

# MINUTES OF A SPECIAL MEETING OF COUNCIL

## CITY OF GARFIELD HEIGHTS, OHIO

Monday, August 29, 2016

**MEETING CALLED TO ORDER AT 6:30 p.m.** by Council President Joseph Suster.

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

**EXCUSED:** Dudley

**CLMN NENADOVICH:** Mr. Chairman, I would at this time like to excuse Mr. Dudley from Council.

**PRESIDENT SUSTER:** On the motion made by Clmn Nenadovich to excuse Clmn Dudley from tonight's meeting. All in favor signify by saying Yea. All opposed.

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

ABSENT: Dudley

**PRESIDENT SUSTER:** That passes with 6 Yes votes. We will move right in to the Ordinances and Resolutions. Ordinance 41-2016. Would the Clerk please read the title?

### **ORDINANCE NO. 41-2016**

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO LEVY SPECIAL ASSESSMENTS TO THE COUNTY AUDITOR, AS IDENTIFIED IN ATTACHMENT A AND INCORPORATED HEREIN (LESS ANY PAYMENTS RECEIVED OR CORRECTIONS MADE BY THE FINANCE DIRECTOR OR THE BUILDING COMMISSIONER), TO BE ASSESSED AND COLLECTED ON THE NEXT TAX COLLECTION, PURSUANT TO THE REQUIREMENTS OF CODIFIED ORDINANCES CHAPTER 551: WEEDS.

Moved by BURKE to CONSIDER BY TITLE:

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

ABSENT: Dudley

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Dudley

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

VOTE ON ADOPTION:

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

ABSENT: Dudley

**PRESIDENT SUSTER:** Ordinance 41-2016 passes with 6 Yes votes.

**ORDINANCE NO. 42-2016**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,425,000 FOR THE PURPOSE OF REFUNDING AT A LOWER INTEREST COST CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE IMPROVEMENT AND REFUNDING BONDS, SERIES 2006, DATED AS OF NOVEMBER 15, 2006, AND DECLARING AN EMERGENCY.

Moved by NENADOVICH to CONSIDER BY TITLE:

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

ABSENT: Dudley

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Dudley

Motion to WAIVE RULE 24:

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

ABSENT: Dudley

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

VOTE ON ADOPTION:

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

ABSENT: Dudley

**PRESIDENT SUSTER:** Ordinance 42-2016 passes with 6 Yes votes.

**ORDINANCE NO. 43-2016**

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO DO ALL THINGS NECESSARY TO PARTICIPATE IN AND APPLY FOR AN OHIO EPA, OHIO WATER POLLUTION CONTROL LOAN FUND (WPCLF) INCLUDING, BUT NOT LIMITED TO EXECUTING ANY AND ALL APPLICATIONS, AGREEMENTS AND/OR CONTRACTS AS MAY BE REQUIRED BY THE WPCLF IN ORDER TO SECURE THE LOAN FUNDS REQUESTED, PER THE WPCLF APPLICATION AS PREPARED BY CITY ENGINEER DAVID KROCK.

Moved by NENADOVICH to CONSIDER BY TITLE:

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

ABSENT: Dudley

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Dudley

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

VOTE ON ADOPTION:

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

ABSENT: Dudley

**PRESIDENT SUSTER:** Ordinance 43-2016 passes with 6 Yes votes.

**RESOLUTION NO. 15-2016**

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, LaMalfa, Nenadovich, Glenn, Suster

ABSENT: Dudley

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Dudley

**CLMN BURKE:** Mr. Chairman, I would like to make a motion that we waive the Three Reading Rule by roll call.

**PRESIDENT SUSTER:** OK, on the motion made by Clmn Burke to not have the Three Reading Rule, by roll call.

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

ABSENT: Dudley

**CLMN BURKE:** Mr. Chairman, I would like to make a motion that we take a roll call vote on this adoption of this resolution.

**LAW DIRECTOR TIM RILEY:** You need a second.

**CLMN NENADOVICH:** I second it.

**PRESIDENT SUSTER:** OK, on the motion made by Mr. Burke, all those in favor signify by saying Yea. All opposed. Individual roll call.

**CLMN GLENN:** Mr. President, we already approved this so what's the purpose of a roll call?

**CLMN BURKE:** I believe we have to take a roll call vote on the motion to adopt this resolution.

VOTE ON ADOPTION:

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

ABSENT: Dudley

**PRESIDENT SUSTER:** Resolution 15-2016 passes with 6 Yes votes.

**RESOLUTION NO. 16-2016**

AN EMERGENCY RESOLUTION REQUESTING ADVANCE IN TAX SETTLEMENT.

Moved by BURKE to CONSIDER BY TITLE:

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

ABSENT: Dudley

**CLMN BURKE:** Mr. Chairman, I would like to make a motion that we waive Reading Rule Three by roll call vote.

**CLMN NENADOVICH:** I second it.

Motion to WAIVE THREE READING RULE:

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

**CLMN BURKE:** Mr. Chairman, I would like to make a motion that we take a roll call vote on its adoption.

**PRESIDENT SUSTER:** OK, on the motion made by Mr. Burke to take a roll call vote on the adoption, all those in favor.

**LAW DIRECTOR TIM RILEY:** I need a second on that.

**CLMN VAUGHN:** Second.

**PRESIDENT SUSTER:** All those in favor signify by saying Yea.

**CLMN BURKE:** Roll call.

VOTE ON ADOPTION:

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

**PRESIDENT SUSTER:** Resolution 16-2016 passes with 6 Yes votes. That concludes our Special Meeting.

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

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

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

**MEETING ADJOURNED AT 6:40 p.m.**

**APPROVED:**

**RESPECTFULLY SUBMITTED:**

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Joseph M. Suster  
President of Council

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Barbara Molin  
Clerk of Council