

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Tuesday, November 13, 2018

MEETING CALLED TO ORDER AT 7:00 p.m. by Council President Matt Burke.

INVOCATION BY: Council President Matt Burke

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

EXCUSED: Suster

CLMN VAUGHN: Mr. Chairman.

PRESIDENT BURKE: Mr. Vaughn.

CLMN VAUGHN: Mr. Chairman, at this time, I'd like to excuse Clmn Suster from tonight's proceedings.

PRESIDENT SUSTER: On the motion made by Clmn Vaughn to excuse Clmn Suster from tonight's meeting, all in favor signify by saying Yea. Any opposed?

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

ABSENT: Suster

Mr. Suster has been excused from tonight's Council Meeting.

READING AND DISPOSAL OF MINUTES:

PRESIDENT BURKE: Reading and Disposal of the Minutes of the Regular Meeting of Council for Monday, October 22, 2018.

CLMN NENADOVICH: Mr. Chairman.

PRESIDENT BURKE: Mr. Nenadovich.

CLMN NENADOVICH: I make a motion that we accept the Regular Minutes of the Council Meeting from Monday, October 22, 2018 as submitted.

PRESIDENT BURKE: On the motion made by Clmn Nenadovich to accept the Minutes of the Regular Meeting of Council for the city of Garfield Heights Monday, October 22, 2018, as written, all in favor signify by saying Yea. Any opposed?

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

ABSENT: Suster

The meeting Minutes are passed.

WRITTEN COMMUNICATIONS TO COUNCIL: None.

COMMITTEE REPORTS: None.

REPORTS OF THE MAYOR AND DIRECTORS:

PRESIDENT BURKE: We will move on to the Reports of the Mayor and his Directors. Mayor, do you have a report for us this evening?

MAYOR VIC COLLOVA: Thank you, Mr. Chairman, yes, I do. First, before I get started with my report, best wishes to be sent out to Clmn Joe Suster. Joe had a pretty tragic fall in his driveway and actually broke his pelvis, which is a serious injury. It takes some recovery time, but I wanted to make sure that Joe knew that the well wishes were coming out from Council. If anybody from Joe's Ward needs to get in touch, contact the Mayor's office and we will give you to a Councilman to take care of your problems. So thank you for that. We wish Joe a speedy recovery. We wish him well.

I received some notifications today I want to share with you. We received a notification from a group called. Let me read it.

The City Council of Garfield Heights, Ohio

Dear Friends,

The Cin-Day Lucky Dawgs is a Cleveland Browns Fan Club located in Mason, Ohio, just north of Cincinnati. Our purpose is to actively support and positively promote the Cleveland Browns. As in the above quote, our members obviously have a past history, origin and culture aligned with the Cleveland/Northeast Ohio area and its many wonderful cities, villages and suburbs.

To that end, each week during the game, we select a city or suburb from the greater Cleveland/Northeast Ohio area as our "Suburb of the Week".

This week we are proud to recognize the city of Garfield Heights, Ohio. Please accept this proclamation as this week's Suburb of the Week.

Thank you.
Cin-Day+

They are going to pass the proclamation down. They did a very nice job. You will have an opportunity to take a look at that. I thank them for that.

Next, we have a notification from the Garfield Heights Library.

Greetings,

Recently, some Garfield Heights residents have expressed concern about students' behavior and noise levels in the library after school. We appreciate their concerns and understand that, as a public institution, we must balance the needs of all our customers. Our goal is for everyone who walks through our doors to have an enjoyable experience.

We also recognized that the Garfield Heights Branch is a popular destination and safe haven for students during out of school time. On any given weekday after the school bell

rings, you will likely find dozens of students studying, playing video games and hanging out with friends. The atmosphere can sometimes be lively, but our staff does an excellent job of harnessing students' energy and engaging them in productive activities, including:

The after school Homework Centers program, which provides free homework assistance for students in Grades K . 8

The Kids Café after school feeding program, which provides students ages 18 and under with free, nutritious meals

Our audio and visual recording studios and Innovation Center where students learn 21st century skills to explore their creativity

A variety of free community-based learning programs for students of all ages.

Enjoying our dedicated children's and teen spaces, which offer age appropriate collections of books and movies.

When you visit the Garfield Heights Branch, particularly after school, you can expect a vibrant atmosphere where students are welcomed and engaged. Please know, however, that we do not tolerate student misbehavior. Our staff and after school monitors are proactive about addressing inappropriate behavior and will take action, including asking a student to leave the building, if necessary. The regular hum of conversation is acceptable within our branch, but we do take action when volumes become excessive.

Student activity is the highest after school lets out. Morning, early afternoon and after dinner are generally less active.

If you have any questions, please contact me.+

That's Lane Edwards, Manager of the Cuyahoga County Public Library.

This is a different type of library. These are not the libraries that some of us elders remember where you go in and everybody says shhhh read the book. It's a little different now. They have a lot of activities now and a lot of things that make it almost impossible to be that quiet. So I want to thank Lane for that.

Next, again I want to talk a little bit about the meeting that's being held tomorrow right here at the Civic Center from 5:30 . 7:30 p.m. It's the Property Tax concerns. This is going to be held right here at the city hall. Free parking. You can register on-site or in advance for priority placement. This is if you have any concerns about your taxes. Anything at all. Or if you're having problems paying taxes. If you're getting behind on taxes this is the meeting to come to. They will give you all the information and help you as much as they can. Again, that's tomorrow right here from 5:30 . 7:30 p.m.

Next, it's hard to believe it's coming up already, but we have

the Garfield Heights Lighting Ceremony Sunday November 25th right here at the Civic Center beginning at 5:00 p.m. Singers Club of Cleveland will perform inside Civic Center at 5:00 p.m. Outdoor lighting ceremony and caroling at 5:30 p.m. Greet Santa Claus as

he arrives on a fire truck at the conclusion of the lighting ceremony. After lighting, return indoors for photos with Santa, refreshments and more music from the Singers Club of Skateway and then we will have Skate with Santa at the Rec Center again, Sunday November 25th.+

This is really a great event. I would encourage everybody to come to this.

The next notification I have. It is called:

~~%~~Let Your Light Shine Talent Show. This is Ohio's most exciting entertaining and welcoming talent show. St. Monica Parish grounds, 13623 Rockside Road, Garfield Heights. First place is \$1,000.00. Second place is \$350.00, Third place is \$150.00. Judging done by guest judges and audience- both. All family. friendly acts are welcome to perform. Talent show performance is held Sunday, January 27, 2019 and Sunday, February 3, 2019. Then the finals will be held on Sunday, February 24, 2019. To obtain a registration form call St. Monica's Parish office to have one mailed to you at (216) 662-8685.+

Next, I want to talk a little bit about a program that I'm really interested in. A little bit later, you're going to hear from the gentleman himself. We have been talking a lot about the rubbish cans leaving them out. We put that new program in ticketing people after the first warning. We've received many calls about people for whatever reason saying they can't get their cans in and out. We have a group that has a program called Trashmeout Company. For a very reasonable price they will come and take your rubbish out, bring it back in, clean your cans out. There's quite a bit of things they're going to do. They will be up to talk to us a little bit later. If anybody wants any flyers, I have them up here. For those people that are having trouble, they're not healthy enough to bring their rubbish cans out or they have a second job, this is something they can do and keep in compliance with our laws.

Next, I want to congratulate the Garfield Heights Bulldogs on a fabulous season. Unfortunately, their season came to an end last week against an unbelievably outstanding team of Hoban. Garfield played as tough as you can play. I don't ever remember anybody giving at least a first half fight to Hoban all year long as Garfield did. I'm so proud of those guys I can't believe it. What a great job. They did this year what's never been done in Garfield history before. They won a playoff game. Never been done in the history of Garfield Heights High School. We give them all the credit in the world.

With that, on a sad note, the city lost a very special resident last week- Patty Gallagher. She was a long-time city resident, a long-time activist of the city. She partook in almost all of the city's functions. I could go on and on about all the things that Patty did for the city. She was just an amazing gal. Most of all she was a great friend to my family and to the city and to everyone sitting up here. She passed away last week from cancer. She will be sorely missed. Our regrets go out to her family.

With that said, I will get into tonight's legislation. Ordinance 82. This ordinance is about our Finance Director. Let me explain this a little bit. A few years ago, everybody remembers that Garfield Heights was in fiscal emergency. When we were in fiscal emergency, I want to tell you what. It was unbelievable. We didn't have enough money in the city to go to Ace Hardware or to go to a local store and get credit because they wouldn't give us credit we were that far in debt. It was terrible. We had to count on people helping us. Mayor Jack Bacci from Cuyahoga Heights, their Council and their residents helped us in every way they could. We got a couple pick up

trucks that we would not have been able to afford for a dollar. They did that to us because they knew what kind of trouble we were in and we appreciated it. We came out of that fiscal emergency with shining colors. I don't forget where we were nor the way it was.

Maple Heights is now in fiscal emergency and I want to do everything I can to return the favor that Cuyahoga Heights did to us. So I talked with the Maple Heights Mayor. I talked with our Finance Director, Barb Biro, and we are looking at sharing Barb with Maple Heights. Maple Heights will pick up all the expenses as she is used over there because they just can't find somebody that has the experience to get out of fiscal emergency. I know we had a meeting about this and I talked to you guys about it.

I want to tell you the funny thing was I never talked to anybody else from the County or anybody else. Just you guys, Maple Heights and that was it. This morning I received this e-mail from the Mayors and Managers. I want to read it to you.

Good morning:

It had been brought up at the last few events that many big communities are having trouble finding finance directors for their communities. We have scheduled a meeting for Wednesday, December 5th at 2:00 p.m. at the Independence Civic Center to further explore this issue and hope to have an open dialogue for solutions, including the possibility of shared finance directors amongst neighboring communities. We would like to have a good group of Mayors together for this.+

I certainly will go to that. Just to give you an idea. It's not only Garfield Heights and Maple Heights that are looking to do this. These are the same problems all over the community. You can't find experienced finance directors, especially ones that can get into a fiscal emergency situation where you have to report everything to the State so I really would appreciate support for that to help Maple Heights out. In 30 days, if it doesn't work out we can cancel it in 30 days so it's certainly not going to affect Garfield Heights in any way. Barb knows that Garfield Heights does come first. As much as we want to help Maple Heights, we do come first.

The next ordinance, number 83, is entering into a contract with Cuyahoga County to provide health services to this city for the years 2019 and 2020. We do this annually. Ordinance 84. We are leasing 36 police tasers through the use of a grant. Ordinance 85 allows us to enter into a purchasing alliance to enjoy competitive pricing at no cost to the city. Ordinance 86. An ordinance for the purchase of an asphalt container trailer mount for our patching program. I talked a little bit about it at Caucus about keeping the patch hot so it goes into the holes hot. I think it's a big advantage for the city. Ordinance 87 allows us to sell some vehicles that are no longer being used. Ordinance 88 allows us to extend the warranty on the city's phone system. Ordinance 89 is an ordinance to restructure language to allow for small cell structures. If anybody has any questions on those, Mr. Riley is up to date on that. Ordinance 90. Adopting new language regarding dangerous animals. Ordinance 91-2018 allows us to offer tax incentives to a new business that's going to be approximately 130-140 employees into the Garfield Heights area, which will be well appreciated.

Backing up to Ordinance 90, the reason that we're looking to change some of the language and adopt different language about the nuisance, dangerous and vicious animals is because the language that we have in place right now and many of the communities have in place, has been ruled, I believe by the State, as unconstitutional. We have to change it. You can talk to Riley about that. With that, Mr. Chairman, you have my report.

PRESIDENT BURKE: Thank you, Mayor. Does anybody have any questions for Mayor Collova on his report this evening? If there are none, we will move on to our Law Director, Tim Riley. Tim, do you have a report this evening?

LAW DIRECTOR TIM RILEY: No report tonight.

PRESIDENT BURKE: Thank you, Tim. Let's move on to our Fire Chief, Chief Strope, do you have a report this evening?

FIRE CHIEF KENNETH STROPE: No report. Thank you.

PRESIDENT BURKE: We'll move on to our Police Chief. Chief Byrne, do you have a report?

POLICE CHIEF ROBERT BYRNE: Yes, I do, Mr. Chairman. Thank you. First off, I just wanted to ask for City Council's support of Ordinance 84 involving the lease of the police tasers.

In addition, I just wanted to remind everybody that once again we will participate in Shop with a Cop this year. You could purchase tickets for that. They're a dollar apiece or six for \$5.00. You can get them at the Civic Center, the Police Department, the Rec Center, Golden PC, Turney Auto, Garfield Heights City Schools and the Convenient on the Boulevard. We're going to take the kids on the 15th and we'd like to sell as many as we can by December 5th. There will be a drawing on the 20th and the prizes are a big screen TV, an iPad and \$100.00 cash. It's always a good program and we could sure use the support. With that, you have my report.

PRESIDENT BURKE: Thank you, Chief. Does anybody have any questions for Chief Byrne this evening on his report? There are none. We'll move on to our Service Director, Mr. Tim McLaughlin. Tim, do you have a report this evening?

SERVICE DIRECTOR TIMOTHY MCLAUGHLIN: Yes, I do. Thank you. Mr. President. I also urge your support on Ordinance 86 the trailer for the hot patch. Every city has them. We're one of the last few that don't. It makes it last longer when we have it on a dump truck cause a lot of times the edges start getting cold. There's a certain amount of waste to it I would imagine, but we're starting with a small one to see where it fits in with us, but I urge your support on that. We could use it.

Leaves. We started leaves on November 1st with one truck because we were getting complaints. We started eight days later than last year at this time because of the way the things are coming down. I had one truck out today. We had three out. We're on our second time through the city. I ask that the leaves get raked on to the tree lawn- not into the street. We've already had problems with them being raked into the street. There was a water break that washed all the leaves down. Blocked the sewers. On to the street lawn. Not into the sewers. We will get there. We're still going Ward by Ward. Everybody wants a date and time. On average, it takes two weeks to go through the city. Not the day after rubbish because I get those calls because I don't know where that ever came from but it's not possible to pick up leaves the day after and stay current. We will get to it. We usually get through the city three times. Hopefully we're on target to go there. There was a couple nice days. Some people did get out some pretty nice piles. We're working on that.

The rubbish cans. We have given out 644 warnings in four weeks. There's been 43 tickets written. Some Wards are worse than others. Some are picked up where we don't have much.

We had a Ward the other day that only had like 10. We've had other Wards that still have 50/60 out there. I don't know what the answer is. The phone calls I get are kind of nasty. We've looked at other cities. There's one city that you have to have it on the day of your rubbish your can has to be gone by midnight that same day. Here we're taking it as five o'clock. Usually the rubbish is gone from here so till five in the morning is 12 hours. The foreman doesn't start work till seven so he don't get out till quarter after seven. I don't know what the answer is. I think 14/15 hours bring a can 40/50 feet to your back yard, etc. is something that's not too difficult. It doesn't make a lot of people happy. The ones who have gotten the tickets had already called. This is not a problem area, but it is. We're working on it. I think it's reduced some because we were getting 600/week before we put this into effect. I think with time maybe we'll get it down. I know I've read about the trashmeout because it came to my office and my secretary showed it to me. There's an option there. I'd be hearing about it firsthand but I did hear about it before. I understand people have problems, but we have to do something for the general good of everybody. We're working on that.

The last thing is we finished all the water cutouts. There's 103. The ones that we repaired. The invoices we sent in. The Finance Director she was ending them in to bill Cleveland. Anything that breaks down we will secure until the spring when we can start working on them again. With that, you have my report.

PRESIDENT BURKE: Thank you, Tim. Does anybody have any questions for Mr. McLaughlin on his report this evening?

PARKS AND RECREATION DIRECTOR BOB DOBIES: Absent.

PRESIDENT BURKE: OK. I'm pretty sure I did this, but I want to make sure. Chief Strope, did you have a report?

FIRE CHIEF KENNETH STROPE: Yes. I left something out. We did receive an EMS Grant this week from the Ohio Department of Public Safety. We will get two I pads at no cost to the city. We got them this past week. I did leave that out.

PRESIDENT BURKE: Excellent.

FIRE CHIEF KENNETH STROPE: Thank you.

PRESIDENT BURKE: Does anybody have any questions for Chief Strope on his report? All right. We will move on to our Finance Director, Ms. Barb Biro. Barb, do you have a report this evening?

FINANCE DIRECTOR BARB BIRO: Yes, I do, Mr. President. Thank you. This evening we're asking for Council's support on Ordinance 82-2018. We're also asking for your support on Ordinance 83. This is a yearly contract that we enter into for General Health District with Cuyahoga County. They are now going to a two-year agreement instead of a one year. The cost is taken out of our real estate settlements when we receive the settlements twice a year. We're asking for your support on Ordinance 85. It's another cooperative purchasing alliance that the city will be using along with the State Purchasing and several other alliances that we have gone into in order to receive the best pricing that we can for different products that are used throughout the city. We're asking for support on Ordinance 87-2018. The city will be putting up on gov.deals a Dodge Charger, a Ford Crown Vic and an ambulance. Look within the next two

weeks. There should be a legal notice in the Neighborhood News and the cars will be put up on gov.deals.

On behalf of our MIS or IT Department, we are asking for support on Ordinance 88 to extend our warranty on our phone system. Our phone system was purchased while we were in fiscal emergency on a five-year lease. The warranty has now come up and it will assist us in maintaining our phone system and make sure that it is working properly. We also use them when our phone system goes down. With that, you have my report, Mr. President.

PRESIDENT BURKE: Thank you, Barb. Does anybody have any questions for Ms. Biro on her report this evening? If not, we will move on to our Social Services Director, Kathy Rush-Parsson. Kathy, do you have a report this evening?

CITY ENGINEER DAVID KROCK: Absent.

SOCIAL SERVICES DIRECTOR KATHY RUSH-PARSSON: Thank you, Mr. Burke. I do not.

PRESIDENT BURKE: Thank you. Let's move on because I don't see Noreen there. She's usually hiding behind Mark. Let's move on to our Building Commissioner, Mark Moro. Mark, do you have a report this evening?

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Absent.

BUILDING COMMISSIONER MARK MORO: No report this evening.

PRESIDENT BURKE: Let's move on now to the communications from citizens on tonight's agenda. Will the Clerk please read the rules?

COMMENTS BY CITIZENS ON THE AGENDA:

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 BURKE: Is there anyone out there wishing to speak on tonight's agenda? Is there any resident wishing to speak on tonight's agenda? If there are none, we will move on to our Ordinances and Resolutions.

ORDINANCES AND RESOLUTIONS:

ORDINANCE NO. 79-2018

AN EMERGENCY ORDINANCE ENACTING CHAPTER 909 ENTITLED "USE OF PUBLIC WAYS FOR SMALL CELL WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES" OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS.

PRESIDENT BURKE: I'd like to make a motion that we withdraw it from tonight's agenda. All in favor say Yea. Any opposed?

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

ABSENT: Suster

PRESIDENT BURKE: Ordinance 79-2018 has been withdrawn from tonight's agenda.

ORDINANCE NO. 82-2018

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH THE CITY OF MAPLE HEIGHTS AND BARBARA BIRO TO ALLOW MS. BIRO TO ACT AS THE ACTING FINANCE DIRECTOR FOR THE CITY OF MAPLE HEIGHTS

Moved by NENADOVICH to CONSIDER BY TITLE:

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

ABSENT: Suster

Motion to WAIVE RULE 24:

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

ABSENT: Suster

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Suster

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

VOTE ON ADOPTION:

CLMN NENADOVICH: Before I vote, I'd like to commend the Mayor on being the first one of the cities to help in giving aid in such a matter and giving along with the letter you read to Council tonight. Talking about giving back, like you say, we'd be the leaders in something like this. With that, I vote Yes.

CLMN GLENN: Before I vote, this city of Garfield Heights went through a bankruptcy so I know the plight of Maple Heights. There is a great need to have help for Maple Heights, but as a Councilman of Garfield Heights here, one of my duties is the checkbook. We have to have a vigilant accounting full time treasurer for this city. Saying that there, I would like to see Maple Heights get some help from Garfield Heights. Not necessarily the Finance Director, but an associate of that department. It would only be one telephone call away from reaching Barb. Before I vote, I do want to say I do understand the plight and the need. Saying that, I'm not against giving them help nor am I for it. So saying that there, I'm going to vote Present.

PRESIDENT BURKE: Before I vote, I would just like to echo what Mr. Nenadovich said. I believe that we have a very incredible resource in Ms. Biro in helping us get out of fiscal emergency and if we can utilize her to help Maple Heights get out. They're our neighbors. They're need our help. I'm obliged to help them and with that, I vote Yes.

CLMN VAUGHN: Before I vote, as long as Barb has no problem with this and business could go on as usual here in Garfield Heights and I feel it's very important that we help out our neighboring communities, I vote Yes.

CLMN DUDLEY: Before I vote, I want to say that I'm the only current Councilman sitting here tonight who was a part of Garfield Heights not when they was working they way into fiscal emergency, but I was elected as the city was already in that debt so I want to make that part clear. I can remember how bad it was. It was a hurtful feeling because here you got elected and you didn't have a dime to do nothing for your community. It was a hurtful feeling. I can understand what Maple Heights is going through and I wished at that time we would have had more people reaching out. We had a pretty good Finance Director at that time so he did work his way out. Barb, I believe, was his assistant at the time. We came through a lot. I watched for that point where we had zero and I done put us to that zero. We make that clear. When I came into a situation where there was no funds available for us to do anything. I watched Ron and

Barb work through that and I say we could help Maple Heights because someday we might need the same thing in a different way for them to come back and help us. I believe we do share things with them currently now but not our finances.

I'm looking forward, Barb, for you to go over there and do what you can do to help them out because I know you're not going to neglect us here. I know if I got to reach you, I'd reach you sometime. That's a joke about that part. You do a great job. I don't think you're going to do anything to hurt us here. I hope that other Council Members feel the same way that you can do what you can do to help them out and bring them around as we are around now. With that, I wish Maple Heights the best in doing anything we can do to help our neighbors out. I vote Yes.

AYES: Nenadovich, Burke, Vaughn, Dudley, LaMalfa

PRESENT: Glenn

ABSENT: Suster

PRESIDENT BURKE: Ordinance 82-2018 passes with 5 Yes votes, 1 Present vote and Mr. Suster is excused tonight.

ORDINANCE NO. 83-2018

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ON BEHALF OF THE CITY OF GARFIELD HEIGHTS WITH THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT TO PROVIDE HEALTH SERVICES TO THIS CITY FOR THE YEARS 2019-2020.

Moved by VAUGHN to CONSIDER BY TITLE:

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

ABSENT: Suster

Motion to WAIVE RULE 24:

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

ABSENT: Suster

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Suster

PRESIDENT BURKE: On its adoption, beginning with Clmn Vaughn.

VOTE ON ADOPTION:

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

ABSENT: Suster

PRESIDENT BURKE: Ordinance 83-2018 passes with 6 Yes votes.

ORDINANCE NO. 84-2018

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A FIVE YEAR AGREEMENT WITH AXON ENTERPRISE, INC. FOR THE LEASE OF THIRTY-SIX (36) POLICE TASERS

Moved by VAUGHN to CONSIDER BY TITLE:

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

ABSENT: Suster

Motion to WAIVE RULE 24:

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

ABSENT: Suster

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Suster

PRESIDENT BURKE: On its adoption, beginning with Clmn Vaughn.

VOTE ON ADOPTION:

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

ABSENT: Suster

PRESIDENT BURKE: Ordinance 84-2018 passes with 6 Yes votes.

ORDINANCE NO. 85-2018

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO REGISTER WITH NATIONAL COOPERATIVE PURCHASING ALLIANCE (~~N~~CPA+) FOR THE PURPOSE OF COOPERATIVE PURCHASING

Moved by NENADOVICH to CONSIDER BY TITLE:

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

ABSENT: Suster

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Suster

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

VOTE ON ADOPTION:

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

ABSENT: Suster

PRESIDENT BURKE: Ordinance 85-2018 passes with 6 Yes votes.

ORDINANCE NO. 86-2018

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH SOUTHEASTERN EQUIPMENT COMPANY INC. FOR THE PURCHASE OF A KM ASPHALT CONTAINER TRAILER MOUNT

Moved by NENADOVICH to CONSIDER BY TITLE:

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

ABSENT: Suster

Motion to WAIVE RULE 24:

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

ABSENT: Suster

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Suster

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

VOTE ON ADOPTION:

CLMN DUDLEY: Before I vote, I want to say that asphalt-containing trailer is something that the city really needs. If you ever worked like I when I worked on ODOT you continue to put that asphalt in back of your trucks and then you turn around and try to put soft and send it out through a auger or something like that, you going to run into some serious problems. It's going to cost you money. At the same time that will keep that asphalt from becoming you're talking low temperature it cools down so quick that it's not filling the holes properly. So this is a good thing that you're doing right here you know to get that then you're going to get a better patching job for streets. With that, I vote Yes.

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

ABSENT: Suster

PRESIDENT BURKE: Ordinance 86-2018 passes with 6 Yes votes.

ORDINANCE NO. 87-2018

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 DUDLEY to CONSIDER BY TITLE:

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

ABSENT: Suster

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Suster

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

VOTE ON ADOPTION:

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

ABSENT: Suster

PRESIDENT BURKE: Ordinance 87-2018 passes with 6 Yes votes.

ORDINANCE NO. 88-2018

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH TELETRONICS, INC. FOR THE PURPOSE OF EXTENDING THE WARRANTY / TECHNICAL SUPPORT ON THE CITY'S SHORETEL PHONE SYSTEM

Moved by NENADOVICH to CONSIDER BY TITLE:

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

ABSENT: Suster

Motion to WAIVE RULE 24:

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

ABSENT: Suster

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Suster

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

VOTE ON ADOPTION:

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

ABSENT: Suster

PRESIDENT BURKE: Ordinance 88-2018 passes with 6 Yes votes.

ORDINANCE NO. 89-2018

AN EMERGENCY ORDINANCE ENACTING CHAPTER 909 ENTITLED %USE OF PUBLIC WAYS FOR SMALL CELL WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES+OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS

Moved by VAUGHN to CONSIDER BY TITLE:

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

ABSENT: Suster

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Suster

PRESIDENT BURKE: On its adoption, beginning with Clmn Vaughn.

VOTE ON ADOPTION:

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

ABSENT: Suster

PRESIDENT BURKE: Ordinance 89-2018 passes with 6 Yes votes.

ORDINANCE NO. 90-2018

AN ORDINANCE AMENDING CHAPTER 505, ANIMALS AND FOWL, OF THE CODIFIED ORDINANCES OF THE CITY OF GARFIELD HEIGHTS AS WELL AS ADOPTING CHAPTER 506, NUISANCE, DANGEROUS, AND VICIOUS ANIMALS

CLMN VAUGHN: At this time, I would like to send this to the Safety Committee so that we can all go over it and have a thorough understanding of what this is all about and be able to make an educated vote on it.

Moved by VAUGHN to PLACE THIS PIECE OF LEGISLATION INTO THE SAFETY COMMITTEE:

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

ABSENT: Suster

PRESIDENT BURKE: Ordinance No. 90-2018 will be placed into the Safety Committee.

CLMN VAUGHN: Thank you.

ORDINANCE NO. 91-2018

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AND EXECUTE A %COMMUNITY REINVESTMENT AREA+ AGREEMENT BETWEEN THE CITY OF GARFIELD HEIGHTS AND ADGA, LLC, AND TRI-COUNTY ELECTRIC SERVICE, INC., FOR THE PURPOSE OF PROVIDING INCENTIVE TO CONSTRUCT AN ADDITION AND RENOVATE THE EXISTING BUILDING.

Moved by NENADOVICH to CONSIDER BY TITLE:

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

ABSENT: Suster

Motion to WAIVE RULE 24:

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

ABSENT: Suster

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Suster

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

VOTE ON ADOPTION:

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

ABSENT: Suster

PRESIDENT BURKE: Ordinance No. 91-2018 passes with 6 Yes votes.

MISCELLANEOUS COMMENTS BY CITIZENS

PRESIDENT BURKE: That concludes tonight's Ordinances and Resolutions. At this time, we will move on to Comments by Citizens. Will 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 BURKE: Is there anyone wishing to make any comments to Council this evening?

Frank Tagliarini, 12404 Darlington Avenue. I have a question for Council and the Mayor. Previously we heard much about the new justice center. We haven't heard much about it in the last several months. I'd like to know if anybody has an update possibly for us?

MAYOR VIC COLLOVA: Mr. Chairman.

PRESIDENT BURKE: Absolutely, Mayor.

MAYOR VIC COLLOVA: Frank, before I get into that I wanted to start off by saying something. When I came into the meeting tonight your group, Garfield Heights United, gave me a brand new pen. I want you to know that I was really impressed. It has to be one of the prettiest pens I've ever seen. I can't believe your group could put something together like this. I am really impressed. If it only wrote, it would have been so nice if there was ink in here, but I thank you for the thought. It is pretty. I'd keep it right here so everybody can see it. Thank you for the thought. Until I get another one.

Frank, thank you for asking that question. Let me explain little bit. It's been sort of a difficult journey and the reason being when we first did this back in spring we started talking about putting together a police station and Court at City View Center, we did everything. We put plans together, we had the police in, the judge, meeting with the architects constantly talking about what they needed, what had to be addressed. They worked on it for months. The key to that whole project was that Giant Eagle, who is the main tenant and only tenant right now but the main tenant, when that shopping center was originally put together they put in their lease agreement then and the owner at that time that they had the right to say No or Yes to any non-retail establishment that would come in. So we knew that was in place. So I contacted Giant Eagle. I talked to one of their main people in their corporate office. They told me that there

would be no problem. They would be glad to do that for a city. Then it was between Giant Eagle and the receiver. Giant Eagle and the receiver then got into a legal battle with their attorneys and to this time, there has been no decision made whether or not they will allow the city of Garfield Heights to go there.

Let me say a couple things. First off, we have since then had a couple other projects, other people coming to us with different locations that we're looking into. But I can honestly say that my number one location is City View and it's for a couple of reasons that we could talk about another time. I could tell you this. That if our final decision is the City View Center and Giant Eagle and the receiver still don't have an agreement, we will go legally and take it by eminent domain. We're not going to fool around. If that's our decision we will do it legally and we'll take it from them. We have a right to do that. So I hope it does not come to that but that's what we're looking at and that's where we stand right now. I'm thinking by the end of the year, we'll know something.

MR. TAGLIARINI: Thank you very much.

PRESIDENT BURKE: Thank you, Sir. Is there anyone else wishing to make any comments?

Rodney Rogers, 16315 Stockbridge, Cleveland. Thank you for having me up here. As the Mayor mentioned earlier, you have a brochure in front of you. My business. My wife's business is trashneout. I was listening to the Service Director and he's saying that he cannot find a reason someone cannot take in their garbage cans, but there is. That is because those garbage cans are heavy. They're big and we're getting into the wintertime too, now. It's hard to get that garbage can on top of that snow. There's slips and falls. That's what my business does- move that garbage can from the back to the front.

The other side of this is that when I get a group of neighbors. Let's say 10 on a street, OK? I hire a kid (an A student) locally to move those garbage cans for that street. The kid is getting paid, the neighbors know the kid, the cans are getting out. That's the core of my business. We're as far as Cincinnati. We've been around for the last three years. Better Business A rating. I'm a former Marine. This is a needed service.

Then there's the disabled. Who's going to get those cans out for the disabled? The professionals out there. We got two families working. The husband and wife are working. They can't afford a fine. My service Seniors \$11.00/month. If you need that couch taken out, that refrigerator taken out, you call me. If you're on my list: one dollar to take the refrigerator out and to take the door off if you're already on my list. We wash cans too. We deodorize them. We take an e-mail picture of our work and send it to you so that you know. Thank you for the presentation.

PRESIDENT BURKE: Thank you, Mr. Rogers.

MAYOR VIC COLLOVA: Thank you.

PRESIDENT BURKE: Mr. Glenn, you have a question?

CLMN GLENN: I have a question for the last speaker. I understand we have a need for your services. My question to you. Who do you bill?

MR. ROGERS: The customer.

CLMN GLENN: The customer. It would be the homeowner?

MR. ROGERS: That's correct.

CLMN GLENN: OK. They have to apply for this?

MR. ROGERS: There's no contract. All you got to do is call. I'll get back to you. You're on a list. Usually within a week service. If you only need it one time, I also do that too. OK?

CLMN GLENN: Understood. Thank you.

MR. ROGERS: You're welcome.

CLMN DUDLEY: Mr. Chairman.

PRESIDENT BURKE: Yes, Mr. Dudley.

CLMN DUDLEY: Mr. Rogers I got one question for you. Mr. Rogers, right?

MR. ROGERS: Yes.

CLMN DUDLEY: I'm Army. You're Marine. I ain't going to hold it against you. Thank you for your service. You said if you have x amount of families on the same street that decide to utilize your service that they may be entitled to a further discount? Would you be able to speak on that?

MR. ROGERS: It's on the brochure. I don't want to take up all the time. So if you got eight families or more, the more people that's part of it, the price reduces. That's the bottom line. The price is reduced. OK? So I got streets in Cincinnati they're only paying \$5.00/month. You can't beat that and the kids are making money. Any other questions? Sure.

CLMN VAUGHN: Your flyer says you're closed on Sunday. So what about the area in town that gets picked up on Monday morning?

MR. ROGERS: We're closed on Sunday in relation to calls. We're working seven days a week.

CLMN VAUGHN: OK. Thank you.

PRESIDENT BURKE: Does anybody else have any other questions? Is there anybody else wishing to make any comments this evening? There are none, we will move on to Miscellaneous Business.

MISCELLANEOUS BUSINESS:

PRESIDENT BURKE: Will the Clerk please read the rules.

CLERK: This involves the business of Council in the legislative function; any other problems should be directly dealt with by the department involved. This area of the agenda shall be limited to legislative business, Ward business, lack of attention toward problems, etc.

PRESIDENT BURKE: Since I had the invocation this evening, I will start off. I just wanted to let everybody know that I do have a Community Awareness Meeting coming up this Monday, November 19th, right here at the Civic Center. I have a representative from CMHA coming to talk about their program and how they operate.

I, too, would like to congratulate the Garfield Heights Bulldogs on their historic football season. I went to the game on Friday night and froze, but I tell you it was well worth it. That team from Akron Hoban--they're three-time defending champions. It was like watching a pro team out there. They were really, really amazing to watch. Our football team battled. That first half they held them to I want to say, only 14 points. They came back and annihilated us the second half, but it was really fun to watch. It was great to see the determination of those kids and the players and how well they actually fought for our city.

Last but not least, I do want to wish everybody a Happy Thanksgiving. It's time to spend with your families. I hope everybody stays safe. Don't eat too much turkey. With that, I like to pass the ball to Clmn Vaughn.

CLMN VAUGHN: Thank you. I, too, want to congratulate the Garfield Bulldogs on an exciting season. It was really great to see something that everybody in this town could get around and really be proud of. Akron Hoban has for the past few years been a dynamite team. Like you said, it was like watching a bunch of professionals out there.

There's been a problem up at the Garfield Commons with trash. I just want to let everybody know that we spoke this afternoon with the management company and the owners in Pittsburgh. It seems that the problem's occurring at night. We have people that are dumping stuff. So they're aware of it. They're going to be working on it and hopefully within the next few days that should be cleaned up.

On another note, this is really bad timing but I want to congratulate the Holy Name girls volleyball team for taking State championship. We had a couple girls from Garfield Heights that were members of that team and I want to wish them congratulations. That's the first time that they have ever taken States.

With that, I want to wish everybody a Happy Thanksgiving. Enjoy your family, your children, your grandchildren and be safe. Thank you.

PRESIDENT BURKE: Mr. Vaughn. Mr. Dudley, do you have anything you want to share with us this evening?

CLMN DUDLEY: Yes, Mr. Chairman. Clmn Vaughn, did you set the date for that Safety Meeting?

CLMN VAUGHN: We're having a little problem right now because of the short week next week, Mike. I would like to really have it either Monday or Tuesday. If we have to we could go into Wednesday, but I know some people might be out of town because of the holiday. I'm hoping by tomorrow sometime to be able to notify everybody because the sooner we get this going the better off we are.

CLMN DUDLEY: I would drive back from Baltimore just to be there. First of all, I want to wish the Bulldogs congratulations. They did go deep and they did go far so congratulations to all of them.

I was asking Clmn Vaughn about a Safety Meeting because it was in reference to an Ordinance 63-2007 in reference to pit bulls. We recently had a pit bull that actually killed a shiatsu (one of them small dogs) up in the Cranwood area. The dog is still on the loose. It's roaming around Ward 1. I took a picture of it. Our animal warden was out there the day I took the picture and he was trying. This dog has been running for so long she knows how to get away. She's nice sized. It's a pretty big pit bull. I'm glad that he's having that meeting because of the rules and the changes and they saying that we can no longer have that because it's a discriminatory law towards a particular breed of animal. I was really concerned with that because every time I address a person about a pit bull in our city and I'm not holding them back on that and I see the dog loose and I go to him and tell him that I saw your dog loose in the area and they say that's not my dog. I just seen the dog in your yard. I just saw the dog chained up and now you don't want the dog no more.

I'm concerned about sometime they are let loose in our city when nobody wants the individual animal. I feel bad for the dog but I am more concerned about the residents. Because if you would kill that dog another dog maybe a little child two years old playing in the front yard might be viewed as a meal or something.

So I am going to post a picture. If you see the dog, call the animal warden. If the dog comes to you in a aggressive manner, then you should contact the police or somebody because she is out there and she's a pretty nice-sized dog.

On top of that I'd like to wish everybody a Happy Thanksgiving and a safe holiday. Soon as I get news on this Safety Meeting I will notify your clubs and organizations in Ward 1 because I definitely believe that you should attend this meeting because I am concerned for your safety as well as the safety of my family also. With that, Mr. Chairman, thank you.

PRESIDENT BURKE: Thank you, Mr. Dudley. Mr. LaMalfa, do you have anything you'd like to share?

CLMN LAMALFA: Not tonight, Mr. President. Thank you

PRESIDENT BURKE: Thank you. Mr. Nenadovich?

CLMN NENADOVICH: Yes, I have a couple things. I'd make it brief. First of all, Happy Thanksgiving everybody.

Thanks to the Bulldogs for a wonderful season. They did a great job.

I apologize I did not make the Veterans ceremony Sunday. I had another commitment. I apologize because I do have a lot of faith in our Vets and our Armed Forces.

Echoing the Mayor, keep Pat Gallagher's family in your prayers. We lost a very, very good friend and citizen. With that, Mr. Chairman, I'd leave.

PRESIDENT BURKE: Thank you, Mr. Nenadovich. Mr. Glenn?

CLMN GLENN: Thank you, Mr. President. I, too, would like to congratulate the football team of Garfield Heights for an outstanding season. Hopefully this will be the base of future records. A little bit more competition.

On the basketball team, Garfield Heights already is recognized as a State power so we are on a good track there represented athletic wise.

I would like to say, because things saying about schools, I am a Cathedral Latin graduate. Very proud alumni of Cathedral Latin. It received a Blue Ribbon Award for academics. The only school in Ohio that received it this year. So I am very proud to say that.

I, too, have a problem with trash at Turneytown. Illegal dumping that has been on the books so to say for a long, long time. There is no settling this issue. We have an owner that in my opinion does not take care of his property the way that I take care of my house. Everybody wants to have a clean neighborhood, clean house, clean trash, clean shopping centers. All for this. With that, I say that is my comments. Thank you.

PRESIDENT BURKE: Thank you, Clmn Glenn. One of the things I want to say as President of City Council is I want to wish Joe Suster a speedy recovery on behalf of Council.

Also, I wanted to remind everybody that tomorrow and Thursday there will be some Budget Committee Meetings here at the Civic Center at 6:00 p.m. both days if anybody would like to attend. Our next Council Meeting will be Monday, November 26th.

With that, I would like to make a motion that we adjourn tonight's meeting. All in favor signify by saying Yea. Any opposed? Meeting adjourned.

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

ABSENT: Suster

MEETING ADJOURNED AT 7:57 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Matthew Burke
President of Council

Barbara Molin
Clerk of Council