

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, February 11, 2013

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

INVOCATION BY: Councilman Michael Dudley, Sr.

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

PRESIDENT MARINCIC: All present.

READING AND DISPOSAL OF MINUTES:

PRESIDENT MARINCIC: Reading and disposal of the Minutes from the Monday, January 28, 2013 Regular Meeting of the Garfield Heights City Council.

CLMN SUSTER: Mme. Chairman, I'd like to make a motion that we accept the Minutes of the Regular Meeting of the Garfield Heights City Council dated Monday, January 28, 2013 as submitted.

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

WRITTEN COMMUNICATIONS TO COUNCIL: None.

LEGISLATION OUT OF COMMITTEE: None.

COMMITTEE REPORTS: None.

REPORTS OF THE MAYOR AND DIRECTORS:

PRESIDENT MARINCIC: We move on to the reports of the Mayor and his Directors. Mayor Collova, do you have a report?

MAYOR VIC COLLOVA: Thank you, Mme. Chair. I do. First off, I want to start by saying that for all the residents we have a paper recycling bin that has just been placed on our property. It's right adjacent to the Historical Society in the parking lot. We invite all residents to bring up their paper for recycling.

The second thing I want to talk a little bit about is Marymount Hospital. I received a letter that I'd like to share with all of you.

“Marymount Hospital is pleased to announce that it is a 2013 recipient of Distinguished Hospital Award for Clinical Excellence by Health Grades. Health Grades is an on-line resource that helps consumers search, evaluate, compare and connect with physicians and hospitals. This recognition places Marymount in the top 5% of hospitals in the nation. Recipients of this award stand among other hospitals for overall clinic excellence across a broad spectrum of care demonstrating comprehensive high quality care across clinical specialties.

Marymount Hospital is also pleased to announce that it has been designated as a Pathway to Excellence Organization by the American Nurses Credentialing Center. Marymount is the third hospital in the State of Ohio to achieve this designation. The Pathway to Excellence Program recognizes healthcare organizations for positive practice environments where nurses excel. To qualify, organizations must meet 12 practice standards essential to an ideal nursing practice environment. Nurses trust that Pathway-designated institutions respect their contribution, support their professional development and nurture optimal work settings.”

I want to congratulate Marymount Hospital. It’s one of our biggest partners in the city of Garfield Heights. We’re certainly proud of what they achieved and we would like everybody to pass this along to your residents. Maybe even the Grapevine? Thank you.

The next thing I wanted to read was we received (myself and Council) received a thank you and I want to read it.

“Dear Mayor Collova and City Council:

On behalf of my wife and I we want to thank you for honoring our home as the overall citywide winner for Christmas lighting. A community is built citizen by citizen. Keeping our neighborhoods safe, clean, respectable is up to each one of us to make this happen. Anything we can do to add beauty to our city, you let us know. We were so surprised we won and we really do appreciate the honor. Again thank you.

Bob and Lisa Stemnock”

I thought that was very nice of them and they are very good citizens and residents. Thank you for that.

Next I want to talk about on April 9th from 6:30 to 8:30 the city of Garfield Heights will be putting on another drug awareness program. It will be held here in our main dining room. The program is called “Hidden in Plain Sight”. This program is put on by the Bath and Copley Police with the assistance of our own police department. This program is for adults only. No children will be allowed. This program is to make parents aware of different signs they can see to hint at potential drug, alcohol or any other risky business that’s going on—risky behavior. This program features a teenage bedroom. They actually bring a bedroom in. It’s full. They put it up together for us. The first 30 minutes of this program parents will walk through, look at the bedroom. It will sort of be a walk through. Get an idea, look at the different things and then for the last 90 minutes there will be a presentation how to detect risky behavior. They say that there can be drugs or other things hidden in a teenager’s bedroom that go unnoticed, but really should be noticed and basically it’s just to give parents an idea of what the teenagers are up to. So we think this is a good deal. The last program that was put on by the Police Department was exceptional. We received accolades on it and more than that we know it helped people because our Resource Center here in the city has brought people in and to calls from people that came

to the seminar so we're trying to do our part in the community to help because not only our community, but all communities are facing some tough situations with drugs. It's a problem all over the country. It's probably costing trillions of dollars and you think how much money is being put in rehab and law enforcement to track down, the Courts, etc. this is an unbelievable epidemic that's going on through the country and it's certainly a good thing, at least for me, and I'm sure all of Council to be able to do our part to help. So I invite everybody to come to that. I think it's going to be really a great program.

With that said I'm going to get into tonight's legislation. Ordinance 5 allows payment of our share of the cost for the Granger Road Resurfacing Project. Ordinance 6. We're amending the appropriation ordinance of 2012 and Ron Tomola will have that in his report. Ordinance 7 allows us to approve Phase II of the storm water activities and services by the County the State compliant with the NPDES permits. Ordinance 8 we have agreed to a two-year extension between the city and the jailers and dispatchers. Along with the two-year extension comes a two percent wage increase. The jailers and dispatchers along with the other Unions have foregone their raises in the last few years; have received nothing. They have been as helpful as any Union. They have all been great. They have done a great job working with us through this fiscal problem we had and it's great to be able to see them give us another two year extension till we get our feet on the ground. We're more than happy to give them the two percent that they certainly deserve. Ordinance 10-2013 authorizing and directing our Finance Director to make a one time prior period balance adjustment to the city's General Fund Balance. We had a balance that goes back many years. Ron's going to get into this with his report and with that, Mme. Chair, you have my report.

PRESIDENT MARINCIC: Thank you. Any questions for the Mayor?

CLMN DUDLEY: A quick one, Mayor. On the recycling. Is the city going to get compensated for the papers that we give to the recycling bin? Or is it a difference with what we give to J&J when we put it out in the yard?

MAYOR VIC COLLOVA: This paper recycling. We do get a certain amount depending on how many tons you turn in. It's certainly not going to make us rich. We'll gladly accept anything, but basically it's to do the right thing, the green thing and recycle the paper.

CLMN DUDLEY: All right.

PRESIDENT MARINCIC: Any other questions for the Mayor on his report? There being none we will move on to Law Director Tim Riley. Do you have a report?

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

PRESIDENT MARINCIC: Any questions for our Law Director? There being none we will move on to Police Chief Robert Sackett, do you have a report?

POLICE CHIEF ROBERT SACKETT: Yes, I do. Thank you. You heard the Mayor talk about the drug forum we put on last year. I want to add to that. As part of that drug forum a lot of the suggestions we received told us you need to go to the school. You need to talk directly to the kids. So we developed a program pretty much right after September we were working on it. Patrolman De Pente and Detective Dillon primarily were responsible for developing it. We call it the HYPE Program. It was Heroin Youth Prevention Education. We hit five classes on January 14th and January 28th of last month and we were able to talk to nearly every ninth grader when

we did it that way. We had some of the same speakers. Some speakers we had to get additional speakers we had to shorten it a little bit we did it in one period. We didn't have an assembly. We did it class by class. Based on that nearly 100% of the evaluations we got were positive. So I was very happy with the job they did. As a matter of fact the one speaker we could not bring up was a young man we'd brought in from prison for the drug forum and we actually went down and taped him so he was there via video tape and as I say it was very successful. I think it had a good effect and with the school's cooperation we hope to do it year after year. Then like the Mayor said, the Hidden in Plain Sight, that's going to add to the whole program.

Also two meetings ago we swore in the dogs. We recognized the donors that donated to the program. You probably heard me say that we were close to getting a third dog or being able to get a third dog. About two days later Chart Industries (who if you remember, they donated \$20,000.00 and they were our largest donor) the lady walked in the door of the police lobby and handed me a check for \$10,000.00 more dollars. So that definitely put us over the edge and I'm happy to say the third dog was picked up last Thursday. The new handler's a guy named Mark Smith. He's been with the department about 10 years. I think he'll do a great job. This dog is big. This dog's 11 months old and he's bigger than the both of the dogs. If you got to deal with one of them, pick one of the other two. You may see him around. He had the dog in the station yesterday. He actually starts his six-week training on March 18th and then in six weeks (about May 1st) he'll be done and we'll swear him in and he'll be on the road.

The last thing I want to mention is Safety town. I'm happy to say that the Mayor's allowed us to bring Safety town back. It's been out for probably four or five years. We don't have a date set yet. It's a two week program and sometimes, depending on the participation, there will be two sessions, but each session's two weeks. It's for five year old kids. We're going to have it at the middle school and keep that in mind. There will be more information to come. We'll keep the cost low as we can so everybody can participate. With that you have my report.

PRESIDENT MARINCIC: Thank you. Any questions?

CLMN SUSTER: I'd just like to say that last Tuesday I had the opportunity of attending Mr. Glenn's Block Watch Meeting and I brought up the fact of looking for vests for the dogs. There was a young lady that sat next to me and she said to me how much is a vest? I said I don't know, about \$1,500.00. She said to me who do I write the check out to? People know the importance of this and I've asked the Chief and I've asked the handler of the dog to check in with PAWS or somewhere like that to see if we can get vests from either a grant or have PAWS pay for the vests for the dogs. But the lady said whatever the shortfall would be up to \$1,500.00 she would write out the check for it. So, it shows you that people are interested in keeping these dogs safe. That's all I have. Thank you.

CLWN MAHONEY: Chief, who will be in charge of Safety town? Or hasn't that been decided as of yet?

POLICE CHIEF ROBERT SACKETT: It really hasn't been decided. It very likely may be if we end up with an SRO this year which we're hoping to do. It will very likely be that individual.

CLWN MAHONEY: Thank you.

PRESIDENT MARINCIC: Any other questions for our Police Chief? I just have one. What's the new dog's name?

POLICE CHIEF ROBERT SACKETT: Jax.

PRESIDENT MARINCIC: Jax. Now we will move on to Service Director Tim McLaughlin, do you have a report?

SERVICE DIRECTOR TIM McLAUGHLIN: Thank you, Mme. President. Yes, I do. The last two weeks basically has been snow removal and tried to fill in those gigantic craters that have developed. I had everybody that I could out on the road today with the rollers trying to fill some of the holes. We're doing fine and all of a sudden in the last two or three weeks it's really started pushing up the streets in different areas, but as long as the weather's good we're going to continue to try to patch them and some of them we're just getting the really big ones and moving on because there's so many of them. We really needed a break for a few days of the snow because the equipment's really taking a beating in the last two/three weeks and we've had a chance to go through it and get some of the stuff ready. Hopefully the last comment I have is think spring. Thank you.

PRESIDENT MARINCIC: That's all you have? I have one question. Is that a water break on Turney Road or is it just water collecting there?

SERVICE DIRECTOR TIM McLAUGHLIN: No, that's a big water break. It's been there all weekend. It's been called in and it probably has to be marked by the utilities. I don't see any flags yet, but yeah. We had to go out a couple times and salt it, but you know that's the best that we can do. We can't turn the water down or touch it. Cleveland Water handles all that so we called again today and sometimes they can't touch it till they get the utilities marked and when I drove by today I didn't see any utility flags. I'm sure it will be in the next day or two hopefully.

PRESIDENT MARINCIC: Any questions for our Service Director? There being none we will move on to Mr. Dobies, our Recreation Director. Do you have a report?

PARKS AND RECREATION DIRECTOR BOB DOBIES: Mme. President and Council Members, good evening. Yes I have just a couple things this evening. Futsol, our indoor soccer program, has begun with practices for the last week and a half. Regular games will begin tomorrow February 12th and will continue till the end of March. This is one of our most popular programs and we look forward to another exciting season.

T-ball and softball sign ups will be just around the corner in March. That information will be coming out.

I would like to thank the over 150 participants who came to our Super Bowl Skate on Sunday. It was a successful afternoon of skating while providing patrons with a pre-game warm up.

I would like to remind everyone that this weekend we will entertain the 20th Annual Melt the Ice Hockey Tournament. The tournament will run on Friday, Saturday, Sunday and Monday. Friday, Saturday and Sunday start at 7:30 a.m. and will run through approximately 10:00 p.m. Monday the championship games starting at 7:30 a.m. and continuing till 5:00 p.m. We have approximately 30 teams participating in this year's tournament with many of our local teams but also having teams coming in from Columbus, Toledo area and also from New York representing Chautauqua and the Buffalo areas. This tournament benchmarks the end of another successful youth hockey season and it's held in honor of Mr. Chuck Curilko, one of the founding fathers of our program. Please make room on your calendars for an exciting weekend of hockey.

Last, because Easter falls on March 31st this year I ask that our residents join us on Saturday March 16th as we bring back an event that was quite popular which is a City Easter Egg Hunt. Tying in with St. Patty's Day with a unique and different twist as we sponsor another Residents Appreciation Day. We'll be offering free ice skating from 1:30 till 4:30 to appropriate holiday music, prizes, free raffles, face painting and a coloring contest for the kids. I believe each of the Council Members got a packet this evening with flyers for your Block Watch clubs and there are some forms for the coloring contest itself. If you need more just contact the office. Forms for the coloring contest will be available at the Recreation Center beginning Monday February 11th and due back by Saturday March 9th so that will enable us to display them for judging. This event is sponsored by the city of Garfield Heights and many local area businesses being done with donations. If you'd like to donate a prize please contact our office. Residents, please bring proof of residency for admission. If you have any questions please call the Rec Center. Again, this event is open to residents of Garfield Heights only. We hope to provide a fun-filled afternoon with free skating and giveaways. Hope to see you all there. That concludes my report.

PRESIDENT MARINCIC: Thank you. Any questions for our Recreation Director? I have one. Where will the Easter Egg Hunt be?

PARKS AND RECREATION DIRECTOR BOB DOBIES: Well it's going to be a little bit different as to what we'll be handing out. We have numerous prizes. My secretary has gone around the city and she's garnered an unbelievable amount of donations already. The Mayor and Mrs. Collova donated two baskets for giveaways. We're getting a few bikes from the Police Department again so every kid that will be there on the exit out what we normally do like with the Santa Skate, etc. they'll get something on the way out. So to hide the eggs around the rink would be a little bit impractical, but we're trying to make it a fun afternoon.

PRESIDENT MARINCIC: OK. So it's going to be at the Recreation Center?

PARKS AND RECREATION DIRECTOR BOB DOBIES: Exactly.

PRESIDENT MARINCIC: I think that's a better idea.

PARKS AND RECREATION DIRECTOR BOB DOBIES: Well, yes.

PRESIDENT MARINCIC: Anyone else have anything for our Recreation Director? There being none we will move on to City Engineer Dave Krock. Do you have a report?

CITY ENGINEER DAVID KROCK: I do. Thank you, Mme. President. I'd just like to pass along that the Granger Road legislation that's up tonight--that project bids March 14th so it will be few months after that we should see them out working this summer.

The Rosewood/Bancroft/Wallingford, East 112th Sewer Project continues and that will be going on for several months yet.

I'd like to make note that the Mayor received a letter from O.D.O.T. the other day that we did receive \$1 million from them to fix the Granger Road Hill rock fall problem we have there with the slopes and the trees. That money's available fiscal year 2016 so Tim McLaughlin and I met with O.D.O.T. a couple weeks ago in terms of what can we do in the interim and after talking with O.D.O.T. some more and Tim showed them all the issues we have there, they have come back with a solution where at some point this summer or this fall they're going to have some money available for us and they're going to hire some folks out of either Colorado or California

to come in. They are actually going to rappel down the rock face and peel away some of the loose stuff that's been falling down towards the road. They're going to fund that as well, so our only cost with both of these is going to be some of the planning cost. That will be pretty minimal compared to what they're putting in so it's a good deal for us, I believe. That's my report.

PRESIDENT MARINCIC: Thank you. Yes, Mr. Glenn.

CLMN GLENN: Dave, can you give us a little insight when they're going to have this engineering come on Granger Hill? The water problem we have on that hill is that going to be resolved when they fix the rock slides?

CITY ENGINEER DAVID KROCK: We actually talked to O.D.O.T. when they were out with Tim and I the other day. We asked them to do something with that when they did the road paving so that we didn't have problems with the pavement due to all that water so they're developing a fix right now that's going to go in that bid in March and they're going to try to contain some of the water on the North side of the road. So they're going to try to help us with that.

CLMN GLENN: Thank you, Dave.

PRESIDENT MARINCIC: Any other questions? Mrs. Mahoney.

CLWN MAHONEY: Mr. Krock, how severe are these rocks falling from the side of the road to Granger Road? I mean I've heard it's happened, but are they large quantities of rocks? Minimal?

CITY ENGINEER DAVID KROCK: I think things are falling all the time. There are some large ones there, I mean, Tim could probably tell you better but as you drive slowly-normally when you drive by you don't get a good look at them. We drove by very slowly and there are some areas where we just felt like we could not wait till 2016. We need some additional help now. Just because the possibility exists of a safety issue.

CLWN MAHONEY: Thank you.

PRESIDENT MARINCIC: Anyone else? Any other questions for the City Engineer? There being none we will move on to our favorite bean counter, Ron Tomola.

FINANCE DIRECTOR RON TOMOLA: Thank you, Mme. President. I'd like to talk about a couple of the pieces of legislation that are up tonight. Ordinance 6 which is an amendment to the 2013 appropriation ordinance. Council originally passed the original appropriation at the last meeting in November and so it's been over two months. Quite a few things have occurred. This piece will bring us up to date on the appropriation measures. Hopefully everybody got the e-mail I sent out last week with a full explanation of it, but if you have any questions feel free to ask.

Ordinance 9 is bringing up to date the city's Codified Ordinances Section 125.02 in regards to city investments. The original Section of the Codified was put in through legislation back in 1957. Since that time Sections of the State Code have changed that govern what cities can invest in. The current Section of the Code is Chapter 135, which is the Uniform Depository Act. So what I'm doing there is updating our Codified to meet what current State law is and also we say that we will only invest in what is authorized in that Section of the State Law.

The last piece is Ordinance 10-2013 which dates back to 2005 when an error occurred in the city's books that was never corrected. Again, I sent an e-mail out to everybody last week trying to explain that. I don't know why it was never fixed, but it was never fixed. I would like to fix it now. With your approval of this piece we can get that fixed and move forward and I won't have to be carrying a reconciling item all the time as it has been for the last seven years. With that you have my report.

PRESIDENT MARINCIC: Any questions for our Finance Director? I just only have one comment. That's exactly what I like about you, Ron. You know something's there. It bothers you. You fix it. You don't wait for somebody else to do it for you. You take charge and you take care of it. This could have been fixed many years ago but it wasn't. I appreciate you finally doing it. Thank you. Moving on to our Economic Development. Noreen Kuban. Do you have a report?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Yes, thank you, Mme. President. I sent out an e-mail. CDBG grant application time period is going to be starting this year. I will be attending a meeting on the 22nd to find out what the parameters are and after that meeting I'll notify you of any changes in the program and I'll be holding the public hearings. That concludes my report.

PRESIDENT MARINCIC: Any questions for the Economic Development Director? Could you check in to see if side streets could be put in?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Well, as we discussed (I believe you and I e-mailed back and forth) the issue of side streets is they also want to look at other improvements with the street which usually includes sewer, curbs and water so it would really have to be a full street rehabilitation.

PRESIDENT MARINCIC: Edgepark. Stop it Ron.

FINANCE DIRECTOR RON TOMOLA: You're talking \$150,00.00.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: I'll know a little bit more in a week.

PRESIDENT MARINCIC: OK. Thank you. Building Commissioner, Bill Wervey, do you have a report?

BUILDING COMMISSIONER BILL WERVEY: Good evening. I've got a couple things. Just to update you on what we've got in foreclosures. We're holding pretty steady. Nothing really changes a lot. It will change 20 or so, but we're at about 710 houses in foreclosure, about 820 that are vacant. There's 168 that have gone through the foreclosure process and are back in the hands of the banks and about 260 have Point of Sales.

For those of you that like some tasty fried goodness with your coffee in the morning, the plans for Dunkin' Donuts are in and approved. Title is transferred on the property across from the fire station. All the equipment is out of Sittoo's and they will be taking steps to do the demolition of the building over the next few weeks to a month and then they'll get going on construction. That's all I have this evening.

PRESIDENT MARINCIC: Thank you. Any comments? Yes, Councilwoman.

CLWN MAHONEY: Mr. Wervey, are these the same people who some years ago were looking at purchasing the property at Rockside and Turney for the Dunkin' Donuts?

BUILDING COMMISSIONER BILL WERVEY: Yes, it's the same gentlemen.

CLWN MAHONEY: Thank you.

PRESIDENT MARINCIC: That's all you have?

CLWN MAHONEY: That's all I have.

PRESIDENT MARINCIC: Any other questions for our Building Commissioner? There being no more we will move on to Comments by Citizens on the agenda. I'm going to have our Clerk read the rules.

COMMENTS BY CITIZENS ON TONIGHT'S AGENDA:

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

PRESIDENT MARINCIC: No citizen may speak more than once. Yes, Mr. Halan.

Bob Halan, 12416 Oak Park Blvd. I don't know if this is a legitimate question. It's not on the agenda but it's in the report?

PRESIDENT MARINCIC: No, you have to wait until later. There's a chance later on. Anyone else? Comments on the agenda items only?

ORDINANCES AND RESOLUTIONS:

PRESIDENT MARINCIC: There being none we will move right into the agenda beginning with Ordinance 05-2013. Will the Clerk read the title.

ORDINANCE NO. 05-2013

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, CLERK OF COUNCIL, AND THE FINANCE DIRECTOR, TO DO ALL THINGS NECESSARY, INCLUDING SIGNING ALL DOCUMENTS, AS PRESENTED BY THE OHIO DEPARTMENT OF TRANSPORTATION, ATTACHED HERETO AS EXHIBITS A THROUGH E, AND AUTHORIZING THE ISSUANCE OF THE CITY'S ESTIMATED PORTION OF COSTS FOR THE GRANGER ROAD RESURFACING PROJECT IN THE AMOUNT OF THIRTY-SEVEN THOUSAND THREE HUNDRED TEN DOLLARS (\$37,310.00).

Moved by SUSTER to CONSIDER BY TITLE

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

CLMN SUSTER: Mme Chairman, I'd like to offer an amendment. On the third last page where it says "to Richard Obert" I want the amendment to read "to Ron Tomola Finance Director 5407 Turney Road, Garfield Heights, Ohio 44125".

PRESIDENT MARINCIC: I'll have the Clerk read back the amendment.

CLERK: The amendment shall read as follows: On the third last page under Exhibit D instead of "Richard W. Obert" it should read "Ronald Tomola Finance Director 5407 Turney Road, Garfield Heights, Ohio 44125".

PRESIDENT MARINCIC: All in favor of the amendment say Yea. All opposed? The Yeas have it.

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

Motion to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 05-2013stands adopted with 7 Yes votes.

ORDINANCE NO. 06-2013

AN ORDINANCE AMENDING ORDINANCE NO. 84-2012 AND ALL OTHER TRANSFER AND ADDITIONAL APPROPRIATION ORDINANCES, TRANSFERRING AND ADDITIONALLY APPROPRIATING CERTAIN FUNDS WITHIN THE GENERAL; STREET LIGHTING; AVERAGE PAY; PERMANENT IMPROVEMENT; POLICE PENSION; FIRE PENSION; RECREATION; STREET CONSTRUCTION, MAINTENANCE & REPAIR; STATE HIGHWAY IMPROVEMENT; CITY INCOME TAX; MOTOR VEHICLE LICENSE TAX; STORM & SANITARY SEWER CONSTRUCTION; WATER MAIN REPAIR; FEDERAL NUTRITION BUDGET; COMMUNITY DEVELOPMENT BLOCK GRANT; LAW ENFORCEMENT TRUST; INDIGENT DRIVER ALCOHOL TREATMENT; ENFORCEMENT & EDUCATION; FEMA; DEBT AMORTIZATION; MUNICIPAL COURT PROBATION SERVICES; MUNICIPAL COURT SPECIAL SERVICES; MUNICIPAL COURT CAPITAL IMPROVEMENT; GARFIELD HEIGHTS FAMILY RESOURCE CENTER; STREET IMPROVEMENT BOND 2010; TRANSPORTATION/ANTENUCCI IMPROVEMENT 2004; BOND RETIREMENT; REVOLVING EQUIPMENT; AND RESTRICTED FUNDS.

Moved by SUSTER to CONSIDER BY TITLE

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

CLMN SUSTER: Mme Chairman, I'd like to offer an amendment to this piece. The first sentence in the title. I would like to add after "An" make it "An emergency" ordinance.

PRESIDENT MARINCIC: I'll have the Clerk read back the amendment.

CLERK: The amendment shall read as follows: In the first line of the ordinance it should read "An emergency ordinance amending ordinance No. 84-2012 and all other transfer and additional, etc."

PRESIDENT MARINCIC: All in favor of the amendment say Yea. All opposed?

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

Motion to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 06-2013 stands adopted with 7 Yes votes.

ORDINANCE NO. 07-2013

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY DISTRICT BOARD OF HEALTH FOR THE PROVISION OF SERVICES, BY THE BOARD, TO PERFORM PHASE II STORMWATER ACTIVITIES AND TO PROVIDE OTHER SERVICES IN ORDER TO FACILITATE THE CITY'S COMPLIANCE WITH ITS NPDES PERMIT FOR STORMWATER, PER THE ATTACHED AGREEMENT/CONTRACT.

Moved by VAUGHN to CONSIDER BY TITLE

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

Motion to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 07-2013 stands adopted with 7 Yes votes.

ORDINANCE NO. 08-2013

AN EMERGENCY ORDINANCE AUTHORIZING THE EXTENSION OF THE LABOR AGREEMENT BETWEEN THE CITY OF GARFIELD HEIGHTS AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, DISPATCHERS/RECORD CLERKS, JAILERS, CHIEF DISPATCHER.

Moved by MAHONEY to CONSIDER BY TITLE

AYES: Mahoney, Vaughn, Dudley, Marincic, Nenadovich, Glen, Suster

Motion to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:

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

PRESIDENT MARINCIC: Roll call on the adoption beginning with Clwn Mahoney.

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 08-2013 stands adopted with 7 Yes votes.

ORDINANCE NO. 09-2013

AN EMERGENCY ORDINANCE AMENDING AND SUPPLEMENTING SECTION 125.02: INVESTMENT OF FUNDS OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS.

Moved by DUDLEY to CONSIDER BY TITLE

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 09-2013 stands adopted with 7 Yes votes.

ORDINANCE NO. 10-2013

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO MAKE A ONE TIME PRIOR PERIOD BALANCING ADJUSTMENT TO REDUCE THE CITY'S GENERAL FUND BOOK BALANCE IN THE AMOUNT OF FORTY-SEVEN THOUSAND SEVEN HUNDRED THIRTY-FOUR DOLLARS AND THIRTY-NINE CENTS (\$47,734.39), EFFECTIVE FOR THE CITY'S FINANCIAL STATEMENTS FOR THE YEAR ENDED DECEMBER 31, 2012.

Moved by SUSTER to CONSIDER BY TITLE

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

Motion to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 10-2013 stands adopted with 7 Yes votes.

COMMENTS BY CITIZENS:

PRESIDENT MARINCIC: That concludes Ordinances and Resolutions for this evening's agenda. Now we will move on to Miscellaneous Comments and I'll have the Clerk read the rules.

CLERK: Comments shall be restricted to any problem a citizen has which has previously been submitted to their City Councilperson or to the city hall department directly involved. If submission of a problem to a department or a Councilperson has been made and there is a lack of service rendered in this regard, then the problem may be presented during comments from citizens at this meeting. It is the intention of this rule that no request of a first nature be presented on the floor at this time.

PRESIDENT MARINCIC: Comments are limited to five minutes. No citizen may speak more than once. Mr. Halan, take the microphone.

Bob Halan, 12416 Oak Park Blvd. A comment by the Mayor and Police Chief Sackett. When this drug thing is going to happen is April 9th, correct? And where will that be?

MAYOR VIC COLLOVA: It will be in our main dining room upstairs.

MR. HALAN: OK. If a parent has suspicious indications that the home of a teenage child that parent may convey use of the dogs in snooping out any drugs in the home? There might be some suspicious nature. Can a citizen ask the police to come in and the dogs sniff?

MAYOR VIC COLLOVA: Let me respond. The program that we have that is going to be here on the 9th does not involve the dogs. What this is is they're setting up the teenager's bedroom, Bob, and they want you to walk through and look at it--a normal teenage bedroom, and then they want to show the parents some things to look for to give indications if the juvenile or the teen may be doing something that isn't kosher so to speak, whatever kind of behavior that may be not warranted. That's what this is about so I haven't seen it. Actually Pat Salemi and Ruth Pollock are going to one that's in North Royalton I think it's this week one day. I have not personally seen it. I've only heard about the program through different flyers and different things that have been presented to me, but I understand that it's all about making parents aware of the surroundings that their children are in and to look for indicators.

MR. HALAN: OK. I will try to attend, but I was questioning if a parent can avail the services of the police dog in the near future? Can he invite the police to come in with their dog?

POLICE CHIEF ROBERT SACKETT: It's not quite as simple as that. If a parent has suspicions and wants police assistance we'll certainly go into the house like we've always done. Depending on the circumstances (and there are some legal circumstances involved) and what the officer sees, what he hears, you know, from the parent it's possible yes, that we could use the dog in that case, but it wouldn't be as simple as a parent calling and saying can you come out every Wednesday and check my kid's room? Could it happen? Yes, it could happen.

MR. HALAN: All right. Thank you.

POLICE CHIEF ROBERT SACKETT: You're welcome.

PRESIDENT MARINCIC: Thank you. Any other residents wishing to speak tonight? Any others? There being none we will move on to Miscellaneous Business from Council beginning with Clmn Glenn.

MISCELLANEOUS BUSINESS:

CLMN GLENN: I'd like to make a comment on our Block Watch. We had a good turnout. We had the police dogs there. We raffled off a TV. A resident of Ward 7 won the TV.

Also I'd like to mention Crudele Park is now all lit up. It's a good place to go sled riding now that the new library is being built you kids don't have no place to sled ride. They have a good opportunity to go down to Crudele Park and sled ride. Therein ends my report, Madame.

PRESIDENT MARINCIC: Thank you. Clmn Nenadovich.

CLMN NENADOVICH: Ward 3 has their Block Watch this Thursday at 6:30 at the VFW on Turney Road. Our guest speaker will be Denise Romano from the Board of Health. Everybody is invited from the other Wards, of course.

Tim, good job on the snow. Even though you woke me up at two I was glad to hear you. Grateful noise. Thank you.

The Vets as always 3,871 as of today. That's how many men and women and have lost their lives in this conflict that we're going through. It hit home today because we just lost a Vet from the Korean War, my uncle. He passed away. And, at that I want to wish everybody a Happy Valentine's Day. With that, thank you.

PRESIDENT MARINCIC: Thank you. Clmn Dudley.

CLMN DUDLEY: I want to set my clock. First of all, I want to wish everybody a Happy Valentine's Day coming up and remind everybody that everyone in the city is welcome to our 7th Annual Black History Program which will be at 13455 Dressler Road and I want to thank Pastor Charles and Dr. Lytle who allowed us to give this program there. For the last four years or so they done had it and it was three years prior to that.

I would like to see maybe in the future that we hold a Cultural Heritage Program maybe once a year in the city. We have different nationalities here and if we had a program where everybody come up—the German or Polish descendants and you have your heritage dance, you have your food, etc. and that would be great to put it together. That is what I would like to see. It holds the children to each other's heritage. It's important that they learn that at an early age--a better age.

I also encourage people, like I said, if you got kids you should really let them try to watch some of these movies that only air at certain times of the year. I let my kids watch "Roots" when they was little. I really thought it was important. I tell the neighbors some times let your children watch it. You really got to look at that movie and then you can understand a little about what went on and how we came from that point to where we are today. I think they have a better understanding of each other.

Another thing I like to mention to people, you have to be able to distinguish the difference between combative individuals and individuals who are fighting for what they believe in. Me, myself, I like peace. I just have a problem sometimes when people screw people over in my community and they don't have the privilege of sitting here and getting the word out on how they being messed over. I want to read you something here right quick. On this paper just fast.

"And you heard me say before no new taxes. Once again it's no taxes. So I did say no new taxes for the renewal."

They didn't air that last time. Those were the words of Mr. Sluka and the reason why I'm saying that I don't have a problem with what he said what he but when as Pro Tem of Council when you came on this Council floor and you utilized our podium and you sent your words out through the air from the Council Chamber I had a problem because you wasn't truthful with the people. Like the Plain Dealer said, that was a tax increase. I sat up in the grocery store this weekend and I watched a Senior stealing chicken out the grocery store. You could look at him and tell he was hungry. What he done was he took one of the lower price packs with a already cooked chicken and he was taking it from another one and he was putting it in that to pay the lower price. This man was frail, he was older. We know the Seniors cried about not being able to pay

the rubbish until the rubbish went down and I understood their situation. My problem is now what are they going to do now? If you are a renter your landlord's going to pass that cost on to you. I'm just hurt because of the lack of honesty. I have no problem with that. I support the levy but with the way you delivered the message most of all the way you delivered the message from. And it hurt a lot of us. If you are a part of Ward 3 as well as Ward 1 we didn't get a 15 mill. We got a 15 mill plus the devaluation of our property which comes out to be almost 20 mill. Five hundred and something dollars almost tax increase for us. If you in the rest of the city if you're making \$100,000.00 probably what they paying a man (I'm not sure) then you may be OK. But if you're like me and you and your wife and I work two jobs. I work this job and another job and my wife and me we barely grossed over \$47,000.00 in today's economy and my wife that's a lot of money. It's going to hurt a lot of families. A lot of these Seniors are going to suffer. I don't think our food pantry going to be able to handle it. I was just pissed and I'm still pissed because he could have told the truth.

PRESIDENT MARINCIC: Clmn, watch your language, OK?

CLMN DUDLEY: OK. Mme Chairman, I understand, but I did hear somebody using the word from Council and they wasn't told to watch their language and it were done before. All right I apologize for that, but do it across the table and just like now I want that to be fair for people that was wronged. We were misled. We were used. I ain't going to have no problem with anybody on that school levy. Don't touch it. But on that tax issue I have a problem if somebody want to take it back. I'm hurting. A lot of the people in my community are hurting. Maybe nobody else want to open their mouths about it, but I don't think the residents deserved that. It was absolutely wrong. It was misleading. The only reason I'm saying that to my colleagues is because it was done from our Chambers and it's in black and white. He said no new tax and there was a tax and I thank you all for that. That's all, Mme. Chairman.

PRESIDENT MARINCIC: I would just like to ask the Mayor. I got an annual report from my fire department and am I going to get them from any other departments?

MAYOR VIC COLLOVA: Mme Chair, you can get a report from any department you want. All you need to do is ask.

PRESIDENT MARINCIC: In the past I've gotten them from the Building and Police Departments. I just wanted to know if you're expecting them from them as well?

MAYOR VIC COLLOVA: I haven't directed that to send it out to Council, but I'm sure if Council would request it they'd be more than happy.

RESIDENT MARINCIC: I would sure like one. Thank you very much. Also regarding Dunkin' Donuts. I think once it goes up we're never going to see Clmn Suster again because he's a Dunkin' Donut addict.

Finally I'd like to wish everybody a Happy Valentine's Day. That's all I have. Moving on to Clmn Suster.

CLMN SUSTER: Mayor, I don't know whether we can do anything about it. I know there was some money that was set aside for it, but I see more and more people walking down Antenucci Blvd. I don't know whether we can have those sidewalks put in that were talked about a while back? It was part of some money that was given by Dennis Kucinich?

MAYOR VIC COLLOVA: Actually, Clmn, there was close to a million dollars. Nine hundred some thousand dollars I believe that was set aside through the Federal grant money and it was for some kind of construction along 98th Street. It hasn't been exactly put into place what was going to be done but that has been talked about. We talked about that actually with the Boyas people and our own people and at this time there hasn't been a decision made. It certainly would be a good idea.

CLMN SUSTER: I think if sidewalks were to be put on Antenucci Blvd. they basically would have to be on the North side of the street versus the South side because there isn't enough room over there.

MAYOR VIC COLLOVA: We'll certainly have Dave Krock do his job on that one.

CLMN SUSTER: All right. Also you heard this evening about the water main break on Turney Road. I called Tim Saturday night. As much as I hate to bother him on a Saturday night, probably within 20 minutes there was a salt truck over there salting it down which I appreciate. That took care of the gentleman that had called and complained about it.

We had an Audit Committee Meeting the last week and I would like to thank Mr. Nenadovich, Mr. Vaughn, myself, Mr. Glenn and Mr. Williams for attending. It's a meeting that is requested by the State that we have after we have an audit and what we do is we go over the things that the State had written us up for. We had minor things this year which Ron. Ron as always has a good handle on it and I appreciate that. I want to thank him for that, We also attended the meeting last Monday for the Council that was from the State and I was glad to hear the Mayor read a letter that he had written to the people in Columbus about taking us out of fiscal emergency. Although we had the chairman who has already put up legislation (which I don't remember what the number was; somewhere I have got it in my other notes) but she put up legislation also to take us out of fiscal emergency, so we should be hearing about that probably within the next few weeks. Here again I wanted to thank Mr. Nenadovich, Nancy Marincic, Mr. Glenn and Mr. Williams for being at that meeting,

Tonight I'd like you people all to keep Lud, the guy that takes care of the building here for us, I guess today somewhere or at the fire station he had a heart attack and he's in Metro. So if you could, remember him as prayers because already he's very concerned about getting back to work and that should be the last thing that should be on his mind.

Last, but not least, you know again I mentioned about the vests for the dogs and I had told you about the lady that offered to pay \$1,500.00 for another one and we had another fine gentleman, Mr. Matt Burke, who came up to me after the meeting and asked me about if we could do a fundraiser--some way of raising money for vests for the dogs--but somehow we're going to get the vests for these dogs so there are a lot of people looking into it and we'll go from there. On that note I would like to take the opportunity to wish everybody a Happy Valentine's Day and see you next month.

PRESIDENT MARINCIC: Thank you. Clwn Mahoney.

CLWN MAHONEY: First of all, I'd like to thank Mrs. Marincic for my lovely scarf and Mr. Mays for the candy. Thank you very much. I'd like to wish everybody Happy Valentine's Day

I have something else I'd like to share with everybody. We have a family at our church. The boy is named Jason Smith and he has had cancer. He had to have his leg removed and right now

he's in rehab and we're trying to do a card drive to Jason and I was hoping that if you guys had the opportunity maybe you could put a card in the mail or drop one off here at the Civic Center and I can pick it up? But his address is Jason Smith, in care of Jimmie and Kathy Smith, 12005 Maple Leaf Drive, Garfield Heights, Ohio 44125. This young man has gone through a lot with cancer and then having his leg removed and now he is in rehab and we're not sure how long he will be there. So please keep Jason in your prayers and that's all I have.

PRESIDENT MARINCIC: What was it?

CLWN MAHONEY: Jason Smith. 12005 Maple Leaf Drive.

PRESIDENT MARINCIC: Wouldn't it be nice if we could flood him with 100 cards?

CLWN MAHONEY: That would be outstanding if we could do that. And on another note, Ron, I want to thank you for everyday filling me in on what's going on and answering all my questions and doing all that stuff. Thank you for that and thank you for finding that error and fixing it.

PRESIDENT MARINCIC: Clmn Suster, you wanted me to come back to you?

CLMN SUSTER: I have an amendment to the names that I mentioned as far as the committee meetings go. Mr. Vaughn also was there.

PRESIDENT MARINCIC: OK. Clmn Vaughn, do you have a report?

CLMN VAUGHN: Yes. First of all, I want to thank Chief Sackett and the K-9 Unit for coming out to our Block Watch. That was probably one of the best Block Watch meetings we've had in a while. Everybody enjoyed it. They want to know when the other ones are coming. They found it very entertaining and useful information. The Block Watch has made a donation of a gift card for whatever the dog needs. Of course I forgot it so I'll drop it off at your office. Use it for whatever the dog needs.

I've had a couple calls this past week about Seniors who are getting scam telephone calls asking for, you know, if they've won money but you need \$200.00 to process this, can you go to Wal-Mart and buy this pay card and send it to us so that we can process it for \$200.00 to \$400.00. Please people, if you get calls like this please call the police department or the FBI immediately. It's a scam and do not fall for it. You'll just be out \$200.00 to \$400.00 so I've had two residents in the past week call me about that.

We will be having our next Block Watch on Thursday, February 28th at 7 o'clock in the Augustine Room at St. Monica's and our speaker this week will be the people from Planet Fitness telling us about their new business in Garfield Heights in Ward 7 and we ask everyone to come on up.

I also met today with the people at Cheerios. It's a restaurant that is moving into the old Ponderosa. It's Southern style cooking and we look forward to that opening in the next few weeks also. I want to thank everybody for their birthday wishes. I appreciate it. That's all I have, Mme Chairman.

PRESIDENT MARINCIC: Before you make a motion to adjourn, at one of my Block Watches about a year ago a resident got up and was talking about phone calls you get to your house and you're not supposed to get these phone calls anymore but they're still doing it. They're breaking

the law. He said I can't stop them but what I do, especially to Rachel from Card Services, I keep a whistle and when they pick it up I hold on I say yes I want to talk to the attendant and I blow that whistle as loud as I can on the phone. Darn it, I started doing it too. It's fun. Keep a whistle by that phone. It's your small way of getting revenge. You want to make a motion to adjourn?

CLMN DUDLEY: Mme Chairman, first of all, my apology to you. You had the right to hit your gavel. I was in the wrong and if anybody else was offended by any word I chose I meant what I said but if one word in our language hurt anybody and then I gave you an apology for that, but I still stand for my apology to you because your job is to keep this meeting under control. All right? You do a good job, Nancy.

PRESIDENT MARINCIC: Thank you.

CLMN VAUGHN: Mme. Chairman, motion to adjourn.

PRESIDENT MARINCIC: All in favor say Aye. All opposed. Meeting adjourned.

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

MEETING ADJOURNED AT 8:00 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Nancy Marincic
President of Council

Barbara Molin
Clerk of Council