

MINUTES OF A REGULAR MEETING OF COUNCIL

CITY OF GARFIELD HEIGHTS, OHIO

Tuesday, November 13, 2012

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

INVOCATION BY: Clwn Tracy Mahoney

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

READING AND DISPOSAL OF MINUTES:

PRESIDENT MARINCIC: Reading and disposal of the regular Minutes from Monday, October 22nd.

CLMN SUSTER: Mme. Chairman, I'd like to make a motion that we accept the Minutes of Monday, October 22, 2012 as submitted.

PRESIDENT MARINCIC: All in favor say Yea. All opposed? The Yeas have it.
AYES: Suster, Vaughn, Mahoney, Dudley, Marincic, Nenadovich, Glenn

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, do you have a report this evening?

MAYOR VIC COLLOVA: Thank you, Mme. Chair, yes, I do. I want to start off today. There's a program Cleveland Clinic is getting into. It's called the Cleveland Clinic High School Internship Program. Just to read you a little bit about it:

“The Cleveland Clinic offers area high school students valuable professional experience in math, science, business, the arts or any one of several other areas. Summer internships are paid and college credits may be earned. Apply before January 4, 2013.”

Some of the things they have are Summer Science Internship Program, Charles Drew Academy Program, Health Horizons Internship Program, another program that I can't pronounce, Young Business Leadership Program and many more. This is an excellent idea for the young students in our area to take advantage of. They have an opportunity to get scholarships along with some

valuable training and also get some credits for college. That's something if you want to look into. You can call my office and we'll give you where to go with that.

Next, there was an article in the Neighborhood News from Boyas that I want to read:

"Take Tree Debris to Boyas For Free. For the next two weeks Boyas Excavating in Valley View 11311 Rockside Road, will accept tree debris at no extra fee. Stumps, logs and tree branches will be accepted. Boyas normally charges up to \$27.00 per yard for certain disposal materials, but considering what Sandy left behind they feel that now is the time to help. Fees for illegal dumping can cost up to \$500.00 and jail time is possible so residents are encouraged to take advantage of Boyas's generous offer and you can contact Boyas."

Everybody knows where they are on Rockside Road. Thank you to Boyas. It's very nice of them to do that.

Holiday Lighting Contest. I passed that out earlier to Council. Once again we're going to have the City Holiday Lighting Contest. Nominate your favorite residential display. One winner in each Garfield Heights Council Ward will be selected. A city-wide winner will be chosen from the Ward selections. Deadline for nominations is 4 p.m. Thursday, December 13, 2012. There's some forms to fill out for entry. Contact your Councilperson. They have a group of forms for you to fill out. We will then select Council we will select a group of individuals to be the judges for the final judges and we'll get together on that in the near future.

With that I want to talk a little bit about Issue 54 and I certainly want to thank the residents of Garfield Heights for their overwhelming support against Issue 54. We defeated Issue 54 in every precinct throughout the city. Not just every Ward, but every precinct throughout the city. This is a vote of confidence for the entire city. It makes me feel that the large majority of residents of Garfield Heights have not given up on this city and they want this city to prosper and head in the right direction. I got to be honest with you. I couldn't be more proud of this community than I am right now. I mean they really stepped up to the plate. They did a great job. I also want to thank Council, all of my staff, all of my Administration, all of the employees that work for Garfield Heights for their efforts to get this issue defeated. Everybody worked as a team and it was really something to see through their donations, through their passing out literature, through their standing out at the polls, I can't be happier. We got a great group here in Garfield Heights, the entire work force and it was great to see everybody work as a team.

I know that many voted for this issue and the reason that some voted for this issue because I know they're strapped for money. There's many Seniors out there that are really struggling and I understand this. All they're looking to is to be able to breathe a little bit with some relief and I understand it and I feel for you. I really do. Others voted against it for personal agendas, political agendas. Some people just really think that the city has money; that we're just trying to get more. Whether you voted for this or whether you voted against this, I want you to know that very shortly and I mean it sincerely, that I think that you're going to see the benefits that this city reaps from this extra rubbish fee that we're going to collect. We are certainly headed in the right direction.

I just want to give you an example of one small incident that took place today that makes you think about the money and the city. I left for work this morning and I was riding up Granger Road Hill and there are potholes in Ganger Road Hill that are all the way down to the red brick. I rode past them this morning and these are potholes that are there all the time. We fill them when the

bad weather comes they get kicked back out from the truck traffic. Next year we have Granger Road being redone. We've had meetings with the Chief and with Dave Krock the Engineer and talked about how this is going to be done so this is in the works, but when I left for work this morning and I saw these potholes I came back from work this evening those potholes are still there. They're not filled. It doesn't make me happy to see them not filled, but just so you understand, the reason they haven't been filled today is because we have every single person we can out there picking up leaves. We're operating with a skeleton crew. We don't have enough people to do both even though they both deserve to be done and they both should be done for the residents of this city, we are operating at such a tight schedule, a tight skeleton crew that we can't do it. So this money that we're getting from this rubbish fee and the tax dollars that we're going to get from the new businesses that are coming into Garfield that we're going out to get is going to make things a lot better. We are going to be able to provide these services in a very short time. I know you've been hearing this for a couple of years but you're seeing it now come to life and you sort of have to crawl before you walk and walk before you run. Folks, we've been crawling. We're just starting to walk. Believe me, pretty soon we're going to start running so again I thank everybody for the effort put forward. I really thank the residents. I'm very proud to be Mayor of the city and I mean it.

With that said. Thank you. We'll get into tonight's legislation. Ordinance 82-2012. 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 the city for the year 2013. This is an annual renewal that we have to do each year before the end of the year. Ordinance 83-2012. This is amendments to the Recovery Plan have been set forth in the past. We have made some changes. Ron has individualized them pretty well on here, but one of the things that we've changed of course is that we've reduced the rubbish fee by 20% and that will be added into this new Recovery Plan.

Resolution 34-2012. I stated it at the last Council Meeting. We are honoring Clerk of Courts Gerald Fuerst. He's been a great friend of Garfield Heights. He's been a great friend of mine. He's done an outstanding job and he's going to be sorely missed by Cuyahoga County. With that, Mme. Chair, you have my report.

PRESIDENT MARINCIC: Thank you, Mayor. Any questions for the Mayor on his report? There being none we will move on to Law Director Tim Riley. Do you have a report?

LAW DIRECTOR TIM RILEY: Yes, I do. Thank you, Mme. President. Just briefly, I want to touch on Resolution 34-2012, which is honoring Gerry Fuerst. Mr. Fuerst couldn't be here tonight. He's at a Clerk's meeting in Columbus, but he's going to retire at the end of the year. As an attorney, you go to many clerk's offices in the State and don't realize until you come back to Cuyahoga County how organized our clerk's office is. The volume they handle down there is incredible. They handle the Court of Appeals, the Domestic Relations Court, the Common Pleas Court, foreclosures and in all the years I've been practicing, they've always been organized and on top of everything. So it's going to be a great loss to the County when we lose Mr. Fuerst. But he's been the Clerk for 37 years and he's done one heck of a job. That's my report. Thank you.

PRESIDENT MARINCIC: Any questions for our Law Director? There being none we will move on to Police Chief Sackett. Do you have a report this evening?

POLICE CHIEF ROBERT SACKETT: I do not have a report this evening, thank you.

PRESIDENT MARINCIC: Thank you. Any questions for our Chief? There being none we will move on to the City Engineer David Krock. Do you have a report?

SERVICE DIRECTOR TIM McLAUGHLIN: Absent.

PARKS AND RECREATION DIRECTOR BOB DOBIES: Absent.

CITY ENGINEER DAVID KROCK: I do. Thank you, Council President. I just want to give a brief update on McCracken Road. With any luck and the weather holding here next week we should have thing reopened out there. Some things will still have to wit till next spring like some of the final striping. We'll have it striped well enough to get us through that time, but you know the project is finishing up now just in time of course for the cold but we will have a few things to do in the spring.

I want to also report on Rosewood, Bancroft, Wallingford and East 112th. Those projects went to bid and we'll be coming to the Board of Control next time to award those contracts. That work will be done by next June. That will be a big help to the Service Department in that we're getting rid of these old grinder pumps and headaches that we have for those residents. Looking forward to that .

The Rockside Road project did bid a couple weeks ago so it is on schedule to start next spring. So that's my report.

PRESIDENT MARINCIC: Any questions for our City Engineer? I just would like to make one statement. I would like to publicly thank you, Dave, for all that you did. I had a problem with the sewers in my street on Edge Park and there was a very unpleasant aroma coming out of them for almost a year now and Dave managed to get to the bottom of it and he solved the issue for me and I can stand in my front yard now again and smell the air. It's very nice. Thank you very much. OK, we will now go on to.

CLMN DUDLEY: Mme. Chairman. Excuse me. What was in the sewer?

CITY ENGINEER DAVID KROCK: What's in the sewer wasn't the cause of the aroma. This really came out of the tunnel. The tunnel that was done. We had air back flowing up which should have vented out of the tunnel actually came back through our system and out of our catch basin so it was very local. It became a much more local smell than we wanted. It should have vented right out of the tunnel.

PRESIDENT MARINCIC: It was horrible.

CLMN DUDLEY: Thank you, Mme. Chairman.

PRESIDENT MARINCIC: OK. 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: I do not have a report tonight.

PRESIDENT MARINCIC: OK. Any questions for our Finance Director? There being none, we will move on to Economic Development Noreen Kuban. Do you have a report?.

ECONOMIC DEVELOPMENT DIRECTOR NOREEN KUBAN: Thank you, Mme. President. I just wanted to note and I know the Mayor didn't put this in his report, but he was recognized yesterday by the Cleveland Clinic Foundation and Marymount Hospital for his dedication to our

community and his commitment to helping residents. He was one of four individuals nominated and honored yesterday at a luncheon and this was for the southeast community. I just wanted to point that out because I knew he wouldn't mention it.

So that being said I'm going to give Tim McLaughlin's report tonight. I won't do the imitation of his voice. He said that they spent the last week on storm cleanup. All available crews were out on cleanup. Last Friday he put three crews out on leaf pickup and they will continue to do the leaf pickup until it's cleaned up. They will be working on Henry Street tomorrow and then they'll go over to Ward 1 by Thursday. Wards 2, 3 and 4 have been collected a second time. He's asking everyone as usual, to please rake everything into the tree lawn for collection. Don't rake into the street or into the sewer area. That concludes my report and his report.

PRESIDENT MARINCIC: Any questions for our Economic Development Director? There being none we will move on to Building Commissioner Bill Wervey. Do you have a report?

BUILDING COMMISSIONER BILL WERVEY: Just a couple things. The vacancies and foreclosures stayed pretty stable. Vacancies are 840; foreclosures are about 710. Dave McKee from our Fire Safety Office and I will be doing the final inspection at Overdrive I believe Thursday to tie up a couple loose ends. I think they had an enunciator panel for the alarm that needed to be checked and they will be moving in over the next couple weeks. That's all I have this evening.

PRESIDENT MARINCIC: Thank you. Any questions for our Building Commissioner? I have one that I've discussed with you and I'm hoping that you could comment on it on Council Floor so everybody out there knows it. I had a resident call me and say the city should outlaw Section 8. I tried to explain to them that we can't do that.

BUILDING COMMISSIONER BILL WERVEY: You're correct when you told them we couldn't do it. The Voucher Program or what used to be called Section 8 is a Federally funded means of helping people afford housing and it's market driven. They are not specific houses that are Voucher Program houses. An applicant applies to be in the Voucher Program and they go out and look for an apartment or a home. It could be Garfield Heights. It could be Shaker Heights. It could be Beachwood. You can't outlaw it. We do rental inspections and we do them on Voucher houses and non-Voucher houses. You can't regulate that.

PRESIDENT MARINCIC: Thank you very, very much.

CLMN DUDLEY: Mme. Chairman, I just want to make a comment. For somebody to say to outlaw Section 8 that's stereotyping a group of individuals and they shouldn't have said that. Everybody on Section 8 is not bad. There are a lot of good people in Section 8 like everybody who is in subsidized houses is not bad. You have good individuals. You have good in every group and every source and nobody should ever say let's outlaw Section 8. Some people need that program and that's why that program is there. They shouldn't stereotype individuals like that. Thank you, Mme. Chairman.

PRESIDENT MARINCIC: I don't think the person who brought this up to me was trying to stereotype anybody. I think that they spoke to somebody they knew who lived in another State whose community, she said, made it illegal. I don't think they did. I don't think it's legal to make it illegal..

BUILDING COMMISSIONER BILL WERVEY: I would not challenge them necessarily, but if you get comments like that I think I'd like to ask please provide us a copy of this legislation because when I hear people say this I suspect that they don't have their facts straight.

CLMN DUDLEY: It's illegal, Bill.

PRESIDENT MARINCIC: As I said she was a very nice individual. She was just looking for solutions. OK. Any other questions for our Building Commissioner? There being none 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 anybody wants to comment on items on the agenda raise your hand? Anybody?

(Voice from audience.)

PRESIDENT MARINCIC: Yes, Sir. Is this about items on this evening's agenda? OK. I think what you want to do is there will be a point in the meeting later on for you to comment. OK?

ORDINANCES AND RESOLUTIONS:

PRESIDENT MARINCIC: Anybody on the evening's agenda? There being none we will move right on to Ordinances and Resolutions and we will begin with Ordinance 82-2012. Will the Clerk read the title please.

ORDINANCE NO. 82-2012

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 YEAR 2013.

Moved by NENADOVICH to CONSIDER BY TITLE

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

Motion by NENADOVICH to WAIVE RULE 24:

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 82-2012 stands adopted with 7 Yes votes.

ORDINANCE NO. 83-2012

AN EMERGENCY ORDINANCE AMENDING THE MAYOR'S 2009 FINANCIAL RECOVERY PLAN, ATTACHED HERETO AS EXHIBITS C AND D, ALONG WITH ALL PRIOR AMENDMENTS, AND

DIRECTS THAT THE HEREIN IDENTIFIED AMENDMENTS TO THE PLAN BE SUBMITTED TO THE FINANCIAL PLANNING AND SUPERVISION COMMISSION AT THEIR NEXT REGULAR MEETING.

Moved by SUSTER to CONSIDER BY TITLE

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

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

PRESIDENT MARINCIC: Ordinance 83-2012 stands adopted with 7 Yes votes.

RESOLUTION NO. 34-2012

A

RESOLUTION ON BEHALF OF THE MAYOR AND COUNCIL HONORING CUYAHOGA COUNTY CLERK OF COURT, GERALD E. FUERST.

Moved by GLENN to CONSIDER BY TITLE

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

Motion to SUSPEND THREE READING RULE:

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

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

VOTE ON ADOPTION:

CLMN SUSTER: Before I vote, I'd just like to say congratulations to Mr. Fuerst after being the Clerk for 37 years. He deserves a rest and as the Mayor had mentioned in his report he'd always been very supportive of the city of Garfield Heights and I wish him the best and I vote Yes.

CLWN MAHONEY: I, too, would like to congratulate him and wish him the best and I vote Yes.

PRESIDENT MARINCIC: I also would like to offer my congratulations and wish him a happy retirement and I vote Yes.

CLMN NENADOVICH: I wish Mr. Fuerst a long and healthy retirement and I vote Yes.

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

PRESIDENT MARINCIC: I am pleased to say that Resolution 34-2012 stands adopted with 7 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. I'm going to have our Clerk read the rules.

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: Comments are limited to five minutes. No citizen shall be heard more than once. If you'd like to speak raise your hand.

Jeff Snodgrass, 4931 Henry Street. I wrote a letter to Council which I think all the Council Members received. I've currently lived in Garfield Heights for 38 years. Lived in your Ward for 37 years and now Mr. Dudley's Ward apparently Anyway I'm currently the President of the 4130 Club of the Knights of Columbus Council and earlier this year we entered into a lease agreement with Ohio Charity Poker and the city as a second lessee and there was previous legislation brought before the Council where Council was asked to reduce the fees that the city collects for these events that we have for Charity Poker. I would like the Council to reconsider that. The situation that we have is when we entered into this lease one of the big things that made us sign the lease with Ohio Charity Poker was the fact that the city had given this their full support so we unanimously agreed to have them come in to our facility and do gambling. Since the casino was opened it had a significant impact on it in addition to which there's been a law passed in the State of Ohio which restricts the number of events that a charity can do from two events per year to only five days per year. It went into effect immediately on June 12th so what that did in effect was that anybody that already had an event it sincerely impacted the number of charitable events if they wanted to have another one towards the end of the year. So what's happened recently was they've basically only had, when they do open, maybe one table working. There's not enough income coming into the charity to make it worth their while so they've been closed here recently. It severely impacts us and the Knights of Columbus because that's our means of revenue to keep the hall open and I think many people here realize we do a lot of good things for the community, for the mentally retarded, the needy, Christmas baskets, etc. Anyway, all I'm asking is that if the Council would consider reducing that fee again because the only one that gets hurt here is the charity. The charity is the one that pays the fee upfront. The charity has to take all those proceeds out of whatever money they make from this event. So basically if you did that for six months or you would consider doing it for six months it may put these people in a position to get back on their feet and then maybe it would be helpful to the Knights as well, so that's my appeal to the Council.

PRESIDENT MARINCIC: Thank you.

MAYOR VIC COLLOVA: Mme. Chair, let me respond this way. I happen to personally agree with you. They've been good to the city and I know we're making a pretty good buck off them and now's not the time to try to beat them up for money. I will ask Council if they are willing to put this up and go for it again and we'll let them make a decision.

MR. SNODGRASS: I appreciate it.

CLMN DUDLEY: Mme. Chairman. When they turned around and said they cut your days down to almost five a year, you didn't think about maybe you all getting together as a PAC, not just you but other Charity Pokers and get in touch with your State legislators and find out why they not doing anything like they did for the other gambling spots? They fought their decision because the big casino moved in and when the big casino was getting ready to get started they started closing all these spots down, but they battled it so they could get open again. You all never thought about challenging that ruling Statewide?

MR. SNODGRASS: I think what happened, Sir, was the law that was passed in June. It's an act. It's like 140 pages long. It's basically more geared towards the race tracks and Bingo than it is more than anything else if you read it. There's only a small section there about charity events. Only about one or two pages. Quite frankly nobody even knew the law was passed. What happened is the charity wanted to have an event there and they presented it to Ohio Charity Poker saying we'd like to do it but this law was passed in June and then everybody became aware of it. I don't think even City Council was aware of it. So I'd actually taken that and provided it to a couple of the Council Members and to the Mayor and said that this really changes how this thing works. It changed the whole parameter of how the charity makes money. So it wasn't anything that we would have known about. The charity wasn't even aware of it because in actuality they may have violated some rules in June and July not realizing that the legislation had actually passed. So when they found out about it it curtailed their efforts and they don't want to break any rules with the Charity Poker so they immediately ceased doing anything. They stopped. Now when you get a 501 c3 charity to come in and have an event you want to make sure that they haven't had a previous event or they've only had it less than five days.

CLMN DUDLEY: I wanted to mention this. This is the type of person I am. I feel even if I got a notice and it already took place and I say I wasn't aware of the change and write a letter or whatever something mentioned about it, but I would still notify my legislator at State level and find out why was this passed in June. Why we wasn't notified that this was going to be voted on so that we could have had a voice or say-so. We could have contacted you because you elect them people to represent you and I wouldn't take it sitting down. I'd get in touch with some of these other Charity Pokers and power is in numbers and I would send a piece to them or a letter to them one page or one paragraph and just let them know why that it was wrong that was done to us and we should have been notified. We should have had a chance to make our comments before you had a vote. If they don't you say somebody done you wrong and you should take it sitting down.

MR. SNODGRASS: We're only the lessee. I agree with what you're saying.

CLMN DUDLEY: I'll get a chance to talk to you. Thank you, Mme. Chairman.

CLMN GLENN: Mme. Chairman. As I understand it the only thing at issue right now is to renegotiate the contract as it stands now because of the volume of the business has deteriorated way down where they're only having one, maybe two tables whereas before when they had generated more revenue they had seven or eight or even nine tables going. So this makes good business sense to renegotiate the contract. We do not want to kill the goose that laid the golden egg. So I support the Mayor in this here renewed negotiation of the contract.

MR. SNODGRASS: Thank you. Like I say it's a win-win for the city. It's a win-win for the Knights so if they end up going away and we have to stop the lease with Ohio Charity then we don't get any more revenue from them and we'll be back to having a hall manager and a caterer which as everybody I think knows it's been a very difficult situation for caterers at this point in time.

PRESIDENT MARINCIC: Ten seconds. You can go ahead but I'm letting him know he has 10 seconds.

CLMN SUSTER: There was some comments made about this Charity Poker on the radio a while back. The more I listened (I don't basically listen to talk show hosts because they

aggravate me) but I was listening to this one talk show host that was talking about the Charity Poker and we're saying the city gets hurt, the Knights of Columbus get hurt. Who's really getting hurt are the people that came there to say they rent the hall to have something for charity and people were raising money for Little League, scholarships, tuitions, etc. This guy came right out and he said where are these people going to get this money now to give to these kids or these different organizations when they close these places down? Or they make it not lucrative for them to have them? I agree with him wholeheartedly because I know people that had some functions there and they made good money out of it which helped them and I myself you know I would like to see that whoever has that do well. That's all I have.

CLMN NENADOVICH: Mme. Chair. I have a question. Mr. Snodgrass, you stated that in the past they were allowed two events (the charity). That's not saying the Knights of Columbus could have two events. Let's say the baseball league. OK. Now five days or two events per year. Who keeps track of the number of days?

MR. SNODGRASS: In this particular case, it would be the city that would schedule the events, but you'd be in violation of the City Charter and whoever's keeping track of this stuff all goes to the Police Chief he gets a copy of it and everybody has to register with the city and I'm sure if you violated something they're going to say something and they're in violation of the law and then you'd have to close it down.

CLMN NENADOVICH: Our city would be in control of it. Who keeps how many events? How many days?

MR. SNODGRASS: Plus Ohio Charity Poker has to keep track as well.

MAYOR VIC COLLOVA: Mme. Chair. Let me just try to clarify. Clmn, my understanding is when you have a 501 c3 you report the money that comes in; the money that goes out. Part of that reporting in the past had been you could have two events, a three day and a four day event to raise money for the charity. That has been switched from a three to four day to a total of five days. So when they do their reporting on their 501 c3 that would really be able to keep tabs on whether or not they are following the guidelines. We would do it as far as bringing money into the city but the final answer would be the 501 c3 people.

CLMN NENADOVICH: If that would go up again I would support it.

PRESIDENT MARINCIC: Thank you, Mr. Snodgrass.

CLWN MAHONEY: I have a question to ask our Law Director. Mr. Riley, it would not be up to the city to keep track of whether or not the charities are violating the 501 c3 law. It would be up to them themselves? Is that correct?

LAW DIRECTOR TIM RILEY: That is correct. Yes..

CLWN MAHONEY: Thank you.

PRESIDENT MARINCIC: Anyone else wishing to speak tonight? There being none we will move on to Miscellaneous Business beginning with Clmn Dudley.

MISCELLANEOUS BUSINESS:

CLMN DUDLEY: Putting the best first, I could tell you, young lady. All right, make this quick because I tell you it was a pretty good short night and everything like that. First of all, I'd like to thank all the residents for voting No on Issue 54 and like I say it was really beautiful to see that all precincts decided that enough was enough. I'm really proud of that.

I wanted to mention too whether anybody heard about while we was going between meetings about a young lady who was beat to death in Warrensville because they had teased another girl about passing some gas. Did anybody hear that story? She actually got killed over that. This really happened. That's one thing like I say once before. If a child can be beat because of something like that, anything can happen in a school. I am really stressed on the fact that we need security. If you remember the threat was called in to our department about a possible. Give me a second,. Let Chief speak on that. Do you remember the threat that was called in?

POLICE CHIEF ROBERT SACKETT: You talking about the one a few weeks ago?

CLMN DUDLEY: Yes.

POLICE CHIEF ROBERT SACKETT: Yes, somebody called the Police Department and gave a time and said there's going to be a shooting at the school.

CLMN DUDLEY: Yes. That's just a prime example. That's why I say a lot of times security our police officers are armed security. They are your first line defenders. When that person called here who is to say that that wasn't a threat that was going to take place or what if that person wouldn't have called and actually planned on carrying out their threat? And they walked up in that school and they start firing a gun? We done seen it happen from Chardon to Success Tech and other schools around the country. And in Colorado, whatever the case may be? We need security and this is a totally different age and time. We cannot and I don't think we should really depend on the Police Department to provide and I know they not going to every minute to provide security for the school. The schools need they own security. If a child is being assaulted in that school do they have to wait for the Police Department to come in? Should a teacher jump between these individuals fighting and put theyself at risk? This is a different day and time, people. If it's a money issue go get your money through open enrollment. You passed the levy. This is about the safety of our children. Whether they want to hear it or not I have children in my Ward that go to that school. I have talked to people who took they kids out because they were worried about safety issues on they children. We need to have security just like Warrensville and other suburbs, We need security officials in that school as first line defenders.

I'll give you a prime example, What happens if a mother walked into the office and says she needs to go and talk to her child in class? This can happen. She's nice, she's polite, you let her go to the class to speak to the teacher sitting there. Her mode or his mode not to sit in that classroom but to go there as you saw on the bus where a mother walked on the bus and beat up another child for messing with her child. What happened when that mother/father go in that class and jump on one of those students? Who's going to break it up? They will wait until the police get there. I'm telling you. Don't wait and sit back till things happen. Security is not about catching somebody when they commit a crime, even in a store. It's to be there visibly to create a deterrent to hope that nothing happens. To let people know that you're there and you want to stop it before it happens. We cannot be on the wait and see because remember once it happens you can't take it back. And you can't put a dollar or a price on your children's life. Nobody's children. I'll say that is all about children in that school. Whether we made them or had them they're our children. I am concerned. I don't want to have a wait and see attitude when something goes wrong. Then we say we should have, could have, would have. It needs to happen now and I don't think there's a child that went to that school that didn't have a issue that they wished they would have some type of law enforcement. Off duty police officers? You want

to use them? Or you can use regular security where you hire armed security. But I'm for armed security in that school and I think it's long overdue. That will take care of that.

Put your leaves on the tree lawn. Don't put it in the street. Clean up Ward 1 so we can get it sucked up and get rid of them bad leaves.

Like I said once before on the Section 8 issue, everybody on Section 8 isn't bad people. I got good people in my Ward. I got me some Section 8 they just as good as anybody else. It depends on the individual.

Last thing, Cleveland hit us with a 15 mill levy and if you live in Ward 1 I want to let you know if your house is worth \$75,000.00 you will be paying \$349.00 a year. We are paying more not to go to Garfield schools than we would have if we went to school and that was my concern. That is absolutely wrong for anybody in the city to allow any residents to be dunned like that. That is an injustice, people. We will pay \$349.00 for our kids to go to a school that provides a lesser education. They said when our kids couldn't go there they said it was an issue about room. Your middle school, our middle school is our middle school now and our former high school. We have room. They said it was a levy issue. You passed a levy. They said they needed a levy to allow these kids to go. It's long overdue. There are no other excuses now. Those kids should be let in that school.

PRESIDENT MARINCIC: Mr. Dudley, I have to ask you to wind up.

CLMN DUDLEY: That's all. I appreciate it, Mme. Chairman.

PRESIDENT MARINCIC: Thank you. Clmn Vaughn.

CLMN VAUGHN: Thank you, Mme. Chairman. Mayor, I just want to congratulate you on your award yesterday. It was an honor to be there with Clwn Mahoney, Noreen Kuban, Tim Riley, Chief Sackett, Chief Nemetz and it was really nice to hear what the community people had to say about you and what you're doing for Garfield Heights. I surely enjoyed yesterday's event.

I would like to remind everybody that when they are in a school zone could you please slow down? I was standing outside St. Benedict's School the other day and people are not paying attention. Please everyone when you see those lights flashing please, slow down

I've received concerns about Turney and Rockside. We have a few people in my Ward that are seeing impaired and we are going to look into the White Cane Law and see what signage and stuff we can put up there. Again, we have a young individual that walks back and forth to Wal-Greens, up to the shopping center there. You see some people with a white cane, please give them the right of way.

I want to wish everybody a Happy Thanksgiving. Enjoy it with your family and friends and most of all don't forget those that are less fortunate. Thank you, Mme. Chairman.

PRESIDENT MARINCIC: Thank you. Clmn Nenadovich.

CLMN NENADOVICH: Thank you, Mme. Chair. I'd like to thank a few people who are called residents of Garfield Heights for what they did on voting day failing Issue 54. It helped the city out a lot. It was a great help. Everybody knew it. The citizens have finally spoke and they spoke a very, very loud message. We've had enough with all the naysayers. We've had enough. They backed the city. They backed our Mayor and his Administration. I thank you for that. I thank you great for that. I want to thank God, too, for giving us a great day. It warmed up finally, but boy, the morning started out cold and I thank the two gentlemen at the end of the table here for the

coffee and doughnuts they brought around constantly all day. It was a good day. It turned out real good at night and again, like it was said before, not one precinct voted more Yes's than No's. That's a lot of backing.

I'd like to thank all the Vets. I want to thank the school system for inviting Veterans to lunch yesterday too, with their children and grandchildren. There weren't that many Vets there. The school that I went to, William Foster, in the cafeteria when I was there for the half hour five people were there as Vets. Four of them were grandfathers. There was one young lady who just came back from Afghanistan; had lunch with her child. She brought a Hummer to school. So all the kids were enthralled with it. But that's what it's about, I mean it was about the kids yesterday, the Veterans and I thank the schools for putting that on.

I want to wish everybody a Happy Thanksgiving and say a prayer for our Vets to bring them home in the way they went—in good shape. Thank you.

PRESIDENT MARINCIC: Thank you. Clwn Mahoney.

CLWN MAHONEY: I want to congratulate Vic as well. You made the city very proud and it was nice to watch you get that. You work hard and it's nice to see you get congratulated and honored for your achievements. I'd also like to thank everybody who supported the Mayor and his Administration on Issue 54.

I'd also like to thank Ron for his hard work as always on the Recovery Plan. You do a lot of good things for the city in regard to our finances and I thank you for that.

Also I'd like to wish everybody a Happy Thanksgiving and that 's all I have.

PRESIDENT MARINCIC: Thank you. Clmn Glenn.

CLMN GLENN: Yes, Madame. First of all, I'd like to talk a little bit about Mr. Fuerst. He served as County Clerk of Courts for 37 years. He's also a graduate of Case Western Reserve. He got his law degree there. He's also a graduate of Cathedral Latin. I had the opportunity at a clambake to sit down at the same table as Mr. Fuerst and we had great conversations about his days at Cathedral Latin and one of the stories he told me was that the team played for a national championship and a lot of history about the school.

I'd also like to talk about a resident in my Ward. His name was Raymond Kokowski. The man was 85 years old. He passed away on October 20th of this year. I'd met Ray during the summertime, out painting fire hydrants. I happened to strike up a conversation with him while he was working in the yard at 85. The man had cancer and was living by himself. I talked to the man and we had a good conversation. I asked him are you going to vote in November and he says no, I ain't voting. I said why not, Ray? And he said no politician ever did anything for me. I haven't voted for 40 years. I continued to talk to Ray and we had good communication. I took the registration papers over for Ray to vote. Ray filled out the papers. Ray was going to vote for Issue 54. Ray never got the opportunity to vote. We would have had one more vote for Issue 54. So the residents spoke out on Issue 54 and we supported the Mayor. I'd like to thank all the Administration, firemen, policemen, all the city workers that were at the polls. We worked hard and we accomplished a lot.

I'd also like to talk about Thanksgiving. Everybody have a Happy Thanksgiving. That's the end of my remarks.

PRESIDENT MARINCIC: Thank you. Very nice. Clmn Suster.

CLMN SUSTER: I knew you were saving yourself for last. I just would like to say that the Veterans' Day ceremony was very nice. I'd like to thank the crew that took the time to go over to the memorial and clean it up.

As far as Issue 54 goes, I think we would have had more No votes had people been informed more by the people that went around and took the petitions because some of the comments that I had heard while I was standing out I couldn't figure out where these people were getting the information they got because none of it was true. I mean it was because the people wanted the City Council and the Mayor needed a raise and stuff like this, but that's neither here nor there. But if you took the time and explained this thing to some of these people I would imagine they would have went in and voted No. I heard a comment from one of the people that were in there voting that a lady went in with her four-year-old daughter and the little girl looked up at her mom and she says don't forget, mom, vote No on Issue 54 or else they're going to close the Rec Center. So we even had the little people that were in our favor and I tell you it was nice being out there to inform people in the right way of the way things went. I was over there this morning. I had to go somewhere and I saw quite a few people I didn't even know that had come up to me and they were ecstatic that it went down the way it did because they don't want to see this city go down and not be as viable as it is for people to come here and raise their families.

I heard Mr. Dudley talking about the security at the schools. I think where that should really be discussed, and you brought up their levy, is you should go to a School Board Meeting and tell them there that if they want security that they themselves should hire it. I don't think the city should have to provide it for them. It should come out of their budget rather than our budget.

CLMN DUDLEY: Mme. Chairman.

CLMN SUSTER: I have the floor.

CLMN DUDLEY: OK. You have the floor.

PRESIDENT MARINCIC: Clmn, he has the floor. Thank you.

CLMN SUSTER: I also would like to wish a belated Happy Birthday to Barb Molin, our Clerk of Courts. This past weekend was her birthday.

CLERK: Thank you.

CLMN SUSTER: It has the merits. There is a lot of good things to come, but it's like anything else. It takes time for it to happen. We've been through a lot in the last three years and it's going to happen. That's all I have this evening.

PRESIDENT MARINCIC: I would like to personally thank our Mayor, everyone in the Administration, everyone on the City Council and especially every resident in the City of Garfield Heights for voting down Issue 54. Our city is really headed for good things and I think within the next year we're going to see some absolutely magnificent changes.

Having said that, I would like the residents on East 109th, East 110th, East 111th and Edge Park who are still in the dark from the power outage (the squeaky wheel gets the oil) we're all calling. Please call CEI and file your complaints because the more people who complain the faster we'll get it fixed.

Finally, as I have done every year, I would like to read my Thanksgiving wish for you. And here it is:

May your stuffing be tasty,
May your turkey be plump,
May your potatoes and gravy have nary a lump,
May your yams be delightful.
May your pies take the prize,
And may your Thanksgiving dinner stay off of your thighs.

Happy Thanksgiving.

I make a motion to adjourn. All in favor say Yea. All opposed. The Yeas have it. The meeting is adjourned. AYES: Marincic, Nenadovich, Glenn, Suster, Vaughn, Mahoney, Dudley

MEETING ADJOURNED AT 7:50 p.m.

APPROVED:

RESPECTFULLY SUBMITTED:

Nancy Marincic
President of Council

Barbara Molin
Clerk of Council