

COUNCIL MEETING
SEPTEMBER 15, 1997

A Council Meeting was held on Monday, September 15, 1997 at 7 PM in the Euclid City Hall Council Chamber. President Cervenik presided.

Members Present: Dallos, K. Farrell, Flowers came in late, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik.

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

Council Minutes

Councilwoman Miller moved to receive and approve the Council Minutes of September 2, 1997. Councilwoman Holzheimer Gail seconded. Yeas: Unanimous.

Communications

Council has received the following communications:

From Director Koran, the Euclid Community Concerns August Report.
From Director LeBarron, a summary of legislation on tonight's agenda.

Administration Reports & Communications

Director DeMinico - Coming the weekend of September 27 & 28th, is one of our special events that I would like everybody to be aware of. It is our Annual Fishing Derby inside Memorial Pool. There will be 500 pounds of rainbow trout stocked into the pool. There are hour and a half increments for residents and non-residents alike to try their angler's fishing pole inside the pool. It is a lot of fun for the kids and a lot of dads have fun too.

Also taking place is the Parks & Recreation's Trees for Tomorrow Program where residents can purchase trees for their private property, at a great savings and discounted rate. There is more information available by calling our office at 289-8114.

Councilman Dallos - When we will have a report on how well Summer Ice did? Costs, percent of people who used it versus outsiders that used it?

Director DeMinico - You should have that report at your next meeting. Our final bills are coming in for the month of August, in the form of utilities. That's really our last anticipated expense. We've got all of our revenues and professional services and contracts done. The first meeting in October, you should have a complete, comprehensive report.

Mayor Oyaski - I want to invite the Council, if they are available, this Friday at noon, to view the new promotional video. Councilman Farrell and the Council President will be participating in the program. This will involve the Realtors, mortgage lenders and anyone involved in the real estate business. It is an interesting movie to see and I hope you'll like it.

I have today approved the Chief's proposed revisions to the E. 250 lane markings and I would like to have him report to you now for what that means for E. 250 changes in the near future.

Chief Baumgart - I think we've come to a resolution of how E. 250 is going to be handled. We've had a petition and some input from the residents of E. 250. The compromise and I think it is going to work out well for us, is still a three lane highway because it cannot be used as a 4 lane highway. Two lanes northbound, one lane southbound, which allow for parking on the east side of the street so the residents can keep that parking, especially in the 300 and lower addresses. Unfortunately there are about 12 trees that will have to come down, because of the safety factor of them being adjacent to the curb, there isn't even any space between the curb and these trees. We will be replacing these trees in the springtime, I am told by the Recreation Dept. We will still see trees on E. 250.

Mayor Oyaski - With the amount of motor vehicle accidents that have been reported on E. 250 in 1997 alone, I believe there's been 30 sideswipes, and given the narrow width of the street, I think the Chief's plan is a good one and should improve public vehicular safety particularly at the intersection at the North Marginal.

Mayor Oyaski and Chief Baumgart swore in new police officer Jeffrey Cutwright.

President Cervenik - I forgot to entertain a motion to excuse Councilman Flowers. Councilwoman Miller moved to excuse. Councilman Vadnal seconded. Yeas: Unanimous.

Reports & Committee Minutes

Councilwoman Miller moved to receive and approve the Fire Report of August, 1997; Police Report of July, 1997; Humane Officer's Report of August, 1997; Board of Control Minutes of 8/25/97 & 9/2/97. Councilman Vadnal seconded. Yeas: Unanimous.

Lot Split

Irish American Club/South Shore Tanning Salon/City of Euclid. Council should approve or overrule Planning & Zoning Commission's approval (4-0) of a lot split as proposed by Res. No. 129-1997.

Councilwoman Miller moved to sustain Planning & Zoning Commission's approval of a lot split as proposed by Res. 129-1997. Councilwoman McGarry seconded.

Roll Call: Yeas: Dallos, K. Farrell, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik.
Sustained.

Committee of the Whole

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

Mr. Dale Vernon - 1497 E. 196 Street. I'd like to address two items on the agenda. First one, Ord. (485-97). In deference to the wisdom of this governing body, I won't deliver the speech I've prepared. An ordinance dictating the use of protective helmets for minor children is well meant and perhaps useful. Those adults who want to use helmets can choose to do so, but I believe such an ordinance dictating the use of any apparel for people over the age of majority, safety or otherwise, is encroaching on our constitutional rights. I ask this body to consider this before voting on this issue.

Items #8 & #10, with all due acknowledgement to businesses opting to use available funds, perhaps someone here tonight could explain the logic behind issuing grants of \$21,500, \$14,500 and now \$36,500 for improvements of properties on Euclid Avenue, Roseland Avenue and Babbitt Road, out of one hand asking the Mayor to seek financial assistance from the State Issue 2 bond for capital improvements out of the other hand.

Mrs. Dorothy Fike - 20271 Delaware Road. I have three questions. On #4, I don't think it is necessary, but since it is here, I have a question on (b). (A) talks about the size of it shall be fitted to the size of the operator. You are talking about a passenger, either on a bicycle, or riding in a seat. It says, shall be fitted to the size of the operator. Shouldn't it be fitted to the size of the person riding? If it is an adult in the front and a kid in the back, what good is a helmet fitted to the size of the operator? I just wondered if that shouldn't be amended.

Council President Cervenik - The sponsor of the ordinance has requested this be put into the Safety Committee so it gets a full hearing and we can answer those types of questions.

Mrs. Fike - #6, the granting of a Safe Haven Coordinator. I was trying to figure out on the amount that they'd be paid. It seems like quite a bit of money for 20 hours per week of \$17,500. That means if someone was working 40 hours per week, they would be getting \$35,000 a year. I would like to know what this person would be doing, if it is just for the salary, as I read it, that's what it sounds like to me. What will they be doing? It talks about 5 sites, where are the sites going to be? Who is going to pay for the sites? How are they going to be done? I would like more information on the whole proposal.

#9, the auction on vehicles. Are some of these usable, it is just that they are no longer needed by the City, is that the idea? Can anybody bid on them? Will they be on display?

Council President Cervenik - Anybody can bid on them. They will be on display. I would imagine some of the items are usable, or there wouldn't be much of a market for them. But with the updating of our equipment, they are not much use to the City of Euclid.

Mrs. Fike - I'm assuming there will be public notice in the paper, when they will be on display?

President Cervenik - Yes.

Mrs. Fike - Thank you. I will appreciate more on item #6.

Councilwoman Holzheimer Gail moved to rise and report. Councilman Korosec seconded. Yeas: Unanimous.

LEGISLATION

Ord. (478-97) Rezoning 25531 Euclid Ave.

An ordinance rezoning a parcel at 25531 Euclid Ave. (P.P. #647-34-014 & 647-34-015) from U-2 (Two family) use to U-4 (Commercial) use district and further amending Ordinance No. 2812. (Sponsored by the Planning and Zoning Commission)
Second Reading. Public Hearing October 6, 1997.

Ord. 179-1997 (470-97) Amend Code UDE

An ordinance amending Chapter 1375 of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid by the addition of new subsection 1375.03. (Sponsored by Councilman Cervenik) (Recommended for passage by the Planning & Zoning Commission)

Councilman Korosec moved for passage, Councilman Farrell seconded.

President Cervenik - I sponsored this ordinance after some discussion with various members of the Administration, and also what took place on Council floor. The State law allows a Use District Exception to keep the Use District Exception for 2 years after abandonment. We have changed that to just six months. If a property is abandoned after 6 months, it reverts back to its original zoning.

President Cervenik moved to close debate, Councilman Korosec seconded. Yeas: Unanimous.

Roll Call: Yeas: Dallos, K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik.

Passed.

Res. 180-1997 (484-97) Submerged Land Lease

A resolution approving the use of submerged lands for property located at 21621 Edgecliff Drive in the City of Euclid so that the owner can undertake lake shore protection measures. (Sponsored by Councilman Cervenik)

Councilwoman Holzheimer Gail moved for passage, Councilwoman McGarry seconded.

Director LeBarron - This is a request from one of the lakefront property owners that is undertaking erosion control measures at their property. Ohio Department of Natural Resources requires the issuance of a submerged land lease, similar to what the City sought when we did the retaining wall project at the end of 224 and Edgecliff Drive. This is a formality that is required by the State in order for this homeowner to be able to do the erosion control device on their property. This is very similar to the Resolution this Council passed at the Special Council meeting in July that allowed the City to obtain a submerged land lease so that repairs could be made on the retaining wall.

Councilman Flowers - Do they have to go through us to get this, or we are just saying we approve of this? Or, could they have just by-passed us?

Director LeBarron - We do not own the lake, the State of Ohio does, as well as the federal government has regulatory power over the lake. In order to do the work that will impact the water at all, a submerged land lease is required. Only the State of Ohio can issue that. Part of the State's procedures is the municipality or a governmental agency directly involved in that particular area of land, pass this type of Resolution indicating they have no problem in terms of the municipality is not going to be constructing a pier or wharf from that particular location.

Councilman Flowers - I was just surprised that we generally have no authority over there.

Councilman Dallos - This is only the second one and the first one was the City of Euclid. There has been a lot of work done on the lakefront. Why haven't there been others?

Director LeBarron - We are going to be receiving more. We have received some. There was some ideas that the Cleveland Port Authority could issue these. I've had numerous conversations with Mr. Pheifer who heads the Cleveland Port Authority. The City has the same jurisdiction to issue one of these resolutions and in fact the sample that the Ohio Department of Natural Resources has sent the homeowners indicates that they should receive it from their particular municipality. It makes more sense for the municipality to issue it and I'm quoting Mr. Pheifer from the Port Authority, we have a better idea of what's going on with our lakefront than the Cleveland Port Authority. Also, Council meets more often than the Cleveland Port Authority and we can act on these quicker for the residents.

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

Roll Call: Yeas: Dallos, K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry,
Miller, Vadnal, Cervenik.

Passed.

Ord. (485-97) Bicycle Helmets

An ordinance enacting new Section 371.17 of the Traffic Code of the Codified Ordinances of the City of Euclid regarding protective helmets for persons operating bicycles, skateboards, roller-skates, or in-line skates (i.e. "Rollerblades"). (Sponsored by Councilman Dallos)

Councilman Dallos moved for passage, Councilman Flowers seconded.

Councilman Dallos moved Ord. (485-97) into the Safety Committee. Councilman Flowers seconded. Yeas: Unanimous.

Roll Call: Yeas: Dallos, K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry,
Miller, Vadnal, Cervenik.

Into Safety Committee.

Ord. 181-1997 (486-97) Radio Equipment Police Dept.

An emergency ordinance authorizing the Chief of Police to enter into a contract with Northcoast Two-Way Radio, Inc. for the purchase of radio equipment at a cost not to exceed twenty thousand four hundred ninety seven dollars and 20/100 (\$20,497.20). (Sponsored by Councilwoman Miller by request of the Police Chief)

Councilwoman Miller moved for passage, Councilwoman McGarry seconded.

Chief Baumgart - As you are well aware, we have a state-of-the-art radio system purchased some years ago that we must upkeep. This radio system is taken care of by Fritz and Ben. They need these supplies and radio equipment, for the whole city basically. It was in our capital improvement budget. It is a Motorola system. There are three Motorola dealers in the area. We received two bids out of three and this is the lowest of the informal bids.

Councilman Flowers - I noticed that you are asking to bypass the competitive bidding. Why did you go out for proposals instead of competitive bids?

Chief Baumgart - Because there are only three vendors that have Motorola parts in this area. It is a Motorola system and we have to go with Motorola parts. To competitively bid this means we have to spend money when only the three bidders are available. They gave us informal bids.

Councilman Flowers - There's only three and two came back. Any reason why the third one didn't?

Chief Baumgart - We don't know.

Councilman Flowers - In that case I'm willing to bypass the competitive bidding.

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

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

Roll Call: Yeas: Dallos, K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry,
Miller, Vadnal, Cervenik.

Passed.

Ord. 182-1997 (491-97) Safe Haven Coordinator

An emergency ordinance authorizing the Chief of Police to enter into a one (1) year contract with Euclid Community Concerns to provide a part-time (20 hours per week) Safe Haven Coordinator to assist in the Weed and Seed target area in the City of Euclid, for an amount not to exceed seventeen thousand five hundred dollars (\$17,500.00). (Sponsored by Councilwoman Miller by request of the Police Chief)

Councilwoman Miller moved for passage, Councilwoman Holzheimer Gail seconded.

Chief Baumgart - As part of the Weed & Seed package, we are receiving \$200,000 a year for the next 3 years. \$125,000 the city uses and \$75,000 for the police department. Part of the package of the \$125,000 is to have a Safe Haven situation, five places within the designated area. To do that, a coordinator had to be hired. This is in part of the grant of \$17,500 to hire one part-time position, 20 hours per week, 52 weeks per year. We were advised that the best thing to do is go outside the department to hire someone or some entity outside us to provide this coordinator. But yet, to have it within the community. They went out to three places. The YMCA, Eastern Shore Counselling and Euclid Community Concerns. Only one of those gave a proposals back, Euclid Community Concerns, for \$17,500, to provide the services mentioned in the ordinance. Any other questions, I have Lt. Stih here who is one of the people on the Weed & Seed Committee, as well as Mrs. LeBarron.

Councilman Farrell - I think the public would be interested to know just what this Safe Haven program is about. Ron, could you explain that to us?

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

Lt. Stih - Part of being designated a Weed & Seed site we had to have a Safe Haven within the City where kids could go and be in a secure environment. We have designated 5 areas in the target area as safe havens. This coordinator will work with the kids, adopt programs, work with other agencies such as the Red Cross to fund babysitting programs and things like that. This coordinator will develop a system to develop these programs. That's what the coordinator will be doing.

Councilman Farrell - Where are the kids recruited from?

Lt. Stih - Basically our target area which is the southeast side of the city.

Councilman Flowers - Do we have the sites now in place?

Lt. Stih - As far as the Safe Havens, yes. There will be five sites. One is the mini-station which is located on Euclid Ave. at E. 276. The other one will be at Willo Arms in their community center. The Imani Church, Faith Baptist and Thomas Jefferson.

Councilman Flowers - Is this for kids who run away from home or?

Lt. Stih - No, this is just for kids in the community.

Councilman Flowers - Do they go there because they have problems with their parents?

Lt. Stih - If some of them have problems with their parents, yes, they will come to one of these centers.

Councilman Flowers - Could our Domestic Violence Coordinator do this? We have eliminated that?

Chief Baumgart - We still have a Domestic Violence Advocate who works with our social services department in the City of Euclid. This is separate. This is a grant that has to focus on one particular area and one area only. That's what the Weed & Seed was developed for. We are one of very few cities in the nation that has this particular grant.

Councilman Flowers - Couldn't we have had the Domestic Violence Coordinator use that money, \$17,500, to pay for part of her salary?

Chief Baumgart - We couldn't do that with the grant money, no.

Director LeBarron - If I could just expound a little bit on what Lt. Stih was explaining. Part of the Weed & Seed philosophy is that in the seeding part of it, you create an atmosphere within the designated area so that the influence of crime disappear on their own. Under the strategy of Weed & Seed and the grant application submitted by the City, these Safe Havens that have been set up are so that kids have an alternative to hanging out on the streets or the various apartment complexes within the designated area. It is an avenue to give them something else to do than just hang out on the streets and ultimately get themselves in trouble. Your question about the Domestic Violence Advocate, that's a full time position already. These duties, once this position is created will take this person the time to get programs set up at these sites, so that these programs are available for the young people to use.

Councilman Flowers - This is more or less giving young kids something to do. The saying is misleading.

Director LeBarron - I believe part of what they are going to set up for the programs, Eastern Shores Counselling is also involved, although not as the coordinator, they are offering services to the designated area for families that have problems. If the children are the result of a broken home, or a parent who is suffering from some type of substance abuse, that child will be put in touch with a counselor so hopefully the child is not thrown into the same situation that the parents maybe in.

Councilman Flowers - Weed & Seed, that gave us that money for a three year period and then that means we have to fund these from here on out, or this give us an opportunity to review?

Director LeBarron - This is a one year grant that we've received to-date. Depending on the success, as I understand it, of our first year in the program, will determine whether the United States Department of Justice funds us any further with it. Then, its a decision of the Council to make, obviously, if we are going to continue this kind of program.

Councilman Flowers - We will re-evaluate this at a later time.

Director LeBarron - Absolutely.

Chief Baumgart - If I can explain further the Safe Haven concept. There are five areas that we have to use as safe havens. What the coordinator now has to do is coordinate the volunteers that are going to be at these safe havens and coordinate programs to be used within those safe havens, so they may have an environment that is safe. It is to bring kids in to play basketball, do games, whatever it maybe. That coordinator, that is what her job is going to be. The volunteers are actually running the Safe Havens, not the coordinator. The coordinator will be one that just sets them all up.

Lt. Stih - It is not just athletics, it is various other types of functions that the coordinator will be setting up for the kids to enrich themselves with.

President Cervenik - Does Euclid Community Concerns have someone qualified on staff that will be able to carry out these objectives?

Chief Baumgart - To coordinate the efforts? We hope so. If they can't, they are not fulfilling their contract. We'll see how that goes. They are the only ones that proposed to us that they would do this. The YMCA and Eastern Shore Counselling did not.

President Cervenik - You talk about a contract here and Council does not have a copy of this contract.

Director LeBarron - I'll be happy to supply the contract that has been submitted to me to the Council if you'd like.

President Cervenik - I'd appreciate that. When will this program begin? When will the coordinator start?

Lt. Stih - As soon as its approved then we can start working.

Chief Baumgart - This is on the agenda tonight because we are behind schedule.

President Cervenik - I'm a little concerned. I don't know if there's anybody on staff from this organization who has said they could do this, that's qualified to do this and to go out and have to hire someone, I hope you guys are going to keep an eye on it.

Director LeBarron - In response to your question, in the proposal submitted by Euclid Community Concerns, they have designated Diane McClusky as the individual who will be fulfilling the coordinator responsibilities. They have laid out her educational background as well as her experience background. My understanding from Mr. Dietrick, who reviewed all the proposals, the proposal submitted by ECC met all the requirements under the grant and the way the city has developed the idea of the Safe Haven Coordinator.

Councilwoman Holzheimer Gail - The Chief or Ron can correct me if I'm wrong, but Diane McClusky was pretty instrumental in helping to secure that grant. She worked together with the Police Dept./Crime Prevention Unit and mini-station to do a lot of the background work.

Councilwoman Holzheimer Gail - Diane McClusky helped pull community resources together. It seems to me logical that she would fulfill that position. The Council receives Euclid Community Concerns Report every month and I believe, should know that they are very involved in the southeast quadrant of the city and they have had some good success. It seems like they would be a good fit.

Councilman Korosec - I'm also in support of Diane McClusky being this. She's been there from day one when we started the mini-station, the homeowner's associations, getting a lot of the playground funding supported. She was there for a lot of the residents, the children and I believe she will be a very good fit. I just have one question. You have Thomas Jefferson listed. Since this is a school building, will there need to be security as well as janitorial personnel on hand?

Director LeBarron - Part of the budget submitted for Weed & Seed included paying for custodial or any overtime that would be incurred by any school personnel for keeping the school open, as well as providing security. That's all part of the budget that was submitted to the Justice Department in order to receive the grant.

Councilman Farrell - I too am familiar with Diane McClusky. She would be a very good fit for this program.

President Cervenik - I, too, know Diane McClusky and I'm glad to that's who it is. What we were given Thursday night doesn't say Diane McClusky anywhere in here.

Councilman Farrell - I guess we know it is Diane McClusky now.

Councilman Flowers - Chief, are you happy with the credentials of Diane McClusky? When we asked you, you weren't sure whether or not we had qualified people.

Chief Baumgart - It slipped my mind who was assigned to this. It didn't know it was Diane. I'm sure that Ron had told me over a period of time, but it slipped my mind. This is right up her alley. It is the kind of thing she likes to do.

Councilman Flowers - Its just that when Councilman Cervenik asked you, you seemed to ...

Chief Baumgart - I didn't know who it was.

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

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

Roll Call: Yeas: Dallos, K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik.

Passed.

Ord. 183-1997 (487-97) Chemicals WWTP

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into contracts after advertising for bids for the purchase and delivery of the City's requirements of aluminum sulfate, liquid chlorine, liquid oxygen, organic polymers, sodium hypochlorite and sulfur dioxide for the Lake Shore Waste Water Treatment Plant and organic polymers, sodium hydroxide and potassium permanganate for the Lakeland Sludge Handling Facility for years 1998 and 1999. (Sponsor Councilman Dallos by request Service Director)

Councilman Dallos moved for passage, Councilman Korosec seconded.

Asst. Service Director Gulich - This will allow the City to go out for chemicals that Mr. Gall needs for both Treatment plants. If you have any questions, this is a standard bid that we go out for every 2 years. Mr. Gall is much more familiar with what all these things do. He's here and he can answer any questions you may have in regard to this.

Councilman Flowers - You don't necessarily purchase these, this allows you to go out for bid and then you go out and purchase it as you see a need for it? I'm trying to understand the appropriations.

Supt. Gall - We do use everyone of these chemicals. This allows us to go out for bid. We award to the lowest bidder and we purchase them accordingly. We usually try to get enough to accommodate any emergency we may have. In a majority of cases, we purchase a lot less than what we specify.

Councilman Flowers - Do we have a dollar figure we expect this to come out or to stay under?

Supt. Gall - I can give you figures from past years.

Councilman Flowers - We have this piece of legislation and we have no idea the dollar amount.

Supt. Gall - Polymer at Lakeland, last year's contract was \$50,000. Organic polymer at Lake Shore \$50,000. Last year's contract for potassium permanganate, \$159,920. For aluminum sulfate \$200,000. Liquid Chlorine \$25,000. Sodium hydroxide \$90,000. Sodium hypochlorite \$96,000. Sulfur dioxide \$25,000. Liquid Oxygen \$30,000.

Councilman Flowers - This is what you are expecting here or this is last year? Do you expect it to be more than last year? I think you would.

Supt. Gall - We would be fairly close to the same amount next year. The only exception maybe for sodium hypochlorite, we are going to try to experiment with that and use it in place of chlorine. Perhaps in 1998 or more realistically 1999. We may cut down on our use of chlorine and increase the sodium hypochlorite.

Councilman Flowers - Just so that we have an idea. You have a total of all those figures, total amount?

Supt. Gall - I have totals from what we've used to-date.

Councilman Flowers - People are wondering, we are talking about passing some of this legislation, we should have an idea of what kind of dollar amounts we are talking about, that's all.

Supt. Gall - Would you like me to run through those?

Councilman Flowers - No, just the total amount. Do you have a total amount?

Supt. Gall - No, I have it broken down for each chemical.

Councilman Flowers - I have a pretty good idea.

President Cervenik - I think we could find a pretty close total in the budget appropriations that we passed earlier, all those numbers were contained in there.

Supt. Gall - That's correct.

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

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

Roll Call: Yeas: Dallos, K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik.

Passed.

Ord. 184-1997 (488-97) Elias Brothers Storefront Renovation

An emergency ordinance authorizing, empowering and directing the Mayor of the City of Euclid and CS&ED Director to enter into a Special Storefront Renovation Agreement with Elias Brothers Restaurants, Inc., a tenant of the property located at 263 Babbitt Road for the provision of a grant in the amount of \$35,000 or 25% of eligible expenses, whichever is less, and reimbursement for up to \$1,500 of architectural design services provided plans for the renovation of the property are submitted to and approved by the City's Architectural Review Board are complied with in full. (Sponsored by Councilwoman McGarry)

Councilwoman McGarry moved for passage, Councilman Korosec seconded.

Mayor Oyaski - We are very pleased to bring this legislation to Council tonight. It is the latest in a long line of storefront renovation projects. The storefront renovation program began in late 1980. Over the last 17 years we have approved about 250 or more projects in every neighborhood of the city. This is the latest one.

Mayor Oyaski - Of those 250 or so projects using block grant money, about \$1 million worth of grants have been used to leverage over \$5 million worth of private investment in our commercial storefronts. The reason this is notable is not only is this a landmark restaurant in downtown Euclid, it has been there since 1970, but today we began the major renovation funded by this City Council of the city owned parking lot behind the theaters. That parking lot was purchased by the city in 1981. The contractor has begun today and will be hard at work for some time. On the city owned parking lot and at the west-end of that parking lot we are about to embark on a major renovation for the Elias Brothers, Bob's Big Boy. Mr. Koran has some details about this particular project, but I wanted to put it in context for you.

Director Koran - As the Mayor just mentioned, we hope if Council approves to assist the owners, specifically the building owner Bob Spies and the tenant Elias Brothers, in renovating this structure. They're planning on spending over \$250,000 on the building. Councilman Vadnal is handing over the photographs that show how the building might look when they are done with this renovation. They will be spending over a quarter million dollars. Mr. Gary DeWine, our commercial coordinator, has been working with the owner and the tenant encouraging them to implement this project. We are reimbursing, if this is approved, the owner and the tenant \$35,000 or 25% of eligible expenses. All of the money would go to the exterior of the building, the things residents can see. Specifically the facade renovation. You'll see a lot of windows in the photographs, masonry, signage, landscaping. We are going to be focusing on lighting. It is going to be a very well lit parking lot and other major physical elements of the new structure. We are also reimbursing \$1,500 for architectural expenses. It's a total of \$36,500 before you tonight.

To answer the resident's question, these are community development block grant funds which are really the only city dollars that can be used on private property. To clarify that question he had about why we would use these dollars, that is why. As the Mayor mentioned we have been receiving block grant dollars for some time. Since 1975 we historically have invested a significant amount of dollars into the private sector and this is another in a list of hopefully ongoing projects that the city will implement.

Councilwoman McGarry - This is an excellent program that we have talked about and outlined before. However, I would like added to this contract, as part of the contract, daily cleaning of the exterior parking lot and appropriate flower plantings as part of the overall exterior aesthetic plan.

President Cervenik - Mr. Koran, do you think that will present any type of problems?

Director Koran - It shouldn't. The owner of the building is here, Bob, any problem with adding that to the contract?

Mr. Spies - No.

Councilwoman McGarry moved to amend. Councilwoman Miller seconded.

Roll Call: Yeas: K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik.

Amended.

Councilman Korosec - They have the sign up there right now. Is there any plan to take that sign down and erect a larger one? Is the prototype the plan that they have for the building, or do they have something else planned?

Director Koran - They are hoping, we are hoping that the building, when done, looks like the photos you just saw. That has become the new prototype, as you will, for the Elias Brothers Big Boy Restaurants. It has not been finalized, or set in stone, what will happen with the existing sign, or how close the building will look to this. Everything has to go to the Architectural Review Board, as all of our storefront renovation projects do. The ARB will approve this and maybe Bob can specify further what's going to happen to the existing sign. I believe that's still up in the air.

Mr. Spies - That's their new sign so I don't see them changing it. A lot of what they are going to do involves the existing building.

Councilman Korosec moved to close debate, Councilwoman McGarry seconded. Yeas: Unanimous.

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

Roll Call: Yeas: K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik.

Passed.

Ord. 185-1997 (490-97) Public Auction-Sale of Scrap

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to sell at a public auction all scrap items, including vehicles, no longer needed by the City of Euclid as shown on the attachment. (Sponsored by Councilman Dallos by request of the Service Director)

Councilwoman McGarry moved for passage, Councilman Vadnal seconded.

Asst. Service Director Gulich - This is a procedure the city initiated a few years back to deal with items the city no longer needs. The Service Director solicits the various department heads and chiefs to see what equipment they have in various working conditions. Some of it is in good working condition, I understand some of it is not. Anything unusable, by the various departments, we put into this auction. This auction is scheduled for October 4th. I understand the previous auction we had netted us about \$30,000. If the stuff had no value, we wouldn't be offering it here. I understand people have bought things on an as-is basis and have bought things that didn't work.

Mayor Oyaski - Do you have a time and place on October 4th?

Asst. Gulich - It would be at the Municipal Garage at 10:30 am. There will be a public advertisement made.

President Cervenik moved to close debate, Councilwoman McGarry seconded. Yeas: Unanimous.

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

Roll Call: Yeas: Dallos, K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik.

Passed.

Res. 186-1997 (492-97) Seek Issue 2 Funds

A resolution authorizing the Mayor of the City of Euclid to seek financial assistance for 1997-1998 from the State Issue 2 Infrastructure Bond Program for funding of various capital infrastructure improvement projects. (Sponsored by Councilman Dallos by request of the Service Director)

Councilman Dallos moved for passage, Councilwoman Holzheimer Gail seconded.

Mayor Oyaski - We have applied with great success to the Issue 2 program over the last several years. The Council may recall that we were most recently funded for the Newton Avenue reconstruction with a 0% loan. Issue 2 is now doing more 0% loans than they have in the past. They used to do partial grants with our local match. It is important to note that when we talk about major improvements in a community such as the Shore Cultural Centre or the redevelopment of Parklawn Gardens/Village of Euclid, or the condominium conversion at the apartments, or a potential marina, it always comes back to basics. These garden variety projects are what the people in the neighborhoods expect us to be able to proceed with. We have done a great deal of them and this Council in the last year funded more than a half-dozen major neighborhood projects. We are applying now for the latest round of Issue 2 for further neighborhood improvements. It is unlikely that we will be funded on all these. These are the sorts of projects that don't always get the publicity on the front page of the paper. These are the bread and butter of the neighborhoods. I know the Ward Councilmen feel very strongly about them. They've asked for monies to be set aside for curbs and resurfacing. Mr. Gulich and Mr. DiNero have surveyed the various neighborhoods and are recommending these 7 projects. There's always work to do in the neighborhoods and we hope to get one or two of these funded. In any event, we will be trying to include these in our future plan in some way regardless.

Councilman Korosec - Do you have seven projects that you are suggesting for Issue 2?

Asst. Gulich - Yes, it is included with your packet, attached to the ordinance.

Councilwoman Miller - Are these the areas that seem to be the worst in the community? I noticed that it is not equally distributed to each ward. It seems to be in one area.

Asst. Gulich - We have turned in these applications before with other applications. We've been incredibly successful, we've done some \$15 million worth of work. We feel that after attending some Issue 2 sessions downtown that these jobs merit their attention and have a good chance of being funded. We know that there are problems in these areas and we'd like to see them addressed.

Councilman Farrell - While we are discussing Issue 2 money, if you could give us an update on Carol and Milan. It was a project that we were fighting and fighting to get Issue 2 money and finally got it. I understand it is about ready to come to a conclusion.

Asst. Gulich - That's correct. We attempted initially to get Milan and Carol funded with emergency funds. We weren't able to do that, but we did pass in the previous round. We were having terrible problems with the water lines. The water lines have been replaced and to my understanding, everything is working as-is over there. They ended up looping the line around and this seems to have worked. Right now we are in the stage of all we have to do is get the grass to grow.

Councilwoman Miller - If you get the Issue 2 monies for this, then I assume that there will be other areas covered from our budget then?

Asst. Gulich - Indeed, yes.

Councilwoman Miller moved to close debate, Councilwoman McGarry seconded. Yeas: Unanimous.

Roll Call: Yeas: Dallos, K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik.

Passed.

Committee of the Whole

Councilman Dallos moved to go into the Committee of the Whole. Councilman Farrell seconded.

Mrs. Madeline Scarniench - 1511 E. 221 Street. On the Issue 2 funds, where it says the apron, does that mean that residents don't pay to have their aprons done when it is Issue 2 money? Or do they reimburse for that?

Asst. Gulich - With Issue 2 we've done up to late, Madeline, we have included those. They have been 80/20 jobs. Issue 2 supplies 80% of the money and the city supplies 20%. We have not billed people for those aprons.

Mrs. Scarniench - Okay. Thanks.

Councilwoman Miller moved to rise and report. Councilman Vadnal seconded. Yeas: Unanimous.

Councilmen's Comments

Councilman Dallos - Law Director, the last meeting in June, I asked for a lot split on the Henn estate. I'm just curious, what is the status of that legislation?

Director LeBarron - I've had conversations with the Zoning Commissioner and I'll be happy to talk to you about it after the meeting.

Councilman Dallos - Fire Chief, in reading your monthly Fire report, I noticed that there was quite a bit of carbon monoxide violations/reports. I was just curious, if I remember right there was 191 to-date, this year.

Chief Dworning - I don't have the exact numbers of the carbon monoxide alarms. We are entering into the time of year, as the evenings get cool and the furnaces are kicking on. Last year, 1996, our alarms for fire alarms, in themselves, went up approximately 300 alarms, due to carbon monoxide calls. This is not uncommon.

Councilman Farrell - Not too long ago the Council authorized a study to be done at the Incinerator. I was wondering if there was any way to get an update on that?

Councilman Dallos - We've been negotiating with Waste Management to possibly take over that building. That's all I can say at this point in time.

Director LeBarron - There was a report generated. Councilmen, I'll be happy to get you a copy of it, the Service Director has it.

Councilman Flowers - I'm having a Housing Improvement Committee Meeting on Monday, September 22 at 7:00 pm. One other issue, I'm sure a lot of other Council members have too, a number of people have raised a concern over our income tax. What are the options available to Council as far as repealing any portion of our income tax? Do we have to do a whole amount? Or, can we do it in portion?

Director LeBarron - You want to change the amount of income tax charged by the City of Euclid, is that your question?

Councilman Flowers - Yes.

Director LeBarron - It needs a vote of the people to do that. If Council wanted to initiate it, you'd have to introduce legislation to place it on the ballot.

Councilman Flowers - If you would draft up a piece, I would think, I don't know if a quarter percent would be appropriate. I think that was the last, the smallest increment we've had in the last 10-15 years. When did we pass a quarter percent? Was that in 1980?

Director LeBarron - I have no idea what was done in 1980.

Councilman Flowers - Whatever that date was, I'm sure it was a quarter percent? Was it a half percent? If it was a half percent, do we have the options of saying let's repeal a quarter percent of it?

Director LeBarron - Councilman you wouldn't be repealing it. What you would be doing is introducing legislation to make a new tax rate. If you have one of my forms requesting legislation, just send it to me.

Councilman Flowers - I'm asking you right now. I prefer to do it right out in the open.

Director LeBarron - What's the percentage you want the income tax to be?

Councilman Flowers - A quarter percent.

Director LeBarron - A quarter of what it currently is?

Councilman Flowers - No, .25 of a percent income tax.

Mayor Oyaski - Less or more?

Councilman Flowers - Less. We can always discuss it at a Committee Meeting to figure out what's appropriate. I would like to introduce it.

Councilwoman McGarry - While I'm on the subject of downtown, what do we have to do to get the rotted wood, that needs to be replaced, along the Shore Center? The street looks so nice now, there's been flowers planted. We are continuing to move forward with better aesthetics, but that wood needs replacement that is in front of the Unique Thrift Shop and all along there. Some of it is forming flower beds but it is in very bad condition.

Director Koran - I'll have Mr. DeWine look at it tomorrow.

Councilwoman McGarry - The Area Temp building is looking quite good with flowers and exterior painting. That's quite a plus.

Councilwoman Miller - I would like to call a Safety Committee Meeting for October 8th. On the agenda will be the security for the apartments. I would like Chief Baumgart to bring us up-to-date on that. I've had several phone calls from the apartments that the security guards are not what they said they were going to be. They are not having the number of guards there that are supposed to be. I would like the owners and the people that attended the last meeting that have left a notice that they'd like to be contacted for this meeting, to also be notified about this meeting. I would like to know about the parking lot. When are they going to start that parking lot? I thought it was supposed to be in the fall. Behind the Irish American Club and Lake Theater and such.

Director Koran - The Mayor just announced today. It started today.

Councilwoman Miller - Sorry about that. Talking about Shore Center and Lake Shore Blvd. area, what do we have to do to get someone to clean up the area. It looks nice with the flowers and everything, but, broken bottles, all kinds of trash all over the place. Many of the citizens that I've been talking to have voiced a concern that everything looks nice except the upkeep of the area. If there's anyway we can get that cleaned up. It can't be done once a week, it has to be done a lot.

Mayor Oyaski - If the Councilwoman has any addresses, I'd be happy to have the Commercial Inspector out there at 8:30 tomorrow morning.

President Cervenik - Councilman Flowers, you are the Chairman of the Housing Improvement Committee, with your permission I'd like to add something on the agenda. I would like to have an overview of what Mr. Tollerup has done and some suggestions he has since coming on board. Some of those suggestions may influence how we feel about the three ordinances that we have in Committee. I would like to add that item to the Agenda with your permission.

Councilman Flowers - Sure, do you have a report ready to go over?

Mr. Tollerup - Yes, I do.

Councilman Flowers - Okay, that's fine.

Director Koran - I'll have Erik send out that report tomorrow so you can all get it and read it before Monday.

Councilman Flowers - That sounds good because what happened last time we were waiting for Mr. Eyman and he ended up leaving and we decided to hold off.

Director Koran - Just understand that the report is a review and suggested revisions of many facets of the Housing Department. The Agenda for Monday's meeting has three specific ordinances. We'll send this out, you can read it, and we can talk about it Monday night.

Adjournment

Councilman Vadnal moved to adjourn. Councilwoman McGarry seconded. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council