

# MINUTES OF A REGULAR MEETING OF COUNCIL

## CITY OF GARFIELD HEIGHTS, OHIO

Monday, May 13, 2013

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

**INVOCATION BY:** Councilman Michael Dudley, Sr.

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

**EXCUSED:** Mahoney

**PRESIDENT MARINCIC:** I'd like to make a motion to excuse Clwn Mahoney. All in favor say Yea. All Opposed. Motion passes.

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

ABSENT: Mahoney

### **READING AND DISPOSAL OF MINUTES:**

**PRESIDENT MARINCIC:** Reading and disposal of the Minutes from the Monday April 22<sup>nd</sup> Regular Meeting of the Garfield Heights City Council.

**CLMN SUSTER:** Mme. Chairman, I'd like to make a motion that we accept the Minutes of Monday, April 22, 2013 as submitted.

**PRESIDENT MARINCIC:** All in favor say Yea. All opposed? The Yeas have it.

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

ABSENT: Mahoney

**CLMN SUSTER:** Mme. Chairman, I'd like to make a motion that we take Resolution 13-2013 and put it out on the floor now so we can vote on it.

**PRESIDENT MARINCIC:** On the motion to remove Resolution 13 from the regular order of business tonight and place it on the floor at this time. All in favor say Yea. All opposed?

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Before we proceed I'd like to give our Mayor a chance to comment on this Resolution.

**MAYOR VIC COLLOVA:** Thank you, Mme Chair. We've had many Garfield Height residents go on to become very successful in a multitude of careers. Probably the most notable and popular would certainly be Wilma Smith. Wilma Smith, known in Garfield Heights as Wilma Pokorny, graduated from Garfield Heights High School in 1964, went on to Bowling Green University to

receive a Master's Degree in broadcasting. She began her broadcast career in 1972 in Richmond, Virginia. She came to Cleveland and began her broadcasting career here with Channel 5 in 1977. In 1994 she moved to Channel 8 as the anchor and has continued that successful career until present. I want Wilma to know that the residents of Garfield Heights along with all Cleveland area residents, salute you on an outstanding career and wish you well in your retirement.

Now, on a personal note, as I said earlier, Wilma Smith (Wilma Pokorny) graduated from Garfield Heights High School in 1964. I graduated from Garfield Heights High School in 1965. Now as pretty and as nice and as popular as Wilma Smith is, I wondered why I really didn't personally know her. So I wanted to check into a little bit more about her and I got her yearbook from 1964 to read some of her high school accomplishments. She was the yearbook senior editor, she was on the National Honor Society, Mirror staff, public address staff, homeroom officer, Tri Hi Y, Girls Athletic Association, Citizenship, Showboat, intramurals and a teachers secretary. It's obvious we didn't run in the same circles. I was the guy with the leather jacket smoking cigarettes on the street corner and she obviously was not on that street corner. But in all seriousness, Wilma, we're very proud of your accomplishments. We're very proud to say you're a daughter of Garfield Heights. We wish you well in your retirement. If you have an opportunity stop and say hello. Thank you.

**PRESIDENT MARINCIC:** We now go on to Resolution 13-2013. Will the Clerk read the title?

**RESOLUTION NO. 13-2013**

A RESOLUTION ON BEHALF OF THE CITY OF GARFIELD HEIGHTS HONORING WILMA SMITH.

Moved by SUSTER to CONSIDER BY TITLE:

**PRESIDENT MARINCIC:** Would you like to make a motion to have it read in its entirety instead?

**CLMN SUSTER:** Yes, I would.

**PRESIDENT MARINCIC:** On the motion to read Resolution 13-2013, all in favor say Yea. All Opposed.

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** We'll have the Clerk read the Resolution in its entirety.

*(The Clerk read Resolution 13-2013 in its entirety.)*

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

**CLMN SUSTER:** Before I vote, I'd like to wish Wilma the best in the years to come with her retirement and I vote Yes.

**CLMN VAUGHN:** Before I vote, I'd like to say a job well done, Wilma. Enjoy your retirement and I vote Yes.

**CLMN DUDLEY:** Before I vote I'd like to say that I enjoyed her for many years and stuff. I believe it was her and Tim Taylor that used to be on the show and I wish her the very best in her retirement and she done a great job. She was a great anchor person. Not just a great anchor woman. She was a great anchor person and going to be missed. Thank you, Mme. Chairman. I vote Yes.

**PRESIDENT MARINCIC:** Before I vote, I'd like to say that Wilma Smith is one in a million. She did this city proud. She proved that people who come from small communities can strive to great heights. There will never be another newscaster like Wilma Smith. She had a bubbling personality and she was kind to everybody and had a way of delivering the news that made you feel like you were right there with her and part of the family and she was speaking directly to you. I'm so proud of her and I'm happy to say I vote Yes on this resolution to honor her.

**CLMN NENADOVICH:** Yes, I wish Wilma a long, healthy and happy retirement and I vote Yes on the resolution.

**CLMN GLENN:** I, too. Wilma is truly a hall of famer. Good luck, Wilma, on your retirement. I vote Yes.

**PRESIDENT MARINCIC:** I am proud to say that Resolution 13-2013 stands adopted with 6 Yes votes.

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

ABSENT: Mahoney

**MAYOR VIC COLLOVA:** *(Addressing WJW cameraperson)* Thank you very much. Give her our best.

**WRITTEN COMMUNICATIONS TO COUNCIL:** None.

**LEGISLATION OUT OF COMMITTEE:** None.

**COMMITTEE REPORTS:** None.

**REPORTS OF THE MAYOR AND DIRECTORS:**

**PRESIDENT MARINCIC:** We will move on to the reports of the Mayor and his Directors. Mayor Collova, I know you have a report this evening.

**MAYOR VIC COLLOVA:** Thank you, Mme. Chair. On May 16th from 11:00 a.m. if you dine at Applebee's at City View, 15% off your bill will be donated to the Garfield Heights Athletic Boosters Club. That's May 16<sup>th</sup> from 11 a.m. till 9 p.m. And again on Wednesday May 29<sup>th</sup> if you dine at Applebee's 15% of your bill will be donated to the Garfield Heights Green It Up Project. That also is from 11 a.m. till 9 p.m. I ask that everyone that has an opportunity to please stop there. This is for a great cause.

I have couple of notices I want to read. The first one is about the Johnston Mill Run Cleanup that was held over the weekend. The Inaugural Urban Stream Clean Up Improves Johnston Mill Run. Union Miles Development Corporation and Harvard Community Services Center organized

a successful inaugural "Riversweep" of Johnston Mill Run Stream with the support of the cities of Cleveland and Garfield Heights and the Northeast Ohio Regional Sewer District.

Volunteers filled more than 100 bags of trash and cleared the stream area of debris including 92 tires and a couple of shopping carts. Volunteers worked from 9 a.m. to noon Saturday, May 11<sup>th</sup> between Miles-Heights Park in Cleveland and Forestdale Park in Garfield Heights. Event partners are working to create a hiking/biking trail along the stream, a natural hidden gem that is a tributary of Mill Creek.

I want to thank all the volunteers for a job well done. It was very great.

Next I wanted to read a little bit of a note we received. This is from Cuyahoga County.

"Dear Mayor Collova:

We are pleased to inform you that the city of Garfield Heights has been awarded a 2013 Municipal Grant Award in the amount of \$150,000.00. Congratulations. We look forward to working with you to successfully complete this important community development project."

The \$150,000.00 that we received to use are CDBG Funds. They will be used for playgrounds throughout the city. I want to thank Ed Fitzgerald and Cuyahoga County for their part in this. Thank you very much.

This is about the Garfield Heights City Schools.

"Garfield Heights City Schools Practice Evacuation Drill will take place throughout next week. The Garfield Heights City Schools will be conducting a series of Practice Evacuation Drills next week. One practice evacuation drill per building, per day. The intent of the practice evacuation drill is to prepare the students, staff and entire district in the event of a catastrophe building emergency which would prompt a building evacuation. The district maintains a comprehensive set of emergency evacuation plans, and what will take place next week is a demonstration of those plans. Specifically, the district will conduct the practice evacuation drills according to the following schedule:

- On Monday, May 20<sup>th</sup> at 9 a.m. Maple Leaf students will evacuate;
- On Tuesday, May 21<sup>st</sup> Elmwood students;
- On Wednesday, May 22<sup>nd</sup> Middle School students;
- On Thursday, May 23<sup>rd</sup> High School students;
- On Friday, May 24<sup>th</sup> William Foster students will evacuate to the High School.

The practice evacuation drills will include students vacating the buildings and boarding buses that will transport them to the high school, along with the entire building staff. These students will organize by teacher for a brief period of time. Once the drill is completed, students from each building on each day will return to their buildings for the remainder of their day. This is only a practice drill. The Garfield Heights City Schools have worked in concert with the City of Garfield Heights and the Police Department for extra help each day next week. The purpose of the drill is to include routine preparatory work, in case of a real emergency. For more questions call 475-8100."

This is very valuable to the children of Garfield Heights and valuable to all the residents in the city, but tell your neighbors, explain what's going on because we know we'll be deluged with phone calls saying what's going on because there's going to be police. They will be boarding the buses on Turney Road and there is going to be some disruption. So try to tell as many people as you can that this will be taking place. Thank you.

Lastly I want to talk a little bit about a Police Memorial Week. In 1962 President John F. Kennedy signed a proclamation designating May 15<sup>th</sup> as Peace Officers Memorial Day and the week in which the date falls is Police Week. National Police Week serves a time of reflection and appreciation for the ultimate sacrifice made by exceptionally courageous and noble officers. In this spirit each year in mid-May Greater Cleveland Police Officers Memorial Society hosts the Annual Police Memorial Commemoration in conjunction with National Police Week and Peace Officers Memorial Day. The society takes this time to keep the promise to all those who have given their lives as law enforcement officers in the Greater Cleveland area. Four Garfield Heights officers or peace officers have been killed in the line of duty. There's a memorial parade and service scheduled in downtown Cleveland on Friday. Information about it can be found on-line or in the Plain Dealer. Also note that flags will be flown at half-staff on May 15<sup>th</sup>. As a side note we have a group, a young man, a young Boy Scout, is doing his Eagle Scout. Him and a few other young people and their parents are redoing our memorial outside the city hall for our police officers. That will be something to look at because they are going to do a great job.

With that said, I'm going to move on to tonight's legislation. Ordinance 28. This is the police wage increase that comes with the average pay fund. The average amount for the police officers works out to 1.37%. Ordinance 29. Wage increase for fire 2013. That averages out to 1.8% increases. Both very modest increases and well-deserved. Ordinance 30. This is an ordinance to reinstate the 75% tax abatement per the original agreement between the city of Garfield Heights and Pioneer Building and Dalad Construction Enterprises. A few months ago we rescinded the 75% tax abatement because some of the figures given by the State were not accurate. It has corrected those figures. They do fall in their proper criteria so we are reinstating that 75%.

Resolution 13 is honoring Wilma Smith and I have to tell you that I looked in the yearbook and she was just as pretty in high school as she is now. She doesn't look any older today either. I don't know how that worked. Resolution 14. This is a resolution strongly opposed to the passage of House Bill 5 by the Ohio General Assembly which proposes uniformity measures for municipal income tax in the form of unfunded mandates and a substantial loss of revenue and declaring an emergency. We've talked about this before. This is something that's happening with our State legislators right now and we're doing everything we can to sort of ease the pain a little bit and Ron can give that to you in his report. Mme. Chair, you have my report

**PRESIDENT MARINCIC:** Thank you. Any questions for the Mayor on his report? There's none? That's a first. We will move on to our Law Director, Tim Riley. Do you have a report?

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

**POLICE CHIEF ROBERT SACKETT:** Absent.

**PRESIDENT MARINCIC:** Thank you. Any questions for our Law Director this evening? We will move on to our Service Director Tim McLaughlin.

**SERVICE DIRECTOR TIM McLAUGHLIN:** Thank you, Mme President. All I have tonight is that we are going Ward to Ward in patching the streets. We've gone through all the main streets so far and a couple side streets that were in very bad shape. They had safety problems. We have just completed Ward 1 and we'll be working on Ward 2 and 3 hopefully by the end of the day tomorrow.

The other work tickets that I have. I'm getting calls about trees, etc. I'm down to eight guys on the road. I'm actually using mechanics to fill in on the streets to patch so I try to set a priority. The priorities usually start with patch because that's the whole winter and we've just been doing it for a month. We need to get these roads buckled up, but when it rains or they're not making patch for some reason then I move into other things. I had the sweeper out. I've had both sweepers out on Friday when the weather was bad. I've not been able to complete the whole city because again I use those guys on the patch crews. But when it rains we're going to move into the other tickets we have. I'm asking everyone to be a little bit patient. We're doing the best that we can. We will try to get everything complete in a timely manner. That's all I have.

**PRESIDENT MARINCIC:** Thank you. Any questions?

**MAYOR VIC COLLOVA:** Mme Chair. May I ask for your indulgence. I forgot the most important ordinance on the agenda and I would like to speak to that.

**PRESIDENT MARINCIC:** Please.

**MAYOR VIC COLLOVA:** Thank you. Ordinance 27-2013 is the ordinance about rubbish. Rubbish ordinance. What we're doing is we're going to be going to a new rubbish program. It's automated rubbish. It's going to be an automated pickup. We have Mr. Don Johnson the head of our rubbish haulers here to talk about it a little bit. I'll bring him up in a second. But I just wanted everybody to understand that this form of pickup, this automated pickup, is probably half of the communities in our area already do this. The Independences, the Brecksvilles, Parmas, many communities do this. It really is a good thing. You will be delivered both of these containers. Each household will be delivered a container and the one container is for their recyclables and the other is for your everyday rubbish and this program will save time for the rubbish haulers. It will save the city a very good portion of money and Ron can get into that a little bit if he would like, but at this time it is important with your indulgence, Mme Chair, that we bring up Don Johnson to speak a little bit about the rubbish pickup.

**PRESIDENT MARINCIC:** Sure. Mr. Johnson, want to come up and take the microphone?

Don Johnson, Kimble Recycling and Disposal. I apologize my back to the audience. The automated recycling is something that more and more communities are moving to and it's something that rubbish companies, not only Kimble, but also our competitors, are moving to as well. The days where many young men and ladies would go out and do a lot of physical work. Now they're moving their thumbs and doing a lot of computer work and so our society's getting away from manual work in a lot of areas—not all areas but a lot of areas. The big thing is with the advent of technology in our industry the rubbish industry for the collection vehicles. The vehicles that drive through the street. We've been working on it for years and years and technology and time and experiments over the last 15 years or so have enabled the industry to get good equipment, reliable equipment that can go out and perform automated collection services in a safe economical manner.

There's different types of automation systems that are out there. Some automation systems are

out there where you put your items in the four screen container and on collection day that's all you can put into that for collection. One day a week out of the month the community may designate that bulk items like this stand that I'm holding in front of me here or a couch, etc. could be picked up during one week out of the month. At Kimble we've proposed to Mayor and Council and Service Director that we will continue with the unlimited service, but we also offer the carts. The carts, whatever you cannot put inside of the cart, as long as you package it properly like the residents do today, you can have rubbish/recycles placed next to the cart or two. If you have a big party or extra waste for a Memorial Day party, etc. Whatever you set out we take. You get a brand new couch and you want to set your old one out, it's limited but when you don't have the extra material we ask that you use the cart because there's the technology in the manual arm that comes out to pick it up will allow us right now we currently service approximately 700 homes in your community on each route truck and by going to this automated service it enables us to pick up about 875 homes per route and that is why we are able to make a very nice offer to you folks to consider to continue on with us with unlimited automated program.

Recycling. Your community I know well has been in the bluebag program. Bluebag program served its purpose back in the early 1990s when it started, but as time went on with the new recycling facilities were built where mechanical sorting system in the facilities come into play. Technology's allowing that now so now instead of putting your rigid material, your soda pop cans and items in a blue bag and then putting your newspaper in another blue bag and having the truck go by and you put the newspaper in one compartment of the truck and the rigid materials in the other compartment of the truck you just put it into a truck. It doesn't have to be a recycling truck. We use garbage style trucks to pick up the recycled materials. Blue bags are hard to get a hold of nowadays because store owners do not want them to take up their shelf space because people aren't buying them anymore. There's high 30s like 36 communities within Cuyahoga County have gone to automated so the blue bag is starting to dwindle away. We will be giving you these recycles containers are the environmental bright green and people don't have to break down a box unless it's a big, big box so items can be packed in there at a minimal effort to the residents and they love it. They don't have to go out and buy bluebags, they don't have to put a blue bag out. If a big windstorm comes by and there goes their rubbish like tumbleweed going down Turney Road.

The carts are designed to be animal resistant. I've not heard of any animals getting into any of these carts because they are sturdy, solid. I heard the oohs and aahs about oh, those things are huge. Well if I can, can I speak with this real quick and show Council?

**PRESIDENT MARINCIC:** You can take that out of there.

**MR. DON JOHNSON:** Can I talk loud enough?

**PRESIDENT MARINCIC:** I would take the microphone.

**MR. DON JOHNSON:** If you will, this container right here is a 96 gallon container. At your home you may have one 33 gallon container, you may have two, you may have three, but let's just say that you have three 33 gallon containers. You don't put your 33 gallon containers on top of each other where you store them. I don't believe you do. That would take a lot of effort. So you have them taking up more of a foot print in your garage area or the back of your house than what this takes up here. It's just about four maybe six inches in base bigger than a regular 33 gallon rubbish receptacle that you have. They're very easy to move. My mother's 79 years old, lives in North Ridgeville. They started automation with a bad competitor of ours, I mean a

competitor of ours, excuse me and I used to work for that competitor, anyhow. She said I'm not getting that. She calls me Donny, I'm not getting that. Go tell those people you used to work for that I don't want it. I says Ma, you're going to love it and she does. To use it you put your foot up against the wheel and you take it and you just lean it forward and then you just pull it and take it wherever you want. It's very easy to handle. The wheels are very large, have a good base. You know Northern Ohio we get some snow. You can take this thing and pull it through a good eight to ten inches of snow and it does not even cause any resistance to you. If you get it higher it's going to be a little bit of resistance but anyhow if you get a foot of snow and you got three 30 gallon rubbish carts you're still going to have a hard time getting them out as well. They are very easy to use. The wind blows. It's very difficult for the wind to blow these off of unless if that's the West and you got them facing to the West and if you have an extra item that's causing them to be already off of the framework of the container, yeah, the lids are going to come off, but if the wind's coming out of the West or East or wherever and you have it completely closed it will stay closed the majority of the time. It will take a really big gust of wind to have those lids come off. After they're serviced the carts are put down on the curb and today if our guys come up to a regular container they pop the lid off and toss it off to the side, they empty it and they set it down. Snowplows come by. You may not find your lid for a month or two. Snowplow. No offense, Tim, don't get mad at me. It's not his fault. It's just the nature of what they are, but the lids are here. They're intact and very animal resistant. Communities that have them, again, you have maybe half a percent of people that may voice disconcerts about having these things, but after they use them you'll have very few people that are not saying why didn't we do this before? That's what they keep saying in South Euclid and other communities that we've had this system.

I'm rambling a little bit, but I'll get real quick to it. The other part is to educate people. I'm a firm believer and I want to know what's going on in my community and I want to know what's going on with me and my place where I get serviced. We will host a series of public meetings at the direction of the Mayor. We will also send out a mailer at our cost our expense a mailer will go out explaining the program to the residents and say Dear Resident: I'll make up a date (you all got to vote yes) let's just say it's August 1<sup>st</sup>. A letter would go out saying "effective the first week in August Kimble Companies will be starting delivering carts to your homes and explain how to use them and how to put them at the curb, put the lid facing the curb so the thing can be emptied properly. Then we also have instructions on the top of the recycling container that does not come off. They're laminated on there so they'll always know. What are our recycles again? Well in the garage up it goes. In this one? No, it goes in that one. It's pretty simple. It's very simple, but we will communicate with the residents, public meetings, we will also do the mailer and then once they receive the carts their next collection day they can start participating with the automated type service. We're not magically going to be able to deliver two carts to each home in a day's time. It will take three or four weeks for that to happen but as soon as they get them they start using the carts.

We have our number and Kimble Customer Service our fine men and women at the customer service and operations managers they have been through this in numerous communities. We know what type of questions are asked. They know how to answer their questions properly. We want the calls to come to us, not the city. The calls will come to the city every now and then and then Tim or his designated person can pass them on to customer service and we will make this as easy as possible for you. It's not difficult to do this. It's rather painless. Yes, Sir.

**CLMN SUSTER:** You want to explain how they will be numbered? How they will be delivered to a home? And each one will be numbered for that particular home?

**MR. DON JOHNSON:** Yes. Good comment. As you look at the cart here, at the mid-part, there's a serial number and when our work crews deliver them they take each of the carts and write down the serial number for the rubbish and the serial number for the recyclable materials cart and they write down the address that the carts are delivered to. They take them and they wheel them up on the curb lawn so that the people know that that is my possession plus they know by the letter and the public meetings that they have been coming out and that's in a computer system. So let's say that Donny Johnson when I was a little kid and kind of mischievous in Garfield Heights and I go back in time I take one of these and pull it to give my buddy a ride down the hill and it's gone. OK? Happens very rarely, but things like that can happen. It's called in to Kimble. We investigate it. It's kind of like baseball with two strikes. The first strike OK. Let's see if we can find it out in the neighborhood. But our guys usually know if a house has two of them they can check the serial number or we can do a little audit and if it's a not offensive to the residents per Tim's permission we tell him we're going to trek out a replacement one for that individual but typically they show up some way or another. Somebody will say hey I got an extra cart in my yard. Whose is it? That little kid that was goofing around. OK. That goes up about three or four blocks so that's the reason for having the serial numbers on the carts.

**PRESIDENT MARINCIC:** Yes, Mr. Dudley?

**CLMN DUDLEY:** I never got my garbage can tops. They're missing for two years. We talked a few times and I have to say in his defense every time I did it was concerning the garbage can been missing or being identified and replace it to the satisfaction of the resident in every issue I called it's always been taken care of. I'm saying for me now. I don't know if other people called, but every resident called me I would get them on the phone and call them about can tops or somebody's garbage pail was bent on their driveway or not set back on the lawn and every time I never had a repeated offense so you have done a good job and I appreciate that for you.

**MR. DON JOHNSON:** We've got some good workers, Sir. Not just me.

**CLMN DUDLEY:** From your company.

**MR. DON JOHNSON:** Thank you.

**PRESIDENT MARINCIC:** Thank you, Mr. Johnson.

**CLMN GLENN:** I have talked to you before. One of my concerns are the residents will not get any bills from you or the city? Is that correct?

**MR. DON JOHNSON:** Yes, Sir. This is an agreement between the city of Garfield Heights and Kimble and recycling.

**CLMN GLENN:** I want to tell you about one of your workers, Chris, who happens to take care of our garbage. He should be a model role. He should be Driver of the Year.

**MR. DON JOHNSON:** Thank you very much. I will pass that on. We've got good guys and he's a really good guy.

**PRESIDENT MARINCIC:** Is that all you have, Mr. Glenn?

**CLMN GLENN:** Yes, thank you.

**PRESIDENT MARINCIC:** Does anyone else have anything? Thank you, Mr. Johnson. I appreciate it.

**MR. DON JOHNSON:** Thank you.

**MAYOR VIC COLLOVA:** Mme. Chair. Now you have my report.

**PRESIDENT MARINCIC:** Now we will move on to our Recreation Director, Bob Dobies. Do you have a report?

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** Yes, I do. Mme. President and Council Members, good evening. We all know as I reported last week grass cutting has been underway and unfortunately we are behind. I ask all to remain understanding until we start to get ahead of the game so to speak. We are receiving complaint calls as we're working through the Wards and rightfully so. I truly don't understand why in a two-week period we have just gone through beautiful weather that some property owners have yet to attempt to cut their grass. We are handling them as they come in and as soon as we can get to them. This means I will send a crew out to the complained properties prior to starting with whatever Ward we're working in and to try to clean up those that come in while we still try to remain productive and working an entire Ward area at one time.

Remind everyone that the Safety Town program will be offered this year from June 17<sup>th</sup> through June 21<sup>st</sup> for an a.m. and p.m. session and from June 24<sup>th</sup> through June 28<sup>th</sup>. Classes are limited to the first 20 so it's a first come first serve basis and it's for residents only. You need to be five years old by June 1<sup>st</sup>. If there is enough interest we'll offer a second session in July. These are one week classes, Monday through Friday and they will start on Monday and graduate on Friday. Signups begin May 25<sup>th</sup> when our office reopens and go through June 10<sup>th</sup>. Classes are \$30.00 for the week session.

As I announced last meeting, the pool will open June 15<sup>th</sup>. If anyone is interested in becoming a lifeguard please stop by the Rec and pick up an application. So there are no questions, we will only hire certified lifeguards.

One minor change that will happen this swim season is the water aerobics class. We will only have nine (not 10) classes because of the July 4<sup>th</sup> week. It happens on a Thursday. People will be moving in and out of town and my concern is that when we're busy we won't be able to staff the pool properly so I made the decision today. We'll have nine—not 10—and I know I will get one call.

We will offer Christmas in July again this year on July 21<sup>st</sup>, again partnering with the U.S. Marine Corps Toys for Tots Program.

Our 37<sup>th</sup> Annual Dog Show will be August 4<sup>th</sup>. This is a free event for children four to 14 to show off their dogs. Again the Rec office remains closed through May 19<sup>th</sup> and reopens with regular hours on May 20<sup>th</sup>. You have my report. Thank you.

**PRESIDENT MARINCIC:** Thank you. Any questions for our Recreation Director? Mr. Vaughn.

**CLMN VAUGHN:** Mr. Dudley.

**PRESIDENT MARINCIC:** You raised your hand.

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** Excuse me, Mme Chairman, before Mr. Dudley begins I did leave some flyers on the table over there for Safety Town and the summer events newsletter in case anybody's interested. Thank you.

**PRESIDENT MARINCIC:** Thank you. Mr. Dudley.

**CLMN DUDLEY:** Once again, Bob, when do the swim classes start this season and what do they cost?

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** When do they start and what do they cost? All that information is on the Website. First session will be June 17<sup>th</sup> through June 27<sup>th</sup>. Second will be July 8<sup>th</sup> to July 18<sup>th</sup>. Third session July 22<sup>nd</sup> to August 1<sup>st</sup>. I don't have the price with me at this time.

**CLMN DUDLEY:** All right. I'll get that from you later then. I appreciate that.

**PARKS AND RECREATION DIRECTOR BOB DOBIES:** OK.

**PRESIDENT MARINCIC:** Do you have any further questions?

**CLMN DUDLEY:** No, that's good.

**PRESIDENT MARINCIC:** Anyone else have any questions for our Recreation Director? There being none, we'll move on to City Engineer, Dave Krock. Do you have a report this evening?

**CITY ENGINEER DAVID KROCK:** I do, thank you, Mme. President. I just want to report that Rockside Road and Granger Road. Both projects are moving along and I ask everyone to be careful out there. The multi-purpose trail on McCracken is started and they are making good headway out there. Just also want to report that the Granger Road Hill project (the rock scaling project) that's going to come. We are still a few months away from that but ODOT is going to be bidding that shortly so we'll see that coming down the road. That's my report.

**PRESIDENT MARINCIC:** Thank you. Any questions for the City Engineer? Yes Clmn.

**CLMN NENADOVICH:** Mr. Krock, I want to thank you for the wonderful job you did on the Bancroft/Rosewood area on those cutter pumps being removed. Lot of satisfied residents. Thank you.

**CITY ENGINEER DAVID KROCK:** You're welcome. Thank you.

**PRESIDENT MARINCIC:** That all you have, Clmn?

**CLMN NENADOVICH:** Yes.

**PRESIDENT MARINCIC:** Any other questions for our City Engineer? There being none, we will move on to Finance Director, Ron Tomola. Do you have a report?

**FINANCE DIRECTOR RON TOMOLA:** Just real quick. I'd like to encourage Council to pass Ordinances 27, 28 and 29 regarding the contract which you just heard about and the pay increases for police and fire pursuant to the Charter.

I'd like to say a little bit about Resolution 14. This is in opposition of House Bill number 5. The supposed standardization of the municipal income tax. I say supposed because I doubt highly that that's the main goal. I believe the goal is just to provide additional tax breaks to various businesses. If you read through the whereases in the legislation you will see the monies that the State has already cut over the last few years now. I don't have to get into all that. You're all aware of them with the local government funds, the estate tax, out of tangible personal property which started back in 2005. There's a lot of money that's been taken away from the municipal corporations and cities that's never been replaced and now they want to try and take some more money away by doing this supposed standardization of municipal income tax. I would highly suggest that you pass that piece and that we have it sent on down to Columbus to all the State Representatives. Thank you.

**PRESIDENT MARINCIC:** Any questions for our Finance Director? Mr. Vaughn?

**CLMN VAUGHN:** Ron, could you explain to everybody the savings we're going to have if we pass Ordinance 27 this evening on the garbage?

**FINANCE DIRECTOR RON TOMOLA:** On the garbage? The new garbage contract is broke into two parts. There's a collection fee and there's a disposal fee and the disposal fee is based on how many tons you take to the landfill. The estimated rates for and the way we estimated the rates I knew what was taken to the landfill throughout all of 2012. I used an average monthly rate to come up with my dollar cost based on the new pricing. The house cost plus the disposal cost should come to around \$12.00 per house and maybe a little less, but I don't believe it will be any more than that. What we're going to get out of that, let's put it this way, probably about \$1,650,000.00 in total costs for the first five months of this year under the old contract plus the remaining seven months where I budgeted a \$1,850,000.00 so there's about \$200,000.00 savings for the rest of this year. Approximately \$350,000.00 give or take a few for the next four years. So it's quite a huge savings over the.

**CLMN VAUGHN:** Very good. Thank you.

**PRESIDENT MARINCIC:** Is that all you have?

**CLMN VAUGHN:** Yes.

**PRESIDENT MARINCIC:** I have one question regarding House Bill 5. Doesn't most of the cities charge different amounts for tax? How can they standardize it?

**FINANCE DIRECTOR RON TOMOLA:** That's part of the issue. There's a lot of different tax rates that are charged by a lot of different communities. Ours right now is 2% and it's been 2% since 1982. Cleveland over the last few years I believe went up to 2.5%. They might even have gone to 2.7% and there's quite a few others that are at 2.25%. Most everybody over the last 10 years has raised their income tax. Like I say many are over 2% now. How they are going to standardize that? I don't know. Most communities don't have a problem. If you want to standardize forms so that one form is throughout the State instead of every city having their own form, not a problem, but if you are talking about standardizing rates, what rate's it going to be?

Is it going to be a low rate? A high rate? In the middle? Some cities are going to have to come down; some cities might go up. You know there's no answer to that.

**PRESIDENT MARINCIC:** We might lose control over the amount.

**FINANCE DIRECTOR RON TOMOLA:** You will lose control. The other part of this that everybody I've talked to is against is I think they've moved away from it because originally they wanted the State's Department of Taxation to do all the collection. I think the State finally moved away from the issue because they got so much flack from all the communities, really. I do have an estimate in my office (I did not bring it down with me tonight) that RITA did for us last year and it was only on probably 15 to 20 main points within the bill that are contentious. Some you can quantify the numbers. Others you can't. We don't know what the number would be yet. But I do have an analysis upstairs that I could send out to everybody that RITA did last year and this is just a remake of House Bill 601 from last year. The piece of legislation you're passing is identical to the piece that we passed last year in opposition to 601 and at that time I had RITA put an analysis together for us to show me what the impact would be. Some of the points like they say you'll have a little increase in this, a decrease in this, overall it was a decrease to our city. I can send that back out. I thought I sent it out last year. You may have it. I can send it out again.

**PRESIDENT MARINCIC:** I possibly do. I have to look. It's just scary to think that they could increase our income tax.

**FINANCE DIRECTOR RON TOMOLA:** I'm not saying they can and I'm sure that somewhere along the line someone would battle it, but who knows what they're going to do? I think it's just a way of giving big business another little break. That's my gut feeling. There's nothing behind it.

**PRESIDENT MARINCIC:** Any other questions for our Finance Director?

**ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN:** Absent.

**BUILDING COMMISSIONER BILL WERVEY:** Absent

**PRESIDENT MARINCIC:** There being none that concludes the reports of the Mayor and his Directors and now we will move on to Comments by Citizens on tonight's agenda. I'm going to have our Clerk read the rules.

**COMMENTS BY CITIZENS ON TONIGHT'S AGENDA:**

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

**PRESIDENT MARINCIC:** No citizen may speak more than once. If you'd like to comment on tonight's agenda, raise your hand. Mr. Halan, you know the routine.

Bob Halan, 12416 Oak Park Blvd. Rehashing what Tomola just said about 14. They have an ulterior motive. I do not trust Columbus. This is the second time around that they try to slip a bill past the people. To me it's unjustified. Why would you ask to do more work without collecting on it? They want to take away our rights. RITA is locally and they take care of us because a remittance on that is quickly. You'll never see your money coming out of Columbus. Am I right, Mr. Suster? Columbus cannot be trusted. We got to protect our city and let's vote no and oppose House Bill 5. Thank you.

**PRESIDENT MARINCIC:** Thank you. Anyone else wishing to speak tonight?

**ORDINANCES AND RESOLUTIONS:**

**PRESIDENT MARINCIC:** There being none we will move right into legislation beginning with Ordinance 27-2013. Will the Clerk read the title.

**ORDINANCE NO. 27-2013**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH KIMBLE RECYCLING AND DISPOSAL, INC., THROUGH THE VILLAGE OF NEWBURGH HEIGHTS FOR REFUSE COLLECTION AND DISPOSAL AND CURBSIDE RECYCLING SERVICES AND DECLARING AN EMERGENCY.

Moved by NENADOVICH to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion to WAIVE RULE 24:

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Ordinance 27-2013 stands adopted with 6 Yes votes.

**ORDINANCE NO. 28-2013**

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 28-2012 TO REFLECT INCREASED SALARIES OF THE POLICE DEPARTMENT IN ACCORDANCE WITH THE CHARTER AMENDMENT TO SECTION 41.

Moved by VAUGHN to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion to WAIVE RULE 24:

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Ordinance 28-2013 stands adopted with 6 Yes votes.

**ORDINANCE NO. 29-2013**

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 29-2012 TO REFLECT INCREASED SALARIES OF THE FIRE DEPARTMENT IN ACCORDANCE WITH THE CHARTER AMENDMENT TO SECTION 41.

Moved by SUSTER to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion to WAIVE RULE 24:

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Ordinance 29-2013 stands adopted with 6 Yes votes.

**ORDINANCE NO. 30-2013**

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO REINSTATE 75% TAX ABATEMENT PER THE ORIGINAL AGREEMENT, ORDINANCE NO. 61-2003, AN "URBAN JOBS AND ENTERPRISE ZONE AGREEMENT" BETWEEN THE CITY OF GARFIELD HEIGHTS AND PIONEER BUILDING LTD AND DALAD CONSTRUCTION (ENTERPRISES).

Moved by SUSTER to CONSIDER BY TITLE

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

ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:

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

ABSENT: Mahoney

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

VOTE ON ADOPTION:

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

ABSENT: Mahoney

**PRESIDENT MARINCIC:** Ordinance 30-2013 stands adopted with 6 Yes votes.

**RESOLUTION NO. 12-2013**

A RESOLUTION PROCLAIMING THE MONTH OF MAY AS MULTIPLE CHEMICAL SENSITIVITY AWARENESS MONTH.

Moved by NENADOVICH to CONSIDER BY TITLE

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

Motion to SUSPEND THREE READING RULE:  
AYES: Nenadovich, Glenn, Suster, Vaughn, Dudley, Marincic  
ABSENT: Mahoney

**PRESIDENT MARINCIC:** Roll call on the adoption beginning with Clmn Nenadovich.  
VOTE ON ADOPTION:  
AYES: Nenadovich, Glenn, Suster, Vaughn, Dudley, Marincic  
ABSENT: Mahoney

**PRESIDENT MARINCIC:** Resolution 12-2013 stands adopted with 6 Yes votes.

**RESOLUTION NO. 14-2013**

A RESOLUTION STRONGLY OPPOSING THE PASSAGE OF HB 5 BY THE OHIO GENERAL ASSEMBLY WHICH PROPOSES UNIFORMITY MEASURES FOR MUNICIPAL INCOME TAX IN THE FORM OF UNFUNDED MANDATES AND A SUBSTANTIAL LOSS OF REVENUE, AND DECLARING AN EMERGENCY.

Moved by VAUGHN to CONSIDER BY TITLE  
AYES: Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster  
ABSENT: Mahoney

Motion to SUSPEND THREE READING RULE:  
AYES: Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster  
ABSENT: Mahoney

**PRESIDENT MARINCIC:** Roll call on the adoption beginning with Clmn Vaughn.  
VOTE ON ADOPTION:  
AYES: Vaughn, Dudley, Marincic, Nenadovich, Glenn, Suster  
ABSENT: Mahoney

**PRESIDENT MARINCIC:** Resolution 14-2013 stands adopted with 6 Yes votes.

**COMMENTS BY CITIZENS:**

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

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

**PRESIDENT MARINCIC:** Thank you. Anyone wishing to comment, raise their hands. Anybody?

**MISCELLANEOUS BUSINESS:**

**PRESIDENT MARINCIC:** There being none we will move right on to Miscellaneous Business, beginning with Clmn Dudley.

**CLMN DUDLEY:** All right. The best go first. What I wanted to mention first of all. If you live in Ward 1 and you are in Precinct C and D I need to let you know that our voting location at St. Timothy Manor will no longer exist. They have chosen to take it out of the building for the safety of our Seniors there. So we are looking for another spot in order to have the voting. Like I said some people have to realize that the next location has to be accessibility and also parking is taken into consideration so I will be updating everyone on that, but it's going to be done regardless in time for November or if we have a September voting. The reason why we can't be in the location is like SS disability is an issue and parking is an issue. So that's just a reminder so I will pass out flyers prior to the election at least a couple weeks prior to let them know where's the new location. We have about two in mind and we're currently working on that with our Board of Elections.

Also I encourage people to attend these Ward Meetings. You really should go to the meetings and it's something to be discussed then. A Ward Meeting for Ward 1 is going to be the fourth Tuesday every month at 7 p.m. and you really should come out to some of them meetings. I make the meetings and I have other things I have to go to so I encourage you to come out. Chief, I believe, is going to be the guest speaker then and also our Representative Parnell Jones. We saving the Mayor for down the road. We going to have those two individuals.

Another thing I encourage people you need to come out to at least one Council Meeting in a year. You should come out. You should bring not your little children, but your bigger children just so they have an understanding how the government is run around here and they have any questions they can ask. I think you owe it to yourself just to make that one meeting a year so I encourage you to come out to at least one Council Meeting a year. Everyone.

Also, during summer I know some people can't make the meeting, but I still want you to come to one. I do go around sometimes and I meet with groups on the streets when you have four or five sometime individuals from the street I will stop and ask that you don't schedule one for every Saturday because sometimes it's hard for me to get from one location to another location, but I have no problems with coming to you if you have you and a group of your neighbors would like to sit down and ask some questions for about an hour or so they are more than welcome to do that. I done that last year and I'll be doing the same thing this year. It allows me to cover more ground and keep you informed.

And I say also you need to get more involved in your community for our city. Cleanliness in the community. For instance if you got activities you know that it's not right. Don't hesitate if you in doubt pick up the phone and call your local law enforcement because I would say the home that you don't call about that's being burglarized or being messed up it could be your home next and you'll feel bad if somebody that made the call for you. And with that, that should conclude me for the night.

One last thing. Happy belated Mothers Day to all you mothers because I'm going to tell you the mother's the most important thing you can have in your life and I was a mama's boy when I grew up. Like I say I miss my mama today so I tell you, take care of your mothers because you will never ever get a replacement for nobody to love you like they would ever love you. They're the most important thing in your life. I love my dad but mom is number one. Thank you, Mme Chairman.

**PRESIDENT MARINCIC:** Thank you. Clmn Nenadovich.

**CLMN NENADOVICH:** Thank you, Mme Chairman. The 27<sup>th</sup> of May is Memorial Day. Get involved in some activity honoring our Vets. Go to the parade. Visit the graves. Anything to remember to show the Vets that you remember them. The number we're going through now is almost near 4,000 lives in a war that was supposed to be over in six months. So this Memorial Day say a prayer for all those guys over there and the women too. All our Vets and the ones on active duty and the ones that have passed from WW II and Korea and all them. That's what Memorial Day is about. I wish everybody a safe and Happy Memorial Day.

**PRESIDENT MARINCIC:** Thank you. Clmn Glenn. Do you have a comment?

**CLMN GLENN:** Yes, Madame. I'd like to mention the fact that there's a lot of construction going on on Granger, 98<sup>th</sup> Street, in that intersection that's under construction. Give yourself an extra 10, 15 minutes to make another route. Be patient. Construction is a sign of growth. Thank you.

**PRESIDENT MARINCIC:** I just would like to encourage people to come out to the Memorial Day parade. It's a solemn parade, but it's a very meaningful parade. It's honoring those who fell during any Armed Forces battle at any time overseas. Please, these people gave their lives for us. It's the nicest thing. It's the kindest thing. It's the respectful thing to come out and honor them and show them that you truly appreciate what they gave.

Finally, I'd like to say I missed you, Tracy. Come back, come back, come back. It's lonely being the only woman on Council and that's all I have. Clmn Suster.

**CLMN SUSTER:** The only thing I have is I'd just like to say to everybody have a safe Memorial Day. If you're travelling take your time, give yourself a lot of extra time so you return back to us safely and also as Nancy said about the parade. Let's show these people that we do appreciate the lives that have been given in the different wars that have gone on. That's all I have.

**PRESIDENT MARINCIC:** Thank you. Clmn Vaughn.

**CLMN VAUGHN:** Thank you, Mme Chairman. First of all we had a great event happen in the Ward 10 days ago. The opening of our McDonald's. It has finally happened. We had those that said it would never be done and it has. So with that, Nikki, would you please pass out hamburgers for everybody, please? I know certain individuals said it would never happen in Ward 7 and it's a great place. Stop in there. The technology is top notch. Fifty cents for a cup of coffee. I see where some of the group from the other McDonald's has moved to the new one.

On the garbage, I know this is going to be a big change for our community, but I think in the end we're all going to enjoy it and it's going to be better for the community. So please be patient. Attend the meetings. We're going to be saving a lot of money here folks so please be patient.

Tracy asked that tonight I thank everybody for everything everybody's done. The fundraiser, donations, food. She says she's getting better and stronger every day. She hopes to be back sooner. People, I suggest take time out. Give her a call if you'd like. She'd be glad to hear from you.

This week at St. Monica's we're going to be honoring Father Lucaczynski who lives in residence there who will be celebrating his 25<sup>th</sup> anniversary. So that's a big achievement for a man today to be ordained 25 years and still be in active ministry. Also in two weeks we'll celebrate Father Haren's 40<sup>th</sup> anniversary as a priest and pastor so I wish these two men good luck and hope to see them around in the future.

Police Memorial Day May 15<sup>th</sup>. Growing up in a police family as a kid and stuff I was always taken to many parades, many events for this week. Folks, I ask that you put your flag out in honor of those that have fallen. Those families give a lot and it's a good time for us to remember them. I'd like to wish everybody a Happy Memorial Day, a safe one and show your support and be out along Turney Road when that parade comes and show everybody what a great city and the pride we have. With that, Mme Chairman, that's the end of my report and I'd like to make a motion.

**PRESIDENT MARINCIC:** You want to say what time the parade is?

**CLMN VAUGHN:** Ten o'clock. The parade's at ten.

**PRESIDENT MARINCIC:** Thank you. On the motion to adjourn. All in favor say Yea. All opposed. The meeting stands adjourned.

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

ABSENT: Mahoney

**MEETING ADJOURNED AT 8:08 p.m.**

**APPROVED:**

**RESPECTFULLY SUBMITTED:**

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Nancy Marincic  
President of Council

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Barbara Molin  
Clerk of Council