

COUNCIL MINUTES
FEBRUARY 3, 1997

The regular City Council Meeting was held on Monday, February 3, 1997 at 7 PM in the Euclid City Hall Council Chamber. President Farrell presided.

Members Present: Cervenik, Dallos, K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell

Excused: McGarry

Councilwoman Miller moved to excuse Councilwoman McGarry. Councilman Vadnal seconded. Yeas: Unanimous.

Others Present: Mayor Oyaski, Law Director LeBarron, Service Director DiNero, Finance Director Balazs, Administrative Director Johnson, CS&ED Director Koran, Recreation Director DeMinico, Police Chief Baumgart, Fire Chief Dworning, Supt. Gall, Asst. Service Director Gulich, Commissioner Hayes, Building Commissioner Apanasewicz, Sgt.-at-Arms Stankus, Clerk of Council Cahill.

Council Minutes

Councilwoman Miller moved to receive and approve the Council Minutes of January 21, 1997. Councilman Vadnal seconded. Yeas: Unanimous.

Communications

Councilman Cervenik moved to receive and approve without objection a request for the transfer of a D5 liquor permit from J. Lubo, Inc. Db a Pete & Charlies to Brian & Mary Jo Schulz, Db a Brians Drawbridge Restaurant & Pub, 830 Babbitt Road. Councilman Dallos seconded. Yeas: Unanimous.

Council has received the following communications:

- Two memos from Zoning Commissioner Hayes regarding Ord. (269-96) & (283a-96)
- From Mayor Oyaski, the Euclid Hunger Center Annual Report.
- From Director LeBarron, a summary of legislation on tonight's agenda
- From State Representative Jerse, a letter stating receipt of our Resolution creating a Transportation Review Advisory Council and he has sponsored a bill to study urban sprawl.

Administration Reports and Communications

Mayor Oyaski - The D.A.R.E. Basketball Game will be Thursday, February 13 at Euclid High School. Involving the Council and Administration against the members of the School Board and the School Administration. It will be at the Euclid High School Gym. The game will start at 7:00

The Meeting on Wednesday of the Finance Committee be directed towards finishing the General Fund and Operating Budgets. The meeting next Monday, Feb. 10th at 7:00, be devoted to the Capital Budget, which is on the Agenda tonight as Res. (334-97). Next Wednesday, Feb. 12th, the meeting be re-styled as an Executive Committee Meeting to listen to a presentation on the audit of the sewer rates, as well as the water system improvement program.

We have a brief report from Chief Baumgart on a grant that the Police Department is working on.

Chief Baumgart - In order to fulfill our requirement of this grant, I'm supposed to make this announcement at an open meeting. The City of Euclid has accepted a Block Grant from the U.S. Department of Justice. The Block Grant is 96-LB-VX-1453. The grant is \$25,684. Our match is about \$2,684. This grant is to be used for overtime for the Department's Community Policing and Crime Prevention Program for two years. I have fulfilled the requirement.

Mayor Oyaski - We had to inform the Council of that development.

The Finance Director received from the Government Finance Offices Association of the United States and Canada, an award for Financial Reporting Achievement. This Award is presented by the Government Finance Officers Association to those individuals who have been instrumental in their government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. It is presented to governmental units whose annual financial reports are judged to adhere to program standards and represents the highest award in governmental financing reporting.

Mayor Oyaski and Chief Baumgart presented Res. No. 32-1997 to Detective Captain Patrick J. Newkirk upon the occasion of his retirement.

Mayor Oyaski and Chief Baumgart presented Res. No. 31-1997 to Detective William Hodakievic upon the occasion of his retirement.

Reports & Committee Minutes

Councilwoman Miller moved to receive and approve the Police Report - December, 1996; Humane Officer's Report - December, 1996; Self-Insurance Report - 1996; Building & Housing Year End Report; Safety Committee Minutes - 1/15/97; Planning & Zoning Minutes - 12/17/96; Board of Control Minutes: 1/13/97 & 1/21/97.

Committee of the Whole

Councilman Cervenik moved to go into Committee of the Whole for Legislative Matters Only. Councilman K. Farrell seconded. Yeas: Unanimous.

Mrs. Dorothy Fike - 20271 Delaware Rd. I have a couple of questions. On number one, on the hiring of professional engineers -- 135.02 in the language is kind of confusing so, Ms. LeBarron, would you look it over. I couldn't understand the procedure you use now and I assume that what's underlined is what is new. Well, if you read it, it doesn't flow well. It says, ". . . engage the professional services of . . . to perform, in connection . . ." is the old language and I don't know if that's the correct language or not; it doesn't flow well. No. 7, that's (318-97), I have a lot of problems with such a great increase in the sewer charges. I think the ones I have talked to are just utterly amazed that you're going to have such a big increase. Are you going to do it all at one time, or is it going to be increments in case those that don't have it; it goes from \$.80 up to \$3.15, plus another \$2.00 for water lines? Right? (He's nodding right). And that's a big increase. For people right now -- my sewer charge is more than my water charge, and if you're going to go from \$.80 up to \$3.15, what's that going to do to our quarterly water bills? It's going to be astronomical. And you're going to be sending, I'm afraid, middleclass people out of Euclid because we would be able to afford it. Thank you. No answers? I guess not. Is it going to go into Committee, or is it going to pass tonight?

Mayor Oyaski - I appreciate your remarks Mrs. Fike. The ordinance will be explained in detail on February 12, Wednesday at 7:00 pm. There are a sound and good reasons for the substance of the legislation, which will be explained, in detail, Wednesday, 7:00 pm, February 12th.

Mrs. Fike - My other part of the question is will it be passed tonight, or is it just being put into committee?

Mayor Oyaski - It will be placed in committee and discussed on February 12th at 7:00 pm.

Mrs. Fike - All three of them? (318-97), (340-97) and (343-97). Will they all be going into Committee?

Mayor Oyaski - Several pieces will go into Committee depending on how the Council votes. We'll have to follow tonight's meeting carefully.

Mrs. June Daugherty - I rather object to the word demolition where it says Contingency in the budget. It says Henn House demolition. I wish we could find another word. Thanks.

Councilman Cervenik moved to rise and report. Councilman Dallos seconded. Yeas: Unanimous.

LEGISLATION

Ord. (344-97) Professional Engineers/Amend Code Service Committee

An ordinance amending Chapter 135 of the Administration Code of the City of Euclid Codified Ordinances by the amendment of Section 135.02 and the addition of Sections 135.04 and 135.05 providing the method for the selection and payment of professional engineering service providers. (Sponsored by Councilman Dallos, Mayor Oyaski)

Councilman Flowers moved for passage, Councilman Dallos seconded.

Councilman Dallos moved Ord. (344-97) into the Service Committee. Council President Farrell seconded.

Roll Call: Yeas: Cervenik, Dallos, K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell

Into Service Committee.

Res. (334-97) Capital Improvement Budget - Finance Committee

A resolution of intent adopting and approving the attached 1997 Capital Improvement Program. (Sponsored by Mayor Oyaski)

Councilwoman Miller moved for passage, Councilman Korosec seconded

Mayor Oyaski - I'd ask that this be placed in the Finance Committee to be discussed next Monday at 7:00 pm.

Council President Farrell moved Res. (334-97) into the Finance Committee. Councilwoman Miller seconded.

Roll Call: Yeas: Cervenik, Dallos, K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell

Into Finance Committee.

Ord. 34-1997 (336-97) Northcoast Physicians - Ambulance Service

An emergency ordinance authorizing the Director of Finance of the City of Euclid to continue the current contract with Northcoast Physician Services, Inc. pursuant to Ordinance No. 31-1994 for an additional six months. (Sponsored by Mayor Oyaski)

Councilman K. Farrell moved for passage, Councilwoman Miller seconded.

Director Balazs - Northcoast Physicians provided this service to the City of Euclid for the last 3 years. The past ordinance expires March 1, 1997. This proposed ordinance extends the contract with Northcoast Physicians. It gives us the authority to further conduct our business and our relationship with Northcoast. We are encouraging Council to pass this ordinance as is to provide the same service for the time period.

Councilman Flowers - The reason you did this for a half of year is because you can do this in-house cheaper than what we are paying Northcoast?

Director Balazs - As we discussed in the budget hearings, yes.

Councilman Cervenik - Is there any increase in the price during this six month period from what we previously paid?

Director Balazs - There should be none.

Councilman Cervenik - There should be? There is or there is not? Is there an increase in the price or not?

Director Balazs - No.

Councilman Cervenik moved to close debate. Councilman Dallos seconded. Yeas: Unanimous.

Councilman Flowers moved to suspend the rules, Councilman K. Farrell seconded. Yeas: Unanimous.

Roll Call: Yeas: Cervenik, Dallos, K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell

Passed.

Ord. 34-1997 (336-97) Repair Blazer/K-9 Vehicle

An ordinance authorizing the Director of Public Services for the City of Euclid to enter into a contract with Jackshaw Chevrolet, Inc., for the repair of the 1995 Chevrolet Blazer used by the Police Department as the K-9 vehicle at a cost not to exceed Eleven Thousand Dollars (\$11,000.00). (Sponsored by Mayor Oyaski)

Councilman Dallos moved for passage, Councilwoman Miller seconded.

Director DiNero - This vehicle was involved in an accident. The person that hit the Chevy Blazer, the K-9 vehicle, has no insurance. We did go out for quotes. The quotes were under \$11,000 but there could be hidden damage that they don't see until they start tearing the vehicle apart. Rather than come back to Council after it is fixed, we are asking Council to pass this ordinance tonight so we can get the vehicle fixed. We hope that it won't be more than \$11,000.

Chief Baumgart - The woman who struck this vehicle had no insurance. She crashed a stop sign, ran into the side of the vehicle and she had no license, etc., DUI.

President Farrell - Where is she now?

Chief Baumgart - Probably in jail. I don't really know.

Councilman Cervenik - Was this vehicle being used on official duty at the time of this accident?

Chief Baumgart - Yes. He was heading back to the station at the end of shift.

Councilman Cervenik - Is this necessary that we have this type of vehicle for the K-9 control? It is a \$25,000 vehicle and the officer is allowed, or does take it home every evening.

Chief Baumgart - This is the vehicle of choice for all K-9's in the area. Some do use vehicles with back seats torn out and put wood in it. Most of the area departments that I've talked to use a Blazer vehicle that is specially equipped.

Councilman Cervenik - I've been told that this officer may be moving outside of the City of Euclid. He will be moving where?

Chief Baumgart - That's correct. I don't remember the name of the city but it is east of here. Somewhere around Munson.

Councilman Cervenik - This officer, after we put \$11,000 into this vehicle will still be taking this vehicle home every evening?

Chief Baumgart - That has to be decided. I've been doing the survey of the other departments and where their officers live who have K-9's and use of their vehicles, etc. It does behoove us to send him home with the vehicle so he can respond right to a problem scene with the dog. Also he does do training outside the city with other departments as well. All these K-9 cities have a consortium, so to speak, of training, so they keep up the certificates. It is more convenient, should that happen, if he has a vehicle, yes. We haven't decided at this point yet. The Mayor and I were going to discuss it this week.

Councilman Cervenik - I would be very interested in knowing. I know he is a very good police officer and the dog program is good. I find it very distasteful that we would be paying for vehicle maintenance and gasoline for a person to commute back and forth to work out in Geauga County. I have a lot of problems with it, especially when we're being asked to spend \$11,000 to fix it up.

Chief Baumgart - I can get together with you and discuss some of the aspects other contracts with K-9 handlers. It is one of the reasons why we don't have more than one dog at this point. It can become an issue. There are a number of grievances that have been filed and through arbitration canine handlers won the grievances. That includes the use of vehicles and a number of other aspects of canine use in a police department. It may come to a point where we no longer have a canine should we have a problem like that.

Councilman Dallos - Do we know what the value of this vehicle is today? If it was in good shape?

Chief Baumgart - There was talk of totalling this vehicle. If we would buy a new one to replace it, it would be about \$25,000-\$26,000. This vehicle was purchased with Law Enforcement funds, confiscated seizure money, that was drug money. That was the only reason why we did buy the vehicle to begin with. It was the vehicle of choice of most canine departments. It is quite a heavy price tag. I know I just bought a Blazer.

Councilman Dallos - Why are we taking the money from Motor Maintenance instead of the Police?

Chief Baumgart - We are self-insured. It is not a proper use of a fund.

Councilman Cervenik - If we wanted to continue the dog program and there is money available in the fund that purchased the vehicle ...

Chief Baumgart - I would prefer to talk about this in private. But, if you would like to hear my thoughts on it now, I will be glad to give them to you.

Councilman Cervenik - If we are going to pass it this evening, we need to talk this evening.

Chief Baumgart - These funds are Law Enforcement funds and the Mayor and I have discussed this at length. The funds are when we confiscate monies using drug arrests, we want to give an incentive to the officers who are providing these forfeited funds. If Council, or any elected body tells them how to use the funds, the incentive is sort of gone. The idea behind this is to allow the Police Department to purchase things over and above what would normally be purchased by a city. Spending \$11,000 on fixing a vehicle since we are self-insured, is not one of the things we would like to do with these funds.

Councilman Cervenik - For \$11,000 we could get a 4-5 year old Blazer. To put \$11,000 into a vehicle to take a dog around, I'm not real comfortable.

Chief Baumgart - What would you have me do, councilman?

Councilman Flowers - I didn't know that he took the Blazer home. Does he take the dog home too?

Chief Baumgart - Yes.

Councilman Flowers - He keeps the dog at home?

Chief Baumgart - The dog is at home with the handler, correct.

Councilman Flowers - You went out for quotes, \$6,000. If we go out for quotes, why wouldn't we hold them to the \$6,000 versus the \$11,000?

Director DiNero - Jerry Akos, the Motor Maintenance Superintendent took this out to Jackshaw, Papp's and TLC Collision. Everyone of their quotes is quoting just visual, what they could see. Everyone of these are on contingencies of what they find when they start tearing it apart. They don't know if the transmission is bad, if the block is cracked on the engine. They won't know this until they start tearing the vehicle apart. For what they see the visual stuff, fixing the body parts is \$6,000. There are all these unknown factors when they get into it.

Councilman Flowers - You answered my question. I was concerned that somebody could say \$6,000. But, seeing they are all saying the same thing. We just picked Jackshaw because out of the three quotes, they were the cheapest.

Councilman Flowers moved to close debate, Councilman Vadnal seconded. Yeas: Unanimous.

Councilman Flowers moved to suspend the rules, Councilman Vadnal seconded. Yeas: Unanimous.

Roll Call: Yeas: K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell
Nays: Cervenik, Dallos

Passed.

Ord. (337-97) Study Incinerator - Service Committee

An ordinance authorizing the Director of Public Services for the City of Euclid to enter into a contract with STC Envirosience to evaluate the City's existing solid waste incinerator and prepare a report and cost estimate for demolition and modification of the incinerator building at a cost not to exceed Twenty-Seven Thousand Dollars (\$27,000.00). (Sponsored by Councilman Dallos by request of the Service Director)

Councilman Flowers moved for passage, Councilman Vadnal seconded.

Director DiNero - This is another building that the city has that is standing idle. We've been trying to see if we can market it for some other use as far as warehousing or some other use of the building. It is rapidly starting to decay and run down. Everybody that has come to look at it, they were interested in it, but they were afraid of the environmental study that needs to be done. Whether there is asbestos or lead. We'd like to know what the salvage value would be of the percipitators and stuff like that which involves the back half of the incinerator. As I'm sitting here, we have no intentions of operating that as an incinerator any more. This would be a good way of looking into the situation to see if we could market the building for some other use. This is another building that we have that is gradually deteriorating and it is going to be worthless if we don't do something about it. I talked to the Mayor about it and suggested I would like to take the Council on tour to see our public buildings and get some idea of what we need.

Councilman Cervenik - Mr. DiNero, is it your intention to follow the recommendations of the study? If this study says that the building because of its environmental condition, what have you, is not fit for any use, we would tear it down?

Director DiNero - Not basically, no. We are not intending to tear the building down. Tear the back half of it off and that is where the percipitators are and the equipment in the back. Mr. Yomtovian is here and he is from STC Environmental and he is looking into this. He's talked to me about various people that might be interested in the building. If you have any other questions, Isaac is here and he will be glad to answer them.

Councilman Dallos - We have not covered that area yet in the budget, but I remember in the last ten year we've always paid \$5,000-\$6,000 for a permit for this facility. We are not going to do that this year are we?

Director DiNero - We already have done that. Every year it is \$5,000 for the Incinerator and \$6,000 for the transfer station. When we get into our general fund budget on Monday, there are other expenses, fuel oil, electricity, heat that we have to keep there for nothing basically. As far as what we are doing over there, we go there at least once a month and run the percipitators, which is \$2,000-\$3,000 worth of fuel oil every year. We are spending money for something that we are not really going to use, I don't think. Unless someone sitting on Council has some other ideas about the incinerator. I don't think that we want to burn any incinerator any more.

Councilman Flowers - What ever happened with those various reports we had, we have a contract with recycling. What ever happened with that?

Director DiNero - You mean with Waste Management?

Councilman Flowers - Right.

Director DiNero - We are still in negotiations with them. They are still obligated to building a transfer station and I don't know about the recycling because of the market. The market is at a very low rate right now for recycled materials.

Councilman Flowers - Didn't we look at some waste to energy? I remember Mr. Dallos' committee. Didn't we look at waste to energy?

Director DiNero - Yes we did. We had a Codi outfit, that's the name of it. They came out and looked at it. We had three different companies look at it. The back half of that incinerator, which we are thinking about taking down, would all have to go, even if you put a waste to energy in. The new technology with the environmental stuff that we have to go through with the EPA, the whole back half would have to be changed. We want to go through this, look at it and maybe there is a salvage value for the stuff that we have to recoup some of the money that we have invested in those percipitators.

Mayor Oyaski - I also recall Councilman Flowers that the volume of waste that could be converted to electricity there was not sufficient, was not high enough to justify the capital investment. In answer to Councilman Cervenik's question, depending on the environmental cost for retro-fitting the building, we want to go out and market the property. Depending on whether or not we receive any legitimate and valuable proposals, we could come to this Council for funding to demolish the building. First we want to see if it is at all possible for us to re-use the building with a minimal amount of remodeling to the building. This is similar to the Henn Mansion. First of all, no one wants us to burn garbage again, however. Secondly there is not a group of citizens that are interested in preserving this as a historical marker of any kind. It has sat vacant for many years. It is a unique structure that cannot be easily re-used. Because it was handling solid waste, there are environmental considerations. This particular contract will allow us to make better informed decisions about whether or not it could be marketed to a private investor. Or, with Council's approval eventually demolished and then marketed as vacant.

Councilman Dallos - If I remember right, this building was mothballed in 1988, approximately. We are talking 9 years it has been mothballed. There is no way in heck that we can burn garbage anymore because there is no way we would meet the Fresh Air Act today. We are kidding ourselves. You can forget that altogether. The stacks in the Incinerator are basically of no value, they are going to have to come down. You better prepare for it.

Councilman K. Farrell - Is this study strictly environmental?

Director DiNero - Some of it is environmental and also is to put a feel out there to see if we can't recoup some salvage value when we do take the back-half. There possibly is a market for percipitators. There is a possibility. Maybe you can answer better, Isaac.

Mr. Yomtovian - Environmental is only one part of it. You have electrical, mechanical and building structure engineers that will be looking at all of the improvements. We have already, as part of our proposal, looked at it to see if there is any salvage value. Structural engineers will look at the integrity of the building, the plumbing and everything to see where there are deficiencies in the building.

Councilman K. Farrell - Out of this study we should have some strong ballpark numbers as to what it would cost to be a marketable commodity? Tony, you had mentioned that you had some moderate interest in the building. Can you expound on that?

Director DiNero - One fella came in here wanted to use it as a warehouse. People that came to look at it, some came to look at it for a waste to energy plant but then you get back to dollars and cents. Would you rather pay \$52 a ton to burn or take it to a transfer station for only \$40 a ton? It is feasible so that you can't use the burning. That's economics. We talked to Waste Management and BFI to use it as an incinerator. They said that they could burn 3,000 tons at the same amount of people that we were burning 200 tons. The place as an incinerator is too small.

Councilman K. Farrell - Do you have any potential uses for this building?

Director DiNero - Not right now, no.

Councilman K. Farrell - Can you foresee any?

Director DiNero - Once this environmental and we make a survey of the building itself to see where the needs and repairs are. Most of them, when they come to look at it, they are worried about the environmental part like asbestos, lead paint and whatever else could be in the back half where we did the burning. Once we could get that all straightened out and have Isaac do our report, then we could go ahead and start marketing this.

Councilman Flowers - Is the first time that we've gone out and spent money for surveys or studies on this?

Director DiNero - We did a study on the grounds around the transfer station. We did an environmental assessment of the 10 acres that Waste Management was supposed to build their transfer station on. We did look at this once before.

Councilman Flowers - I hate to see us keep going out and going studies and not doing anything.

Director DiNero - Once we do the study, it is going to be up to the Council to go ahead with it.

Councilman Flowers - I'm concerned about our agreement with Waste Management as far as recycling. Did it every come back before Council as to those variances and why it wasn't implemented?

Director LeBarron - We currently still have that same agreement with Waste Management. Mr. DiNero has been in negotiations with them to get the transfer station built.

Councilman Flowers - Are we getting the money they had promised originally?

Director LeBarron - As you recall, Waste Management made an upfront payment to the City of approximately \$4 million at the beginning of the contract, the first two years. The royalties, the City has not realized at this point because the transfer station has not been constructed yet. They have been negotiating with Waste Management for over the past year on the construction of the transfer station itself. Those negotiations are still ongoing. The City has some obligations under that contract, as well as Waste Management's obligations to construct. Mr. DiNero has been working with them to ultimately get the transfer station built.

Councilman Flowers - How has the City not kept up with our end of the bargain?

Director LeBarron - The City has kept up with its end of the bargain.

Councilman Flowers - We've kept up our end. I'm just concerned, when we originally past that and I can't remember, that might be 6-7 years ago. Five years ago we expected to see some royalties come in. I would like to know why we haven't. What is our Law Department going to do to make sure that we get reimbursed for all we expected some years back? That's part of the reason, I believe, that we get caught with spending the \$5 million surplus because we had projected certain dollar amounts coming in and never realized it.

Councilman Cervenik - Mr. DiNero, did not the CEI study take into consideration the structural soundness of the building and the condition of the percipitators, utilities and the functions in the building?

Director DiNero - I don't think they did the environmental assessment.

Councilman Cervenik - I know they had an extensive study and about the twelfth page it got pretty old. I thought they went over the structural and utility in the building. I'm also concerned that we are asking to approve a contract that we don't have a copy of the contract. Has there been a contract written yet?

Director DiNero - Not yet, no. We could have Mr. Yomtovian go over CEI's findings. If that is what you wish before you pass this ordinance, I could do that and then report back to you of his findings after reading CEI's report.

Councilman Cervenik - I would feel a lot more comfortable doing it that way.

Councilman Dallos - Just so Council understands, the \$4 million that we received from Waste Management was an advance against royalties. If the waste transfer station was in operation today, we'd be lucky to see any money for 30 more years. So, don't look for any royalties.

Councilwoman Miller - I would like to see us hold up on this ordinance. Can we table this?

Director DiNero - You can put it in Service Committee.

Councilman Dallos moved Ord. (337-97) into the Service Committee. Councilwoman Miller seconded.

Roll Call: Yeas: Cervenik, Dallos, K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell

Into Committee.

Councilwoman Miller - I also had another question. We don't have anyone on our staff that is qualified to go to the Incinerator and tell us what is wrong with it?

Director DiNero - No, not for the environmental.

Res. 35-1997 (339-97) HOME Funds for EDCOR

A resolution approving \$150,000 of HOME funds from the Cuyahoga Housing Consortium to be used by the Euclid Development Corporation (EDCOR) for low interest rehabilitation loans for eligible homeowners and as authorized by the Consortium Agreement previously approved by Ordinance No. 104-1993 passed by City Council on June 7, 1993. (Sponsored by Mayor Oyaski by request of the CS&ED Director)

Council President J. Farrell moved for passage, Councilman Cervenik seconded.

Director Koran - Back in 1993, I presented to City Council the idea of joining the Cuyahoga County's newly created HOME Consortium. What that meant was the City of Euclid was now entitled to HOME dollars. HOME dollars are very similar to Community Development Block Grant dollars. They are from the federal government, from the Department of Housing and Urban Development. The County receives the dollars and we sit on the Consortium board and as we come up with projects, we present them to the Consortium board and they vote on them and hopefully pass them. We get approximately \$200,000 a year to be spent in the City of Euclid. The projects have to be eligible based on the HOME eligibility criteria, which are very complicated. The only project we have implemented since 1993, we didn't receive our first dollars until 1994, was the Summerwood Commons project. We put in about \$6.5 million into the renovation of that complex. What I'm proposing tonight is to take \$150,000 of this County HOME dollars and put it into our existing Euclid Development Corporation revolving loan fund. About 18 years ago the City of Euclid created the Euclid Development Corporation. It created the fund called EDCOR. It is a 3% low interest loan program for housing rehabilitation. It has been very successful.

Over the past 9 years we have not had to put any fresh dollars into that EDCOR program because it is a revolving loan fund. The interest that is paid by the homeowners goes back into the fund and is then loaned out. Over the past couple of years, we have encouraged the marketing of this program. We average about 30 loans a year. A couple of years ago we started aggressively marketing and selling the program. One of the ways we have done that is through the inspection program. We've increased the number of inspections that we do and when the inspectors go out, they give out the brochures for the 3% loan program. Therefore the demand has increased substantially. There is a real need at EDCOR for fresh dollars. The Citizen Advisory Committee of the Block Grant Program heard this year for the first time, the new Director Chuck Hill, ask the City for dollars out of the Block Grant Program. We did not give new dollars out of the Block Grant Program because we were working on using these HOME dollars. If this is approved tonight, we will take \$150,000 from the County as a lump sum draw down. Give it to the Euclid Development Corporation for the existing loan program. The income guidelines and criteria are exactly the same. They still have to meet the HUD income guidelines. A family of 4 cannot make more than \$37,500 to be eligible for the program. We've averaged about 25-30 loans a year. In 1997, we are estimating that we may do 70 loans or more. It is imperative that we provide fresh dollars to the EDCOR program. This is a very harmless way to do that. We are in this HOME Consortium for the rest of this year. I will be presenting very soon an ordinance which will give us another 3 years into the membership of this Cuyahoga County Housing Consortium.

Councilwoman Miller moved to close debate. Councilman Vadnal seconded. Yeas: Unanimous.

Council President Farrell moved to suspend the rules, Councilman Cervenik seconded. Yeas: Unanimous.

Roll Call: Yeas: Cervenik, Dallos, K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell

Passed.

Ord. (318-97) Sewer Rate - Executive Committee

An ordinance amending Ordinance No. 149-1979, passed June 4, 1979, directing the increment amounts to be added to the sewer service charge to raise sufficient revenue to finance new sewer construction and control inflow and infiltration into the sewers within the City of Euclid. (Sponsored by Councilman Korosec by request of the Service Director)

Councilman Korosec moved for passage, Councilwoman Miller seconded.

Mayor Oyaski - This legislation is a result of the annual audit which the City contracts for the Waste Water Treatment Fund as well as the Waste System Analysis that Council authorized back in September. I ask that it be placed in Executive Committee for a full hearing on Wednesday, February 12 at 7:00 pm.

Councilwoman Miller moved to place Ord. (318-97) into Executive Committee. Councilman K. Farrell seconded.

Roll Call: Yeas: Cervenik, Dallos, K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell

Into Executive Committee.

Res. (340-97) Funds from OWDA -Executive Committee

A resolution authorizing the Mayor to make such applications as are necessary to the Ohio Director of Environmental Protection and/or Ohio Water Development Authority to secure funds necessary to undertake and complete sewer construction projects mandated by the City's 1996 NPDES Permit and urgently needed. (Sponsored by Councilman Dallos by request of the Service Director)

Councilman K. Farrell moved for passage, Councilman Dallos seconded.

Mayor Oyaski - As you know the City has implemented several million dollars worth of sewer improvements as a result of the 1992 Consent Decree. We have one more project that we must do under that Consent Decree and several other projects need to be done to serve the public and solve certain neighborhood problems.

In the past we have gone out for Issue II funding. We have gone out for grants and we have gone out for loans from the WPCLF loan program. This resolution is related to the 1997 capital program as well as the item you just sent to committee. While it doesn't involve spending any money, it doesn't obligate us in anyway. Because of its relationship to the other legislation, I think it too should be placed in Executive Committee to be discussed in connection with the other items.

Councilwoman Miller moved to place Res. (340-97) into Executive Committee. Councilman Vadnal seconded.

Roll Call: Yeas: Cervenik, Dallos, K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell

Into Executive Committee.

Res. (343-97) Water Distribution Report - Executive Committee

A resolution approving and adopting the 1996 Water Distribution Analysis Report prepared for the City of Euclid by Michael A. Benza and Associates, Inc. and authorizing the Service Director to proceed with implementing the projects and other recommendations of the report. (Sponsored by Mayor Oyaski)

Council President Farrell moved for passage, Councilman Vadnal seconded.

Mayor Oyaski - This legislation is related to this report which Council authorized in September and was completed and distributed last Wednesday. This, too, should go to the Executive Committee for a full discussion on Wednesday, Feb. 12 at 7:00 pm.

Council President Farrell moved Res. (343-97) into Executive Committee. Councilman Cervenik seconded.

Roll Call: Yeas: Cervenik, Dallos, K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell

Into Executive Committee.

CEREMONIAL RESOLUTIONS

Res. 31-1997 (341-97) Det. Hodakievic

A resolution of appreciation to Detective William Hodakievic upon his retirement on February 7, 1997 from the Euclid Police Department after more than twenty-five years of distinguished service. (Sponsored by Mayor Oyaski and the entire Council)

Res. 32-1997 (342-97) Det. Cpt. Newkirk

A resolution of appreciation to Detective Captain Patrick J. Newkirk upon his retirement on January 10, 1997 from the Euclid Police Department after more than thirty-one years of distinguished service. (Sponsored by Mayor Oyaski and the entire Council)

Councilman Vadnal moved for passage, Councilman Cervenik seconded

Roll Call: Yeas: Cervenik, Dallos, K. Farrell, Flowers, Korosec, Miller, Vadnal, J. Farrell

Passed.

Committee of the Whole

Councilman Cervenik moved to go into the Committee of the Whole. Councilman Dallos seconded. Yeas: Unanimous.

Mr. Harvey Mlachak - 23831 Lake Shore Blvd., Euclid, Ohio. May I perhaps inject a little levity into this Council. You all know my stance on the many questionable practices that have been permitted to take place at the Henn House. There's an article in this month's Reader's Digest. Perhaps for you people who don't get it or don't have time to read it, that pretty well parallels a great many of my views and also covers a multitudes of situations. A young man came running into the house and said to his wife, "Honey I've been elected!" She says, "Honestly?" He said, "Why'd you have to bring that up for."

Norma Nichols - 25801 Lake Shore Blvd. I would like to comment on Ord. No. 29-1997. This is an open letter to Council.

"Dear Mr. Farrell:

We have received a copy of Ord. No. 29-1997. It is our understanding that this new legislation will directly affect our fund-raising efforts on behalf of the Euclid High School Athletic Program. As you are aware, the Panther Booster Club operates its Bingo on Sunday afternoons. Our games begin at 1:15 and usually conclude at 5:00 pm. Our Bingo License (0049-31) allows us a 1:00 pm to 6:00 pm time of operation. When our attendance reaches or exceeds 190, we cover the cost of our prizes. When our attendance is lower than 190, we rely on the sale of instants to cover the difference. These instants are sold from 11:30 am until 1:15 pm. Without this additional selling time, our proceeds would extremely diminish our ability to operate our bingo successfully.

We understand the spirit of this law. We also appreciate the efforts to regulate the sale of instants by non-charitable groups. We trust that City Council will amend this Ord. 29-1997 so as not to hinder the fund-raising efforts of Euclid's charitable groups.

Sincerely,

s/Louis L. Besses, President Euclid Panther Boosters

s/Norma T. Nichols, Bingo Operator

s/Susan M. Waillette, Bingo Operator"

President Farrell - Norma, why can't you just amend your own license?

Ms. Nichols - The State only gives us a 5 hour window. That's what we must operate within.

President Farrell - I would not be at all adverse to amending this, Chief.

Chief Baumgart - We are working on it right now. We are speaking with the Schools and Churches. We want to make a proper amendment and you'll probably see it at the next Council Meeting.

President Farrell - The spirit of it was certainly not to hurt your people.

Ms. Nichols - Or any of us.

President Farrell - No.

Councilman Dallos moved to rise and report. Councilman Flowers seconded. Yeas: Unanimous.

Councilmen's Comments

Councilman Dallos - On this Self-Insurance report that we received. I was curious to know the wages, etc. Who does that cover?

Director LeBarron - The wages cover one attorney who works in my office and half of Roseanne Evangelista who handles all the claims. It is one and a half persons.

Councilwoman Miller - I, too, wanted to comment about the Instant Bingo. The Chief said that they are working on some type of a license or to amend the ordinance.

Councilwoman Miller - I would like Mr. Koran at the next Council Meeting, if you could give us an update on Imperial House please? Thank you.

Councilman Flowers - The situation on 272 about the street. Have you been in contact with any of the residents?

Director DiNero - Friday was the last day to get our survey back. We are reviewing it right now and Councilwoman McGarry will be back in town the 20th. We'll be sending out a letter to the residents on 272 from Lake Shore to Fullerwood. We are going to be having a meeting with the residents. I have received some calls from the residents and I explained what we were going to do as far as review the survey and have a meeting on the 20th of February.

Mayor Oyaski - I neglected to mention before that the Finance Committee meetings of last week will be televised on Channel 24 on Wednesday and Thursday, February 12th and 13th at 5:30 pm., for those members of the public who are interested that would like to hear the meeting.

Adjournment

Councilman Cervenik moved to adjourn, Councilman Dallos seconded. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council