

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, November 14, 2016

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

INVOCATION BY: Councilman Matt Burke

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

EXCUSED: Vaughn

CLMN BURKE: Mr. President, I would like to make a motion to excuse Clmn Vaughn this evening.

PRESIDENT SUSTER: On the motion made by Clmn Burke to excuse Clmn Vaughn this evening, all those in favor signify by saying Yea. All opposed?

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

ABSENT: Vaughn

Clmn Vaughn is excused with six Yes votes.

WRITTEN COMMUNICATIONS TO COUNCIL: None.

READING AND DISPOSAL OF MINUTES:

CLMN BURKE: Mr. Chairman, I would like to make a motion that we accept the Minutes of the Regular Meeting of Council for the City of Garfield Heights for Monday, October 24, 2016 as written.

PRESIDENT SUSTER: On the motion made by Clmn Burke to accept the Minutes of October 24, 2016 as written, all those in favor signify by saying Yea. All opposed?

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

ABSENT: Vaughn

That passes with six Yes votes.

LEGISLATION OUT OF COMMITTEE: None.

REPORTS OF THE MAYOR AND DIRECTORS:

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

MAYOR VIC COLLOVA: Yes, Mr. Chairman. Thank you. First off, I wanted to talk about NOPEC (which stands for the North East Ohio Public Energy Council) has reached an agreement with a new energy supplier. Many of our residents belong to NOPEC so any resident

belonging to NOPEC will be receiving information regarding that new agreement. If you have any other questions, please check the city's Website. We're keeping everybody updated on the Website. That will be taking place very shortly. January 1st starts that new agreement.

Second, I wanted to say that Cllm Tom Vaughn asked me to mention that there will be free turkey dinners given out at Thanksgiving at St. Monica's Church. For more information, please call St. Monica's rectory for details.

The other thing I wanted to talk about a little is, as you notice, there is sewer work going on on Turney Road. The sewer work is in preparation for the repaving project that is taking place next spring. I know it's causing some traffic problems, but it's something that's very positive. When that is complete, they will start the repaving. That's something we've been waiting for for a long time--to get Turney Road paved.

Well, the circus finally ended. The Presidential campaign is over. Finally, we have a new President-Elect. You know, whether or not he's our favorite President or whether or not he was our choice, he is the guy. He is the President and we have to give him a chance. I know in the city of Garfield Heights we're hoping that some of the decisions that he makes for the country will certainly help us and we certainly hope that he will make a difference.

Last, I want to say Happy Thanksgiving to everybody. This is the last meeting before Thanksgiving so I certainly want to wish everybody a Happy Thanksgiving.

On tonight's legislation. Ordinance 54. We are applying for a grant to cover the cost of body cameras for our Police Department. Ordinance 55. This is legislation regarding part of the rock scaling project that will be taking place this spring. If you have any questions, Dave Krock would be glad to answer. Ordinance 56 allows us to sell or auction the city-owned property that is no longer being used. We do this just about yearly. Ordinance 57 allows us to apply for a firefighter's grant to purchase new safety equipment. It's something else that we do on a yearly basis. Ordinance 58 authorizes us to enter into a three-year agreement with our Engineer, that's OHM, and of course, that's Dave Krock. They have done an outstanding job for the city of Garfield Heights at the lowest possible rates. We certainly appreciate it and I urge Council to pass that tonight.

Resolution 25. This was a new program put into effect last year to protect volunteer police and their families in the case of a disability or death. The city has to appoint two representatives. We are re-appointing Cllm Joe LaMalfa and Cllm Mike Nenadovich as our representatives. Mr. Chairman, with that, you have my report.

PRESIDENT SUSTER: Thank you, Mayor. Does anybody have any questions of the Mayor on his report? Does anybody have any questions of the Mayor on his report? There being none, we will move on to Law Director, Tim Riley. Tim, do you have a report for us this evening?

LAW DIRECTOR TIM RILEY: Mr. President, no report tonight.

PRESIDENT SUSTER: Thank you.

POLICE CHIEF ROBERT BYRNE: Absent.

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

SERVICE DEPARTMENT DIRECTOR TIM McLAUGHLIN: Yes, I do. Thank you, Mr. President. We are starting through the city a second time on leaves. Started back in Ward 1 today. Hopefully we will get a big bulk of them this time on the way through. A lot of people raked while it was nice over the weekend, but again I ask them to rake them on to the tree lawn, not into the street because it causes problems. We will continue to go through till we get them all.

I'd also like to talk about Resolution 24-2016 honoring Turney Auto Parts. Ed has taken care of the city for a long, long time. As a vendor he's gone out of his way to help us out many times storing/stocking products that we need. You know sometimes we need stuff that we stock ourselves but if we'd run out, he always seems to have the product for us. His employees are very nice. They deliver stuff to us right away. They are very professional. He's been a great vendor to deal with. I wish Ed continued luck. That's all I have.

PARKS AND RECREATION DIRECTOR BOB DOBIES: Absent.

PRESIDENT SUSTER: All right. Are there any questions of Tim on his report? There being none we will move on to Barb Biro. Do you have a report for us this evening?

FINANCE DIRECTOR BARBARA BIRO: Thank you, Mr. President. I do. We are encouraging Council to pass Ordinance 56, which is the sale of municipal property that is no longer deemed usable for the city. The vehicles will be sold through govdeals.com. Shortly there will be a notice in the Neighborhood News along with the city's Website with the govdeals.com Website. As the vehicles get posted they usually last on the Website for seven . ten days. Their minimum price in reserved prices will be listed on the Website per each vehicle. That's all I have.

PRESIDENT SUSTER: Thank you. Are there any questions of Barb on her report? There being none we'd move on to City Engineer, Dave Krock. Dave, do you have a report for us this evening?

CITY ENGINEER DAVID KROCK: Yes, thank you, Council President. I just want to report a couple of construction projects finishing up. First, the lower portion of Turney Road paving should be done in the next week or two. And on East 135th in Ward 1 we are two or three weeks out and things are moving along there. Then we have a new one starting. That's the multi-street Phase 2 project, which is waterlines and a paving. That will actually get started here in early December. The last couple years we've had some of this waterline work in the winter. Contractors do like doing that kind of work in the winter so we will be paving that in the spring. That's my report.

PRESIDENT SUSTER: Are there any questions of Mr. Krock on his report?

CLMN NENADOVICH: Mr. Krock, the waterline replacement. What streets will that be taking effect in?

CITY ENGINEER DAVID KROCK: That's going to be Greenvue, Runnymede, East 117th and East 132nd.

CLMN NENADOVICH: Thank you, Dave.

SOCIAL SERVICES DIRECTOR KATHY RUSH-PARSSONS: Absent.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Absent.

BUILDING COMMISSIONER BILL WERVEY: Absent.

PRESIDENT SUSTER: Are there any other questions of Mr. Krock in his report? There being none, that concludes the Mayor's and Directors' reports.

CLMN BURKE: Mr. Chairman, at this time in view of Mr. Wigdalski not being here tonight I would like to make a motion that we take Resolution 24-2106 and place it in the Legislative Committee until the next meeting.

PRESIDENT SUSTER: On the motion made by Mr. Burke to place Resolution 24-2016 in the Legislative Committee until the next meeting, all those in favor signify by saying Yea. All opposed?

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

ABSENT: Vaughn

That passes with six Yes votes.

COMMENTS BY CITIZENS ON THE AGENDA:

PRESIDENT SUSTER: Next, we do Comments by Citizens on tonight's agenda. Do we have anyone in the audience that would like to comment on tonight's agenda? Do we have anyone in the audience tonight that would like to comment on tonight's agenda?

COMMITTEE REPORTS:

PRESIDENT SUSTER: There being none, we do Committee Reports. Do we have any committee reports this evening?

ORDINANCES AND RESOLUTIONS:

PRESIDENT SUSTER: There being none, we move on to Ordinances and Resolutions, beginning with Ordinance 54-2016. Would the Clerk please read the title?

ORDINANCE NO. 54-2016

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND CHIEF OF POLICE, TO DO ALL THINGS NECESSARY TO APPLY FOR AND ACCEPT, A DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FOR THE PURCHASE OF A MULTI-USER BODY WORN CAMERA SYSTEM FOR THE GARFIELD HEIGHTS POLICE DEPARTMENT.

Moved by NENADOVICH to CONSIDER BY TITLE:

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

ABSENT: Vaughn

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Vaughn

Motion to WAIVE RULE 24:

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

ABSENT: Vaughn

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

VOTE ON ADOPTION:

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

ABSENT: Vaughn

PRESIDENT SUSTER: Ordinance 54-2016 passes with 6 Yes votes.

ORDINANCE NO. 55-2016

AN EMERGENCY ORDINANCE AMENDING ORDINANCE 16-2013 AND AUTHORIZING THE MAYOR OF THE CITY OF GARFIELD HEIGHTS TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PURPOSE OF MITIGATING THE SAFETY HAZARD OF FALLING DEBRIS ON GRANGER ROAD.

Moved by DUDLEY to CONSIDER BY TITLE:

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

ABSENT: Vaughn

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Vaughn

Motion to WAIVE RULE 24:

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

ABSENT: Vaughn

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

VOTE ON ADOPTION:

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

ABSENT: Vaughn

PRESIDENT SUSTER: Ordinance 55-2016 passes with 6 Yes votes.

ORDINANCE NO. 56-2016

AN EMERGENCY ORDINANCE AUTHORIZING THE SALE OF MUNICIPALLY OWNED PROPERTY WHICH HAS BEEN DETERMINED TO BE NO LONGER NEEDED FOR MUNICIPAL PURPOSES PURSUANT TO SECTION 129.02 OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS.

Moved by NENADOVICH to CONSIDER BY TITLE:

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

ABSENT: Vaughn

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Vaughn

Motion to WAIVE RULE 24:

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

ABSENT: Vaughn

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

VOTE ON ADOPTION:

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

ABSENT: Vaughn

PRESIDENT SUSTER: Ordinance 56-2016 passes with 6 Yes votes.

ORDINANCE NO. 57-2016

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, OR HIS DESIGNEE, TO MAKE APPLICATION AND ENTER INTO AN AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY§ FY 2016 ASSISTANCE TO FIREFIGHTERS GRANT TO PURCHASE NEW SAFETY EQUIPMENT AND PERSONAL PROTECTIVE EQUIPMENT.

Moved by BURKE to CONSIDER BY TITLE:

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

ABSENT: Vaughn

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Vaughn

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

VOTE ON ADOPTION:

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

ABSENT: Vaughn

PRESIDENT SUSTER: Ordinance 57-2016 passes with 6 Yes votes.

ORDINANCE NO. 58-2016

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHM ADVISORS TO PROVIDE ENGINEERING SERVICES TO THE CITY OF GARFIELD HEIGHTS FOR 2017, 2018 AND 2019.

Moved by NENADOVICH to CONSIDER BY TITLE:

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

ABSENT: Vaughn

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Vaughn

Motion to WAIVE RULE 24:

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

ABSENT: Vaughn

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

VOTE ON ADOPTION:

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

ABSENT: Vaughn

PRESIDENT SUSTER: Ordinance 58-2016 passes with 6 Yes votes.

RESOLUTION NO. 25-2016

AN EMERGENCY RESOLUTION NAMING TWO APPOINTEES TO THE BOARD OF THE VOLUNTEER PEACE OFFICER DEPENDENT FUND 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.

Moved by BURKE to CONSIDER BY TITLE:

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

ABSENT: Vaughn

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Vaughn

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

VOTE ON ADOPTION:

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

ABSENT: Vaughn

PRESIDENT SUSTER: Resolution 25-2016 passes with 6 Yes votes. That concludes all the legislation for this evening's meeting.

MISCELLANEOUS COMMENTS BY CITIZENS

PRESIDENT SUSTER: We will now 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 that would like to speak on the comments by citizens? Is there anyone that would like to speak on the comments by citizens?

MISCELLANEOUS BUSINESS:

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

CLMN BURKE: Thank you, Mr. President. I do want to make a announcement for Clmn Vaughn. He wanted me to mention that his Ward 7 Block Watch is this Thursday at St. Monica's St. Augustine Room at 7:00 p.m.

I would also like to make mention that if you can't make it to his Block Watch on Thursday, I am having a Community Awareness Meeting on Monday at 7:00 p.m. right here at the Civic Center. There will be some pizza that's provided by Clmn LaMalfa and we will have some festive refreshments and stuff for the holiday.

Other than that, I just want to wish everybody a Happy Thanksgiving. That's all I have tonight.

PRESIDENT SUSTER: Clmn Dudley.

CLMN DUDLEY: I'd just like to wish everybody a Happy Thanksgiving. Take that time to enjoy your families and your loved ones. Most important, be safe out there. If you are traveling out of town, make sure that you travel in a safe way because you know some people like to drink and drive. Other than that, I wish everybody a safe and Happy Thanksgiving. Thank you, Mr. Chairman.

PRESIDENT SUSTER: Mr. LaMalfa.

CLMN LAMALFA: I have one question about Ordinance 56 for the Mayor. When you say sale that means they give us money. We don't give them money to take the stuff away do they?

MAYOR VIC COLLOVA: Some of the equipment we might have to give them money.

CLMN LAMALFA: That's all I have. Happy Thanksgiving, everybody.

PRESIDENT SUSTER: Mr. Nenadovich.

CLMN NENADOVICH: Happy Thanksgiving, everybody.

PRESIDENT SUSTER: Clmn Glenn.

CLMN GLENN: Thank you, Mr. President. Happy Thanksgiving, everybody.

PRESIDENT SUSTER: Thank you. Is that it? On behalf of my family I'd like to wish Council, the Mayor and his staff a Happy Thanksgiving.

CLMN BURKE: Mr. Chairman, I would like to make a motion that we adjourn, but before I do so, I want to remind everybody that our next Council Meeting will be November 28th right here at the Civic Center.

PRESIDENT SUSTER: Thank you. Would you want to make a motion to adjourn?

CLMN BURKE: Yes. I would like to make a motion that we adjourn.

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

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

ABSENT: Vaughn

MEETING ADJOURNED AT 7:20 p.m.

APPROVED:

Joseph Suster, President of Council

RESPECTFULLY SUBMITTED:

Barbara Molin, Clerk of Council