLICE CHIEF ROBERT BYRNE: Thank you, Mr. President. I have more of a thanks than I do a report. Over the course of the past month, we received two separate donations to our K-9 Fund. One was from the Senior Class of Garfield Heights High School. They held a bake sale and they donated \$376.00 and just last week Chantest Industries, which is a business here in Garfield Heights, donated \$2,000.00. They have been very supportive of the K-9 Program and law enforcement in general. I wanted to thank both of those entities. We appreciate their thoughtfulness. With that, Mr. President, you have my report.

PRESIDENT SUSTER: Thank you. Does anybody have any questions of the Chief on his report? There being none, we'll move to Kevin Weiler.

ASSISTANT LAW DIRECTOR KEVIN WEILER: Good evening, Mr. Chairman, I'm Kevin Weiler, Assistant Law Director, here on behalf of Tim. We have no report this evening. Thank you.

PRESIDENT SUSTER: Thank you. Service Director, Tim McLaughlin. Tim, do you have a report for us this evening?

SERVICE DEPARTMENT DIRECTOR TIM McLAUGHLIN: Yes, I do, thank you, Mr. President. First of all, on behalf of myself and my family, I'd like to thank all of you for your support during this difficult time with the passing of my father. The flowers, cards, and participation in the services were greatly appreciated by my family. Again, thank you.

The hot patch plant opened three weeks ago and we've only been able to be out four times in the last three weeks. We have been working on the mains, 131st, Broadway, Warner Road Hill, which took another beating because there was a massive water break on Friday that opened up huge holes. We're in the process of working on some sort of a solution to the problems on Warner Road Hill. We've worked a little bit on Turney Road. Like I said the other day the trucks were under the silo all ready to go and they weren't getting any kind of business from other cities so they shut down, but in the meantime, we've had the sweeper out. We've gone through the whole city at least once. We've into it the second time. Some tree work. We also spent some time on Antenucci Drive. The guardrail there, the posts, I think opened in '75. The posts that are holding the guardrails are starting to rot so we had to replace like 28 (we used the same guardrails). New posts took time. We have to keep our eye on it because they're all starting to show their age.

We filled in any other work tickets we've gotten. Hopefully the rest in a week. A little rain tomorrow. Maybe we're getting some spring weather we're all looking forward to and we'll get back out on the road and go Ward by Ward again as we have in the past. If there's a street we

feel is worse than the rest of them we might run in and do that street, but we're going to work on the mains and right into the side streets. We'll do the best we can. That's all I have.

One other thing. There's a problem with calling the non-emergency number for the Police Department for rubbish. We have a complaint line 475-1199 comes to the city. They keep calling the police about rubbish. It does not work that way. They have enough things going on without taking rubbish calls on the police line so I'm asking they call the Service Department complaint line at 475-1199. It's been there forever and I don't know why there's been a change that people are calling the Police Department, but I would very much like them to call this number so we can take care of the problems. That's all I have. Thank you.

PRESIDENT SUSTER: Are there any questions of Mr. McLaughlin on his report? Are there any questions of Mr. McLaughlin on his report? There being none, we'll move on to Parks and Recreation Director, Bob Dobies. Bob, do you have a report for us this evening?

PARKS AND RECREATION DIRECTOR BOB DOBIES: Yes, I do. Mr. President, Council Members, good evening. I'd like to first congratulate all of our futsal participants for completing another successful season at the end of last month. A big thanks goes out to the volunteer coaches, parents, staff and backers who continue to make this a very popular program for our children.

The 2016 Divisional Champs were the Force in the Pee wee Division, the Arrows in the Minor Division, and the Force in the Major Division.

Girls Softball signups continue this month and will run through Friday April 29th. Please come out and sign up.

Little League signups are also going on and you may pick up an application at the Rec Center. We're helping out the Little League in that regard. Or you can call Mr. Bob Herrick at 216-990-8386.

Next, as we wind down our ice season I'd like to remind all we will be hosting the 48th Annual Ice Show, which will be held this Saturday starting April 16th at 7 p.m. and Sunday April 18th for a 2:30 p.m. matinee. This year's theme will be The Best of Broadway and will feature all of our figure skaters from our tots to our dance soloists displaying their talent and gracefulness developed during all their hard work they put into this season. We're very fortunate to have this facility and dedicated coaches who spent countless hours developing our children's talents. I ask all to come out and enjoy our children performing. Tickets are available the day of the show or in advance and passes are available through this Thursday April 14th during regular business hours.

Speaking still of ice, I'm sure all noticed we had a championship hockey team this season. It was two weeks ago on the Neighborhood News front page. I wanted to recognize the efforts of our Mite Team. These are players six . eight years old. It's pretty neat for them, which won the Parma's George W. Newman Annual Tournament. The team consists of Blake Benedictis, Jacob Gretta, George Henderson, Jack Henderson, Ian Hilliard, Patrick McNally, Collin Schleman, Ryleigh Spacht and Noah Vega. We also had a tournament MVP out of that team who was the goalie, Blake Benedictis. This kid had 143 goal shots and he made 131 saves. That's pretty phenomenal. I'd like to thank the Mayor for preparing resolutions honoring the team. Each player got a copy of the resolution at their Annual Award Banquet held on April 3rd.

Last, I don't know if anybody noticed this past week. There is a Rec Board Meeting Wednesday here in Council Chambers at 6 p.m. to inform all of the possibilities of securing a Natureworks Grant to upgrade the Debelak Park Area. If you are interested, please attend. Thank you. That concludes my report.

PRESIDENT SUSTER: Thank you. Are there any questions of Mr. Dobies on his report? Are there any questions of Mr. Dobies on his report? Mr. Vaughn.

CLMN VAUGHN: One young man's name- Ian?

PARKS AND RECREATION DIRECTOR BOB DOBIES: Ian? Ian?

CLMN VAUGHN: Ian.

PARKS AND RECREATION DIRECTOR BOB DOBIES: It's all right. He's Polish.

CLMN VAUGHN: No, I don't think so. That's why you had a hard time with it.

PARKS AND RECREATION DIRECTOR BOB DOBIES: I don't mean to miss it.

CLMN VAUGHN: I have one of those at home, that's why.

PRESIDENT SUSTER: Mr. Vaughn, is that it?

CLMN VAUGHN: That's it.

PRESIDENT SUSTER: OK. Next, we'll go to City Engineer, Dave Krock. Do you have a report for us this evening?

CITY ENGINEER DAVID KROCK: Thank you, Mr. President, I do. I want to recommend your support of Ordinances 15, 16, 17 and 18. All four of those allow us to move forward with design and bidding on these projects and as a reminder, there's no cost to the city in all those. There are grants, etc., to pay for those.

Just an update, if your street happened to have a waterline completed on it in the last six months it will be paved soon. In April or May we expect to get Maple Leaf, Burleigh, Birchwood, East 88th and East 85th completed on paving and all the final seeding. York was done last fall but all the other ones were done over the winter. That concludes my report.

PRESIDENT SUSTER: Are there any questions of Mr. Krock on his report? Are there any questions of Mr. Krock on his report? There being none, we'll move on to Finance Director, Barb Biro. Do you have a report for us this evening?

FINANCE DIRECTOR BARBARA BIRO: Thank you, Mr. President, I have nothing to report.

PRESIDENT SUSTER: OK. Thank you. We'll move on to Social Services Director Kathy Rush-Parssons. Kathy, do you have a report for us this evening?

SOCIAL SERVICES DIRECTOR KATHY RUSH-PARSSONS: Yes, I do, Mr. Suster. Just a few quick announcements. The city received a Harvest for Hunger Grant in the amount of \$255.00 within the past few weeks, which will be used to purchase food items from the Greater

Cleveland Food Bank for our monthly Food Pantry distribution. This is in addition to our monthly \$250.00 grant we get from the Hunger Network every month, so we would like to thank the Harvest for Hunger Campaign.

Additionally, the Garfield Heights Kiwanis will be hosting its 3rd Annual Empty Bowl Project this Thursday, April 14th from 5:00 to 7:30 p.m. at the Garfield Heights High School. Tickets are \$10.00 and they include soup, salad, bread and beverage. The first 200 diners will receive a ceramic bowl made by the high school students as a reminder of food insecurity within the Garfield Heights community. Tickets are available at the Family Resource Center with Ruth Pollack here at the Civic Center or at the door the night of the event. I do want to say if anybody is able to attend this event it really is a great event. This is the third year the Kiwanis has hosted the event and each year they do make a very generous donation to the Garfield Heights Food Bank. I'd like to thank the Kiwanis in advance for their support of the Food Bank. That's all I have.

PRESIDENT SUSTER: Thank you, Kathy. Are there any questions of Kathy on her report? Are there any questions of Kathy on her report? There being none, we'll move on to Economic Development Director, Noreen Kuban.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Thank you, Mr. President. I want to make a couple announcements. Next Council Meeting on April 25th we will be holding the City Council Meeting at the Garfield Heights branch of the public library the same hour at 7 p.m. and we'll be meeting in the meeting room, which is on the immediate right as you enter the library. You'll also be able to stop by and look at the newly opened Innovation Center.

Second, I wanted to mention the Lead Paint Abatement Program has been funded again and assists property owners- either homeowners or landlords- to help remove lead paint from their houses. The target is for property owners or families who have children five years of age or younger. They will have to come out and test the house for lead paint, but if you're income eligible and have young children, you can get up to \$8,000.00 worth of repairs. We posted this on the Website, but the phone number is 216-201-2000.

The Garfield Heights Chamber of Commerce will be having their Annual 5K Run/Walk for Literacy. It will be held on May 7th at Garfield Park's center. Registration's between 7:30 and 8:30. The race will start at 9 o'clock in the morning and you can also e-mail or check on their Website garfieldchamber.com.

I guess I do have a lot of things going on in May and announcements. The 4th Annual Riversweep for Johnson Mill Run will be held on Saturday May 7th from 9:00 to 12:00 p.m. The meeting place is the Arthur Johnson Park (otherwise known as Miles Heights Parkway) which is just south of 4478 Johnson Parkway. If you have any questions or want to volunteer to help, you can contact Pat Salemi at 475-1100.

Finally, we'll be starting up our Community Gardens very soon, if it stops snowing, Mr. McLaughlin and the meetings will be held next Monday and Wednesday at 6 p.m. here at the Garfield Heights Civic Center. If you want information, you can call Karyn at 475-5384. That concludes my report.

PRESIDENT SUSTER: Thank you, Noreen. Are there any questions of Noreen on her report? Mr. Vaughn.

CLMN VAUGHN: Noreen did I miss a notice we were moving the meeting?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: This is one meeting.

CLMN VAUGHN: Did I miss a notice on that?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: No, we were waiting to notify everyone tonight.

CLMN VAUGHN: And what's the purpose of having it over there?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: To showcase our new Innovation Center at the library.

CLMN VAUGHN: I couldn't hear you. That's why I asked. Thank you.

PRESIDENT SUSTER: Are there any other questions of Noreen on her report? There being none, we'll move on to Building Commissioner Bill Wervey. Bill, do you have a report for us this evening?

BUILDING COMMISSIONER BILL WERVEY: Just quickly. If you go out and about, you'll see houses continue to come down, funded by the County's Demolition Grant. The Land Bank's acting as our agent and they're doing a great job. If you have questions about what's going on in your Ward, don't hesitate to stop in or call us and I can give you the specifics on what's happening in your Ward. There's too much going on for me to give a report on it right now, but I'd be glad to explain what's going on to you and what will be going on as we apply for Phase 2 and get some more houses. That's all we've got.

PRESIDENT SUSTER: Thank you. Does anybody have any questions of Mr. Wervey on his report? Does anybody have any questions of Mr. Wervey on his report?

COMMENTS BY CITIZENS ON THE AGENDA:

PRESIDENT SUSTER: There being none, we'll move on to Comments by Citizens on tonight's agenda. Would the Clerk please read the rules?

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

PRESIDENT SUSTER: Is there anyone who has any comments to make on tonight's agenda? There being none, we'll move on to Committee Reports. Do we have any Committee Reports this evening?

COMMITTEE REPORTS: None.

ORDINANCES AND RESOLUTIONS:

PRESIDENT SUSTER: There being none, we'll move on to Ordinances and Resolutions beginning with Ordinance 15-2016. Would the Clerk please read the title?

ORDINANCE NO. 15-2016

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING DAVID KROCK, CITY ENGINEER, TO PREPARE THE NECESSARY PLANS AND SPECIFICATIONS, PER THE OHM ADVISORS PROPOSAL ATTACHED HERETO AS EXHIBIT %A+, FOR THE GRANGER ROAD ROCK SCALING PROJECT, AND AUTHORIZING THE PAYMENT OF COSTS FOR THIS SERVICE IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00).

Moved by NENADOVICH to CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

Motion to WAIVE RULE 24:

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

PRESIDENT SUSTER: On its adoption, beginning with Mr. Nenadovich.

VOTE ON ADOPTION:

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

PRESIDENT SUSTER: Ordinance 15-2016 passes with 7 Yes votes.

ORDINANCE NO. 16-2016

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING DAVID KROCK, CITY ENGINEER, TO PREPARE THE NECESSARY PLANS AND SPECIFICATIONS, PER OHM ADVISORS, PROPOSAL, ATTACHED HERETO AS EXHIBIT %A+, AND TO COMPETITIVELY BID, FOR THE MULTI-STREET RECONSTRUCTION & WATERLINE REPLACEMENT PROJECT . PHASE 2, AND AUTHORIZING THE PAYMENT OF COSTS FOR THIS PROJECT, WHICH COSTS WILL BE FUNDED THROUGH THE CLEVELAND WATER DEPARTMENT AND AN OHIO PUBLIC WORKS COMMISSION GRANT.

Moved by BURKE to CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

Motion to WAIVE RULE 24:

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

PRESIDENT SUSTER: On its adoption, beginning with Clmn Burke.

VOTE ON ADOPTION:

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

PRESIDENT SUSTER: Ordinance 16-2016 passes with 7 Yes votes.

ORDINANCE NO. 17-2016

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING DAVID KROCK, CITY ENGINEER, TO PREPARE THE NECESSARY PLANS AND SPECIFICATIONS, PER OHM ADVISORS, PROPOSAL, ATTACHED HERETO AS EXHIBIT %A+, AND TO COMPETITIVELY BID, FOR DRESSLER AVENUE PROJECT, AND AUTHORIZING THE PAYMENT OF COSTS FOR THIS PROJECT, WHICH COSTS WILL BE REIMBURSED THROUGH THE CUYAHOGA

COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AS IDENTIFIED IN EXHIBIT ~~16~~+ATTACHED HERETO.

Moved by DUDLEY to CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

Motion to WAIVE RULE 24:

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

PRESIDENT SUSTER: On its adoption, beginning with Clmn Dudley.

VOTE ON ADOPTION:

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

PRESIDENT SUSTER: Ordinance 17-2016 passes with 7 Yes votes.

ORDINANCE NO. 18-2016

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING DAVID KROCK, CITY ENGINEER, TO PREPARE THE NECESSARY PLANS AND SPECIFICATIONS, PER OHM ADVISORS, PROPOSAL, ATTACHED HERETO AS EXHIBIT ~~16~~+, AND TO COMPETITIVELY BID, FOR THE MULTI-STREET RECONSTRUCTION & WATERLINE REPLACEMENT PROJECT . PHASE 3, AND AUTHORIZING THE PAYMENT OF COSTS FOR THIS PROJECT, WHICH COSTS WILL BE FUNDED THROUGH THE CLEVELAND WATER DEPARTMENT AND AN OHIO PUBLIC WORKS COMMISSION GRANT.

Moved by BURKE to CONSIDER BY TITLE:

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

Motion to SUSPEND THREE READING RULE:

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

Motion to WAIVE RULE 24:

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

PRESIDENT SUSTER: On its adoption, beginning with Mr. Burke.

VOTE ON ADOPTION:

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

PRESIDENT SUSTER: Ordinance 18-2016 passes with 7 Yes votes.

RESOLUTION NO. 08-2016

AN EMERGENCY RESOLUTION PROVIDING FOR ONLY ONE COUNCIL MEETING TO BE HELD ON THE SECOND MONDAY, DURING THE MONTHS OF MAY, JUNE, JULY, AND AUGUST, 2016.

Moved by VAUGHN to MAKE AN AMENDMENT:

CLMN VAUGHN: I would like to make an amendment to Resolution No. 08-2016 to read as follows:

"AN EMERGENCY RESOLUTION PROVIDING FOR ONLY ONE COUNCIL MEETING TO BE HELD ON THE SECOND MONDAY DURING THE MONTHS OF JUNE, JULY, AND AUGUST, 2016."

PRESIDENT SUSTER: On the amendment made by Mr. Vaughn to correct this resolution to read June, July and August, all those in favor signify by saying Yea. All opposed.
AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

Motion to SUSPEND THREE READING RULE:
AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

PRESIDENT SUSTER: On its adoption, beginning with Clmn Vaughn.
VOTE ON ADOPTION:
AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

PRESIDENT SUSTER: Resolution 08-2016 passes with 7 Yes votes.

RESOLUTION NO. 09-2016

AN EMERGENCY RESOLUTION CREATING THE VOLUNTEER PEACE OFFICER DEPENDENT FUND BOARD FOR THE PURPOSE OF ASSISTING IN THE REVIEW AND DETERMINATION OF VALIDITY OF CLAIMS MADE UNDER THE VOLUNTEER PEACE OFFICER DEPENDENT FUND ESTABLISHED BY ORC CHAPTER 143 FOR DEATH OR DISABILITY OF A VOLUNTEER PEACE OFFICER; AND NAMING TWO APPOINTEES TO THE BOARD.

Moved by VAUGHN to CONSIDER BY TITLE:
AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

Motion to SUSPEND THREE READING RULE:
AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

PRESIDENT SUSTER: On its adoption, beginning with Mr. Vaughn.
VOTE ON ADOPTION:
AYES: Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster, Burke

PRESIDENT SUSTER: Resolution 09-2016 passes with 7 Yes votes.

RESOLUTION NO. 10-2016

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR THE NATUREWORKS GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES.

Moved by BURKE to CONSIDER BY TITLE:
AYES: Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster

Motion to SUSPEND THREE READING RULE:
AYES: Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster

PRESIDENT SUSTER: On its adoption, beginning with Mr. Burke.
VOTE ON ADOPTION:
AYES: Burke, Vaughn, Dudley, LaMalfa, Nenadovich, Glenn, Suster

PRESIDENT SUSTER: Resolution 10-2016 passes with 7 Yes votes.

MISCELLANEOUS COMMENTS BY CITIZENS

PRESIDENT SUSTER: Next, we will move on to Comments by Citizens. Would the Clerk please read the rules?

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

PRESIDENT SUSTER: Is there anyone who would like to make any comments this evening?

Mildred Whitmore, 13154 Forestdale Drive. I would like someone to tell me if there is rules and regulations pertaining to placements of rubbish and garbage cans in Garfield Heights.

BUILDING COMMISSIONER BILL WERVEY: Yes, they're supposed to be behind the house as best you can. They're not supposed to be visible from the street.

PRESIDENT SUSTER: Is that what you're speaking about, Mrs. Whitmore? Or the time they're put out?

MRS. WHITMORE: That's what I'm speaking about. rules and regulations.

PRESIDENT SUSTER: Yes, there are rules and regulations.

MRS. WHITMORE: Because I was approached last week and I was told a particular person can put their rubbish cans any place they please on their property.

PRESIDENT SUSTER: That's not true.

MRS. WHITMORE: And they took the cans and put them right where they shouldn't be put.

PRESIDENT SUSTER: Do you have an address for us, please?

MRS. WHITMORE: Uh huh. And also what can be done about people's garbage and trash I have been cleaning up ever since last May from my neighbor's house? I was told if her garbage and trash come in my yard to pick it up and put it in my garbage can and do not put it back on her property. Now if her garbage is good enough for mine, but it's not good enough for hers it doesn't make sense to me.

PRESIDENT SUSTER: Mr. Wervey?

BUILDING COMMISSIONER BILL WERVEY: Could I ask you who told you that?

MRS. WHITMORE: The policeman.

BUILDING COMMISSIONER BILL WERVEY: I don't know about that. I know if you're speaking to your neighbor, we've cited them and it's been going on a couple months now so I imagine we will get them into the Court system pretty quickly now.

MRS. WHITMORE: Thank you for getting the Health Department to come out about the rats.

PRESIDENT SUSTER: Are you satisfied, Mrs. Whitmore?

MRS. WHITMORE: I hope they do something.

PRESIDENT SUSTER: Is there anyone else who has any comments this evening?

Brandon Dikowicz, 12723 Grannis Road. I am currently a Life Scout in Troop 220 from St. Peter and Paul. I am currently working on my Eagle Scout project. Being an Eagle Scout is the highest order in Boy Scouts right now. They say one out of every 1,000 boys reach this rank. For my project to obtain rank, my project is a food drive and I've been trying to get in front of stores, but I can't do that because of certain restrictions. I tried at schools and churches and I was curious if I would be able to get something outside with a sign over here by city hall and set up a couple boxes in city hall to get donations for me to get my best results possible for my project?

PRESIDENT SUSTER: Could we do that, Mayor?

MAYOR VIC COLLOVA: We certainly can. Just let us know what you need done and as long as it fits with us, we're fine with it.

MR. DIKOWICZ: I could leave my number to talk to somebody after the meeting? That's all I have.

MAYOR VIC COLLOVA: You know, there's a great young lady down there. You can hardly see her, she's so short. Kathy would be a great one to leave your number with.

MR. DIKOWICZ: Thank you. I appreciate it.

MAYOR VIC COLLOVA: You're welcome. Thank you.

CLMN VAUGHN: Brandon is from Ward 7. He's been very active in helping us out over the years at St. Monica's. Whenever I've called on Brandon to help out, he's there to give us a hand. This is an example of some of the many good people, good kids, we have living in our community. We always hear about the bad ones but rarely do we hear about good ones and Brandon, you are probably one of the best I have in Ward 7 and I want to thank you. Good luck with this project.

MR. DIKOWICZ: Thank you. I appreciate it. Thank you, everybody.

PRESIDENT SUSTER: Is there anyone else who has any comments this evening? Is there anyone else who has any comments this evening?

MISCELLANEOUS BUSINESS:

PRESIDENT SUSTER: There being none we'll move on to Miscellaneous Business. We'll begin with Clmn Burke.

CLMN BURKE: Thank you, Mr. President. I wanted to remind everybody Wednesday I do have my Community Awareness Meeting and it will be right here at the Civic Center at 7 p.m. We'll have the Mayor who usually attends this and we'll talk about some city issues at that time.

As it's getting daylight later out, I want to remind everybody not to put their rubbish out too early. You don't want to get a ticket for that.

I just wanted to comment a little bit about the Ways and Means Committee Minutes. I think the overall sentiment at the meeting was not to chastise or to criticize how the Garfield Heights school board conducts their business. What we were simply trying to say is maybe we should take a pro-active approach. Maybe we should be the ones to say let's put a levy on the ballot if we truly believe we need more police officers and better safety equipment, but unfortunately, we are responsible financially to the citizens of Garfield Heights and we feel any kind of a tax raise will hurt the city more than it helps the city. You know, I've talked to some of the business people here in our city and I won't bring any of them to the forefront, but I did talk to one gentleman. He pays over \$10,000.00 a year in property taxes for his business. He's got to deal with more than \$3.00 a month. I think that was one of the things that he had mentioned, but I think what I want to say to everybody is whether we're a Council, or a school board, or a Court system or the Mayor, we all share a financial responsibility to the citizens of Garfield Heights and I know this board, this entity, has made various cuts, paid down debt and I really appreciate the work the Mayor has put together to pay down the debt he incurred when he took office. That's all I have to say. Thank you.

PRESIDENT SUSTER: Clmn Vaughn.

CLMN VAUGHN: Thank you, Mr. Chairman. Brandon, thank you for doing what you do. It's always a pleasure when we have a young man from the community who is obtaining this. Brandon, you're what? A senior this year? At Cuyahoga Heights High School. Baseball playing still. He's been very active in sports at St. Monica's. Again, I can call on him and he'll come up; he'll help us out. He'll do some of the dirtiest work without ever a complaint. It's always good to see guys like this. Please pass the word on and we'll help you out in any way possible.

Block Watch Ward 7 will be April 28th. We're having a special visitor night. His Honor Mayor Vic Collova will be attending. There's some things that the Mayor would like to discuss with the Block Watch and I'm sure they'll be open for questions. I'm opening this to everybody in the community to please come and attend. It will be at 7 p.m. in the St. Augustine Room at St. Benedict School on the campus of St. Monica. Again, please come and join us.

Concerning the Ways and Means Meeting, I don't know how these notes got out from this meeting. They haven't even been approved. What bothers me is I am included in this and whoever the detective was that got these Minutes needs to do a little bit more research because I wasn't present that meeting night and I am more than glad to release my time card from University Hospital to prove to anybody I wasn't there. I think things got out of hand on both sides, but I am more than willing to sit down with any board member at any time to discuss this. I think the school board needs to realize we feel the frustration of the residents and we feel their pain and we hear from them daily on these issues. Again, I hope we can amend and move on because we all have to work together if we're going to make anything in this city work. Thank you.

PRESIDENT SUSTER: Mr. Dudley.

CLMN DUDLEY: First of all, it's getting to be summer now. It's getting hot outside. As it gets hot outside young people like to spend more time outdoors. We got to remind them as parents they have to keep them off the streets. It's not safe. A lot of people texting and driving, etc. I roll up to them, tooting the horn and some of them can't hear the horn because they have earpieces on their ears. That's a good way to get hit. Some people won't stop. They hit you, keep going,

and leave your child laying on the side of the road. So keep them off the street for their own safety.

Second of all, we know it's getting warm and we like to spend time outside as young people also, I have two teens at home, but you got to respect the curfew. The curfew is put there for a reason. It's for your safety and the children's safety.

Third thing is too, as it gets hot when everybody likes to enjoy the outdoors, but you have to respect your neighbors' property. Some people are very touchy about their yards and their grass and you got to respect that. They do a lot of hard work and they just don't want everybody playing. I had raised nine children in Garfield Heights and they never played on any property except for our property and was the rules. It was out of respect for my neighbors. Unless my neighbors gave them permission. Have your children respect the neighbors' property, etc. It's something they have to do.

Also, I wanted to let you know I had an incident Friday when some individual decided they wanted to vandalize my property. They took my Verano. They busted the back window out of the car, etc. to my Verano and I tell people if I catch up with you, as a parent you're going to reimburse me, but most of all I want to tell you to come on my property, if I catch you while you're on my property I'm going to do to you what your parents should have done to you years ago. I want you to know that. You're not leaving my house the way you come on my property. You're going to pay a cost out there. I ain't going to shoot you or nothing. I ain't shooting nobody over this. You can only do self-defense in the defense of another person. I spent 20 some years in security, but I'm going to take care of you while you're there so you don't mess with nobody else's property. We definitely going to do because that cost me some money and six weeks, four weeks prior to someone decided to come on my property and loosen the front lug nuts on my GMC and caused the wheel to rattle off while I was driving. Lucky my wife wasn't driving the car with the children. It was actually loosened up on the vehicle. Two incidents, you know. That's not going to stop me from confronting some individuals in the community who don't live in our neighborhood and don't need to be there. Those are material things can be replaced, but don't touch my family. So I'm giving you a message. You don't want to put yourself in the situation.

Last of all, when we talking to some of the younger people, I love communicating with you as well as others like to communicate, but it's a two way street. I want to communicate with you. You got to understand you got to be willing to communicate with us. I know there's a gap between the generations on this with the teens and grandchildren we have who think a little differently, but I think we all want to think along with you. We want to create things for you. We have things to occupy your time, but you have to be willing to work with us. You can't shut people out. At the same token, some times we got to listen to them. They are totally different than when we grew up. You got to listen to them. I know pants are sagging. You got to have communication sometime when you go on the side of a store, even if you don't know the child, just stop and have a conversation with him or her. See what's on their mind. You'll be surprised. It goes a long way.

Once again, I'm going to miss my kids. I call all the kids up in Ward 1 in the city of Garfield Heights my children, but I'm going to miss my kids from Eagle PAC Academy. They supposed to give a Christmas concert this year, but they moving back to Cleveland from off Christine. They are moving back to Cleveland to Kennedy where they're going to set up the PAC and the Eagle Academy over there. It was a great group of kids. I loved them all and I'm going to miss them dearly.

With the school board issue, I'm not going to touch it because everybody has a right to an opinion. I was a football player. I ran into stuff like that. That's something less said about, less talk about will mend itself entirely. So with that, Mr. Chairman, that's all I have.

PRESIDENT SUSTER: Thank you. Joe, you have anything to say?

CLMN LAMALFA: I don't have anything tonight. Thank you.

PRESIDENT SUSTER: Mr. Nenadovich.

CLMN NENADOVICH: Thank you, Mr. Chairman.

PRESIDENT SUSTER: You're more than welcome.

CLMN NENADOVICH: Going back to what Ms. Parssons was saying about this Kiwanis Empty Bowl Project, 100% of the profits stay in Garfield Heights. Any money we make goes to the Food Bank of Garfield Heights. Just Garfield Heights. The soup is by Zoup!, I believe, this year again. It's a good time. I encourage everybody to come out.

Ms. Whitmore, I want to thank you for coming forward and expressing it because I've been called several names about garbage cans. I'm on your side 100%, believe me. Thanks, Bill, for clarifying that.

And of course, as always, remember our Vets that are dying so you can sit here without any problems. Say a prayer for them tonight. Hope they all come home. That's all I have, Mr. Chairman.

PRESIDENT SUSTER: Thank you. Mr. Glenn.

CLMN GLENN: Thank you, Mr. President. I want to make a couple comments about the meeting we had here. The Mayor expressed very good. Made a good presentation about the concerns about the school system. I was a little bit more boisterous, but I want to keep my comments to myself, as I was upset about being confronted by the school board. I hope all this is patched up and we can get together and work together as a community. This Council, the Mayor, we all live in this city. We want to make progression in this city. The Mayor is working very hard to get businesses in this community. The tax base is a hindrance. If we work together, don't stir the mud, be patient, everything will work out OK.

Saying too, we had a Block Watch and we had the Building Department, a foreman, Mark, and Tim's secretary, Jen, was there. They gave a very good presentation on how the Building Department works, all their duties, their overall work, how they're paid and what's to be expected from the Building Department. They do a good job. Thank you very much, Mr. President.

PRESIDENT SUSTER: Thank you. Everybody knows within the next month or so the weather's going to get warm and there's going to be a lot of kids out. One thing you have to realize is if you see something that's wrong; do not be afraid to call the police. Don't call your Councilpersons. Not that they don't want to hear from you, but you're wasting time. There's people have had instances happen to their home and they're talking to me for 20 minutes on the phone. Meanwhile the kids have gone up the street and dispersed, etc. Call them right away

because the sooner they can get here, the faster they can get something done. A lot of people don't realize there are citizens within the city who have, through the own expense, put cameras on their house so they can show us what's going on. It's costing them money. It should not be necessary, but here gain, as they said and I don't want to be redundant, but you have to let them know as soon as possible and it gets done. I have more than a couple problems, but working with Chief Byrne, etc. they are getting taken care of. They're going to be resolved. I'm working with Mr. Wervey and we'll get it done. That's all I have for this evening. Mr. Burke.

CLMN BURKE: Mr. President, I would like to make a motion we adjourn the meeting at this time.

PRESIDENT SUSTER: On the motion made by Mr. Burke to adjourn the meeting. All those in favor signify by saying Yea. All opposed? Meeting is adjourned.

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

MEETING ADJOURNED AT 8:15 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Joseph Suster
President of Council

Barbara Molin
Clerk of Council