

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Monday, September 14, 2020

(Note: This meeting was conducted by teleconference due to the current Covid-19 outbreak.)

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

ROLL CALL: **PRESENT:** Council Members Dudley, Donahue, Nenadovich, Davis, Blake, Burke, Vaughn

READING AND DISPOSAL OF MINUTES:

PRESIDENT BURKE: At this time, I'd like to make a motion that we accept the Regular Meeting Minutes for the Council Meeting for Monday, August 10, 2020 as submitted. Do I have a second?

CLMN VAUGHN: I'll second.

PRESIDENT BURKE: On the motion made by myself and seconded by Clmn Vaughn to accept the Minutes of the Regular Meeting of Council for Monday, August 10, 2020, Barb, would you please take the roll call vote.

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

PRESIDENT BURKE: OK. The Minutes of the Regular Meeting for Council of Monday, August 10, 2020 passes with 7 Yes votes.

WRITTEN COMMUNICATIONS TO COUNCIL:

None.

COMMITTEE REPORTS:

CLMN BLAKE: Mr. Chairman, I have a report from Millette King from the Garfield Heights City School District. It states

“Good evening,

I'm sorry that I am unable to join you this evening. I am currently attending a Garfield Heights City School District Work Session.

We had a great start to our 2020-2021 school year that began on September 9, 2020 for First through Twelfth Grade. Our Kindergartners begin this week. The first nine weeks of the school year will be virtual.

The Garfield Heights City School District will be providing meals for students during the virtual part of the school year. Parents can find the pre-order forms that need to be completed each week to guarantee a meal for your child on the District Website.

Students will be able to participate in fall sports and some co-curricular activities. Social distancing and other Covid-19 precautions will be taken to insure the safety of our students, staff and spectators. Please refer to the District Website for more details.

The next regular School Board Meeting will be held on Monday, September 21, 2020 beginning at 6:00 p.m. The meeting will be streamed live at the You Tube channel and you could e-mail questions to Al Sluka.

Humbly submitted,

Millette King
Garfield Heights City School District Board Member
City Liaison"

That's the end of the correspondence.

PRESIDENT BURKE: Thank you, Mr. Blake. Does anyone else have any Committee Reports? If they are done, we will move on to the report of the Mayor. Mayor, do you have a report for us?

REPORT OF THE MAYOR:

MAYOR VIC COLLOVA: Yes, Mr. Chairman, thank you. I do have a report tonight. First off, I'd like to start off with some notifications that I've received.

There is going to be a Community Testing Program from the Cleveland Clinic. I will read it to you.

"Convenient testing available. Dr. Charles Maudlin of Ohio Minority Strike Force and Dr. Fred Harris of the NAACP and Cleveland Clinic South Pointe Hospital are partnering together with neighboring communities to sponsor Covid-19 testing for adults and children ages two years and up with or without Covid-19 symptoms. Testing will be done on a first come first serve basis. You must pre-register to be tested. Testing is drive through and walk up only. No walk-ins accepted. Please wear a facemask covering. When? Saturday September 19th from 10:00 a.m. to 1:00 p.m. Where? At South Pointe Hospital, 4180 Warrensville Center Road, Entrance Number 2 off of Warrensville Center Road. Register at www.events.clevelandclinic.org or by phone at (216) 491-6153. Registration dates are from 9:00 a.m. to 4:00 p.m. on September 14th, 15th and 16th."

There are many of these community testing sites being available. They are popping up everywhere. They reached out to me and asked me if I would present this at the Council Meeting so I wanted to give everybody that information about Cleveland Clinic.

The next thing is we are having another Hazardous Material Waste Collection Roundup and it is going to be September 14th through the 18th and September 21st through the 25th, 7:30 a.m. to

3:00 p.m. and September 26th 9:00 a.m. till noon. Free document shredding September 26th, 9:00 a.m. till noon. That has been a good project for us. It's great for the residents. I ask you to notify, Council, whatever residents you have to give them that information.

Next, I wanted to talk about some updated streets that are going to be fixed and resurfaced this year. We originally had eight and those were

- ◆ Christine from 131st to 139th
- ◆ All of Parkview
- ◆ East 84th from Reed to the end
- ◆ McCracken from East 88th to East 94th
- ◆ Andover Valley Lane to the cul de sac
- ◆ Chester over to Cumberland
- ◆ Fairlawn from Turney to Bangor
- ◆ Fruitside through Hathaway to Meadowbrook.

In addition to those streets we are now adding

- ◆ the rest of McCracken from East 94th to East 98th
- ◆ Meadowbrook from Fruitside to Turney
- ◆ Shadyway from Hathaway to Meadowbrook.

Our estimates came under budget so we were able to add some streets on. I know that there's going to be some very happy residents with that information.

The next thing I want to talk about is that we are getting inundated with shots being fired in this city. I know everybody loves to carry a gun today. That seems to be the fashionable thing to do. But many of you have even gone as far as shooting them off. Almost every night I'm getting a report from somebody that there was shots fired somewhere and in most cases I'm sure it's people shooting off into the air. But I'm going to tell you what. This is too dangerous. We got too many kids out there that could be accidentally hit with a bullet. Too many people that are totally innocent that could get hit by a bullet. You read about it every day. Somebody getting shot unintentionally. There's no way in the world our police can do all of the work to catch everybody that's doing this. We need some cooperation from the residents. If you know of anybody, anybody at all, that is misusing a firearm, we will keep your call confidential, but let us know. We got to curtail this before somebody gets seriously hurt. So I'm asking the residents for their help to get this thing cleared up.

Next thing I want to talk a little bit about is the lawsuit that was filed against Garfield Heights, myself and Finance Director Barb Biro. To set the stage it is important for everyone to understand that since I began my term in office, myself, my staff and all of our city legislators focused on reducing the city's debt. We made wise decisions, reduced staff and sought grants from everywhere we could apply for so as not to have to increase taxes on an already overburdened taxed city. I believe we have been very successful in that task. We have reduced our debt in the last seven years from \$35 million plus to under \$10 million. Although it is not something that the residents can see, that reduction is a huge positive for the city. I am always trying to make wise decisions when it comes to spending your tax dollars.

Now in 2017, there were many issues coming up over hiring and training of safety forces. All over the country everyone had this issue. Most cities had a Safety Director to handle those issues and in most cases it was the city's Mayor that took on the job. The Mayors' salaries ranged from anywhere from \$20,000.00 to \$60,000.00 and in some cases even more. So in 2017 Council appointed myself as Safety Director at minimum wage eight dollars and some cents/hour, which came to approximately \$16,000.00. Hiring an outside Safety Director would have cost us \$75,000.00 plus benefits for a total of over \$100,000.00. Some three years later resident Frank Wagner finds a technicality in the Garfield Heights Charter and says the Mayor cannot hold two public offices. Now I believe the intent of that Charter language is the Mayor can't hold a second public office in our community.

Now the only way to get a legal opinion or a legal decision would be to go through an expensive Court hearing, paying attorney fees, etc. So instead of that I stepped down as Safety Director and gave up my minimum wage. Then Mr. Wagner was quoted as saying "Mission accomplished". He did what he set out to do. Let me explain what Mr. Wagner really accomplished. Because of the civil unrest in our country today, we need a Safety Director more now than ever before. So we will be interviewing for a Safety Director to oversee the Safety forces, to investigate new policies and new training techniques and also hiring practices.

Also, what Mr. Wagner has accomplished is, ever since Rec Director Bob Dobies passed away, I have assumed the duties of the Rec Director. In my mind, that could also be a violation of the Charter under Mr. Wagner's interpretation so I have no choice but now to hire a Rec Director also. So what Mr. Wagner accomplished is we have to hire a Safety Director and a Rec Director for over \$100,000.00 each for each year. That's an additional \$200,000.00/year for this lawsuit that could have been used for more street repairs. We could have added more on to that list of eleven. The question is why Mr. Wagner filed such a frivolous lawsuit. Only Mr. Wagner knows the truth. My guess is this next year being election year could possibly be an answer. I know this may sound like sour grapes, but these lawsuits are killing us.

Besides this lawsuit, we have another one being adjudicated right now that could possibly cost the city upwards of \$1 million. That's not insurance. That's the taxpayers' money. Over \$1 million very possibly. In this case, a group of residents have filed a lawsuit because in 2006 when they were building City View the developers dug up garbage that left a terrible smell. For that summer people couldn't cook out in their back yard or keep their windows open. Now I understand that that was not pleasant back then, but once again, over \$1 million? Eleven years later? Twelve years later? Whatever it is? It's frustrating. So when people ask where do all our tax dollars go, why aren't we paving more streets, this is a good example. Again I just think it's important for everybody to understand some of the things that go on in this city that are out of our control that tax dollars have to pay for.

With that said, Mr. Chairman, I will get into tonight's Ordinances and Resolutions. Ordinance number 72 allows us to apply for a grant to purchase a new refrigerator for the Food Bank. Ordinance 73 allows us to renew an agreement with System 4 for the regular cleaning of the Garfield Heights Police Department and Civic Center. They do do a great job. I'm very pleased with them.

Resolution 19 is a resolution that requires the month of September to be Prostate Cancer Awareness Month, something we do every year and are proud to do it. Resolution 20 is a

resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Resolution 21 allows us to request our advance in tax settlement, which we've been doing for the last few years.

Mr. Chairman, with that, you have my report.

PRESIDENT BURKE: Thank you, Mayor Collova. Does anyone have any questions for Mayor Collova on his report this evening?

CLMN NENADOVICH: Yes, Mr. Chairman. This is Mike Nenadovich.

PRESIDENT BURKE: Mr. Nenadovich, you have the floor.

CLMN NENADOVICH: Yes. I just wanted to make a comment and I wanted to thank you, Mayor, for bringing those facts to light so the residents do know where our money's going because they always say what are we doing with all the money I paid in taxes. Well you just gave them an answer tonight for the first portion of it. I thank you very much, Sir.

PRESIDENT BURKE: Thank you, Mike. Does anyone else have any questions/comments for the Mayor on his report this evening? If there are none, we will move on to communications from citizens on tonight's agenda. Will the Clerk please read tee 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: Are there any residents on the call this evening that would like to comment on tonight's agenda? If there are none we will move on to Ordinances and Resolutions beginning with Ordinance number 72-2020. Will the Clerk please read the item?

ORDINANCES AND RESOLUTIONS:

ORDINANCE NO. 72-2020

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO APPLY FOR THE FEEDING AMERICA GRANT THROUGH THE GREATER CLEVELAND FOOD BANK AND TO USE SAID FUNDS FOR THE PURCHASE OF A REFRIGERATOR FOR THE FOOD BANK.

Moved by BURKE to CONSIDER BY TITLE:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Motion to SUSPEND THREE READING RULE:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Motion to WAIVE RULE 24:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

VOTE ON ADOPTION:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Ordinance 72-2020 passes with 7 Yes votes.

ORDINANCE NO. 73-2020

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, OR HIS DESIGNEE, TO RENEW AN AGREEMENT WITH SYSTEM 4 FOR THE REGULAR CLEANING OF THE GARFIELD HEIGHTS POLICE DEPARTMENT/CIVIC CENTER.

Moved by BURKE to CONSIDER BY TITLE:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Motion to SUSPEND THREE READING RULE:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Motion to WAIVE RULE 24:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

VOTE ON ADOPTION:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Ordinance 73-2020 passes with 7 Yes votes.

RESOLUTION NO. 19-2020

AN EMERGENCY RESOLUTION DECLARING THE MONTH OF SEPTEMBER TO BE PROSTATE CANCER AWARENESS MONTH.

Moved by BURKE to CONSIDER BY TITLE:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Motion to SUSPEND THREE READING RULE:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

VOTE ON ADOPTION:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Resolution 19-2020 passes with 7 Yes votes.

RESOLUTION NO. 20-2020

AN EMERGENCY RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Moved by BURKE to CONSIDER BY TITLE:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Motion to SUSPEND THREE READING RULE:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Motion to WAIVE RULE 24:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

VOTE ON ADOPTION:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Resolution 20-2020 passes with 7 Yes votes.

RESOLUTION NO. 21-2020

AN EMERGENCY RESOLUTION REQUESTING ADVANCE IN TAX SETTLEMENT.

Moved by BURKE to CONSIDER BY TITLE:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Motion to SUSPEND THREE READING RULE:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

Motion to WAIVE RULE 24:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake

VOTE ON ADOPTION:

AYES: Burke, Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake
Resolution 21-2020 passes with 7 Yes votes.

PRESIDENT BURKE: That concludes our Ordinances and Resolutions for this evening.

MISCELLANEOUS COMMENTS BY CITIZENS:

PRESIDENT BURKE: We will move on now 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 BURKE: Are there any residents on the call that would like to make comments to Council? Or to address Council?

MISCELLANEOUS BUSINESS:

PRESIDENT BURKE: OK. If there are none we will move on to Miscellaneous Business. 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: This evening we will start with Ward 1, Clmn Michael Dudley.

CLMN DUDLEY: Thank you, Mr. Chairman. Just one thing I'd like to ask the Members of Council and our government as a whole including the families and individuals who reside in Garfield Heights. I'm asking that you keep Mr. Rodney Benson's family in prayers. He is the man who was killed up on 136th through senseless violence that is going on everywhere today. Just keep him in prayer. Tentative services this week. He was a man who worked every day on his

way home. After five minutes of getting off work, he was actually shot and killed for no reason at all. I just ask that you keep his family in prayer. Thank you, Mr. Chairman.

PRESIDENT BURKE: Thank you. Mr. Donahue.

CLMN DONAHUE: The only thing that I have is everybody stay safe with the hard time we are having with the Corona. Other than that, have a good week. That's all.

PRESIDENT BURKE: Thank you, Mr. Donahue. Mr. Nenadovich. Do you have a report?

CLMN NENADOVICH: As rare as it may seem, I have no comments.

PRESIDENT BURKE: Thank you, Mr. Nenadovich. Clwn Davis, you have the floor.

CLWN DAVIS: Thank you, Mr. Chairman. Mr. Dudley, I will send prayers to that family.

I'd just like to tell everyone in the community that I know this is a very difficult and challenging time with Covid-19. The children going back to school. The teachers being adjusted. It's a lot of pressure and stress so everyone please remember that we are all existing through a pandemic. Do the best that you can to take a moment for yourselves. Don't be so hard on yourselves. Step away from TV, social media and just get back to the basics, which are usually just family and basic love. No one really has the answer so we do have to keep trying and fighting and we will get through.

I'd also like to mention that on September 23rd, which is a Wednesday, from 9:00 a.m. to 1:00 p.m. myself, St. Therese, the Cuyahoga County Board of Health, as well as MetroHealth Hospital will be also offering free Covid testing for any residents in Garfield Heights. There is a link that I will have posted and sent out in an e-mail. Everyone does need to pre-register. There are 100 spots for anyone. It is free. You do not need any insurance. With that, Mr. Chairman, you have my report for tonight. Thank you.

PRESIDENT BURKE: Thank you, Clwn Davis. Clmn Blake, you have the floor.

CLMN BLAKE: Thank you, Mr. Chairman. I'd like to start off by saying thank you to Deputy Chief Kaye for allowing me to ride along with the Garfield Heights Police Department this past Friday. I rode with them from approximately 7:00 p.m. till about two in the morning. The learning experience will be invaluable in future conversations with residents in the future. The thing that stood out to me is that there is an incredible amount of information that our officers have to process and prioritize from the minute they go out of the station. I really wish everybody had an opportunity to experience it. I'd like to thank Officer Gall, Officer Garcia, Officer Holiday, and Officer Malak for their time and courtesy on Friday night. I will not soon forget the experience.

As Mayor Collova said earlier this evening, please remember the Hazardous Household Waste Roundup going on from 7:30 a.m. to 3:00 p.m. this week from September 14th to the 18th at the Service Garage.

Finally, on Wednesday, September 16th a Community Awareness Meeting is going to be held by Zoom by Clmn Burke and myself. Chief Deputy Kaye will be a guest. If you would like to be connected to the meeting, reach out to Clmn Burke or myself.

I'd like to send prayers out to the family of the gentleman who lost his life in Ward 1 that Clmn Dudley referenced.

With that, that's all I have.

PRESIDENT BURKE: Thank you, Clmn Blake. I, too, would like to send my condolences to the resident that was murdered over there at East 136th and Christine. I will be sending my prayers as well. Thank you Clmn Dudley for pointing that out.

I, too, had an opportunity to recently ride along with our officers. It had been about six years since I did mine originally with Chief Sackett. At that time, my experience was about three o'clock in the afternoon on a Thursday where really nothing was happening. So I took an opportunity on September 4th to ride along with our officers. I actually was assigned to Officer Patrick Hace (what a fine individual). I got to tell you the entire team there--Officer Charles Lee, Officer Brittany McCune, Officer Carlos Crespo, Officer Vinson Walker—it has been a long time since I felt like I was part of the team in the military. I tell you, those guys were just fun to be around. You can definitely see the respect that they have for one another, respect they have for our community and I got to tell you we ran into some issues where we heard shots fired. When we heard shots fired I thought let's get the heck out of here and Officer Hace was driving right towards them. So you know it goes to show you what our officers are capable of and the mindset that they go through. When the rest of us are running away from the danger, they are running toward it.

It also made me realize a lot of people that say they support the police, I got to tell you, supporting the police isn't just putting a post on your Facebook page saying you support the police. These officers they put themselves in harm's way. We send them to a police station that is falling apart. At some point in time—I know it's not going to happen any time soon—but at some point in time that Police Department is going to have to be addressed. I know every time that we hire a police officer or go after a new building or a new facility it is going to cost the city of Garfield Heights some money. You have to ask yourself do you really support the police? Because if you do you will gladly be a part of that and bring in something nice for these officers.

I'm sure my next stop is going to be the Fire Department. I'd like to spend some time with them and just see what they go through. The whole reasoning that I decided to go on the ride along is because I do have the Community Awareness Meeting that Clmn Blake and I are hosting via Zoom on Wednesday and I would urge anybody who lives in Garfield Heights to attend that meeting. I have it posted on my Ward 6 Facebook page. If you need the information, contact me. My number is (216) 236-5582. You can contact me on that number. I will gladly get you the information. Deputy Chief Kaye is going to be on the line. I have asked if he can get some of our officers to be on there. You really got to see what these guys go through and really what their needs are.

Other than that, Mayor, I want to thank you. East 128th and Fairlawn never looked better. The street that comes right out of William Foster and goes all the way up to Turney Road is so smooth and it's been a long time coming. So I want to thank you for that, Mayor, and thank the Service Department for putting it in.

With that, that's everything I have. Our next Council Meeting will be September 28, 2020. Now I will turn it over to Clmn Vaughn.

CLMN VAUGHN: Thank you, President Burke. My sympathies go out to the gentleman who was killed in Ward 1. This gun violence has got to come to a stop. It is growing strong in many communities.

I would like to talk about Block Watch. I understand that the Governor might be lifting up his requirements in the next few weeks. I'm hoping he does because as soon as he does I will be announcing that we will be having our Block Watches back up at St. Monica's. I think it's important to have them again. I think the people want to be informed on what's going on in their community.

On a sad note, I'd like to express my sincerest sympathy to a man that gave much of his life to Garfield Heights. That was Chief Thomas Murphy, passed away about 10 days ago. Chief Murphy grew up in Garfield Heights, he attended school over at St. Tim's, went to Cathedral Latin, came back here, worked as a patrolman and worked himself up through the ranks. He leaves his wife, Patricia, daughters, Maureen, Kelly. Thomas, Michael and Brendan are his sons. My sympathy goes out to the entire Murphy family. He was a kind, thoughtful and very helpful man. When I was first elected, he was with us for about three months before he retired. He offered any assistance that he could give to new Councilmen and I always appreciated it.

The next person I would like to remember is Officer James Skernivitz. Many of you might not realize it but Officer Skernivitz lived in Garfield Heights out on Turney Road in Ward 7 up until a few years ago. He was the detective that was killed about two weeks ago over there off of Storer Road. He leaves behind his wife Christine, a son, Matthew, daughter Bailey, son Pete. Here is a man that went to work that night, had every intention of coming home and never made it.

These senseless deaths have got to stop in all of our communities. We really have to take control of what's going on. I ask that you, if you think of the Skernivitz's, pray for them. They have gone through a very tough emotional two weeks, but the prayers must continue for this family because they will never recuperate.

With that, you have my report. Mr. Chairman, I make a motion that we adjourn.

PRESIDENT BURKE: On the motion made by Clmn Vaughn to adjourn tonight's Council Meeting, Barb, would you please take a roll call vote beginning with Clmn Dudley.

AYES: Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake, Burke

PRESIDENT BURKE: Let the record show that at 7:45 p.m. on September 14th the Council Meeting for the City of Garfield Heights is now adjourned. Thank you everybody for your professionalism and we'll see you in two weeks.

APPROVED:

RESPECTFULLY SUBMITTED:

Matt Burke
President of Council

Barbara Molin
Clerk of Council