

## COUNCIL MINUTES

October 20, 1997

The regular City Council Meeting was held on Monday, June 2, 1997 at 7 PM in the Euclid City Hall Council Chamber. President Cervenik presided.

Members Present: Dallos, K. Farrell, Flowers, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik  
Others Present: Mayor Oyaski, Law Director LeBarron, Service Director DiNero, Finance Director Balazs, CS&ED Director Koran, Administrative Director Johnson, Recreation Director DeMinico, Fire Chief Dworning, Police Chief Baumgart, Building Commissioner Apansewicz, Asst. Service Director Gulich, Housing Manager Tollerup, Sgt.-at-Arms Stankus, Clerk of Council Cahill

### COMMUNICATIONS

Council has received the following communications:

From Secretary of State Taft, the Ohio Issues Report on Issue 1 & Issue 2.

From Finance Director Balazs, a memo regarding the Tax Ranking of Euclid, Ohio.

A letter from Mayor White, urging Council to oppose the merger of Conrail by Norfolk Southern and CSX.

From Mayor Oyaski a memo stating the Ohio Farmland Preservation Task Force Report is on file in the Clerk of Council's office.

From Director LeBarron, a summary of legislation on tonight's agenda

#### Administration Reports & Communications

Mayor Oyaski - The Halloween celebration in the City of Euclid will be on Friday, October 31<sup>st</sup>. Trick or Treating will be permitted from 6:00-8:00 p.m. next Friday.

I'd ask the Clerk to pull Item #10 from the Agenda.

Mayor Oyaski presented Mr. Dale Mansperger with Res. 204-1997, declaring October 26-31st as Iodine Deficiency Disorder Week.

#### Reports & Committee Minutes

Councilwoman Miller moved to receive and approve the Humane Officer's Report of September, 1997 and the Board of Control Minutes of 9/29/97 & 10/6/97. Councilman Vadnal seconded. Yeas: Unanimous.

#### Committee of the Whole

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

Crystal Jamerson - 23870 DeVoe Ave. I'm a Junior at Euclid High School. If feel that the educational needs of all students cannot be met if Issue 74 does not pass. I hope that all teachers, parents, City Council members and all Euclid residents remember that a strong quality education is the most valuable gift we can give ourselves and our children. Please don't neglect your children. As someone so wisely said, it takes an entire community to raise a child.

Erin Flynt - 21230 Milan. To the members of City Council, hello and good evening. My name is Erin and I'm a senior at Euclid High School. I'm very active in the athletic program at the High School. I'm currently involved in soccer and when the season is over I will begin training for my indoor/outdoor track seasons. That is if you, and the citizens of Euclid, vote yes for my friends and I. I'm an average student that works hard to maintain a 3.0 gpa. I don't know of any college that is willing to give a scholarship to an average student with no extracurricular activities. All I want is the opportunity to succeed in life. Getting into a good college is the next step. With your support, I will have the chance to show all that I can be. Please support me and my future.

Mr. Harvey Mlachak - 23831 Lake Shore Blvd. I am here to strongly object to the passage of this Resolution supporting the passage of Issue 74. I strongly echo the sentiments and the statements of Mr. Rudy Nagode and others in their Letters to the Editor of the News Herald and the Sun Journal, expressing their disgust and opposition to this levy. I am in complete agreement with the views and statements of Mr. Michael D. McPhillips, candidate for the School Board. He asks, are you tired of hire taxes? Yes I am. He also says that if you think it is time for a change, then vote for Michael D. McPhillips on November 4<sup>th</sup>. Yes I do and yes I will. I urge you to do the same. I have never since World War II seen such a display of propaganda as is now being put out by our School Board. The half-truths of why they need these funds. The threats of what is going to happen if this levy fails. The student with her back to the camera with the underlying statement, Don't turn your back on us. Are they trying to give me a guilt complex? Circle false.

Mr. Mlachak - The Euclid City Schools, Kids First, program as aired on tv and funded by Mayor Oyaski, why were the last names of the children omitted? Why was the name of the interviewer not disclosed other than to say, my name is John and I work for the School Board? What do you do and where do you live? I found it particularly interesting when one of the last students closed with the remark, Was that okay? It sounds like someone was touting or coaching her. How about the rest?

We all saw the sign at E. 222 & Babbitt in support of the levy. It is now down. It never should have been put up there. Why? Because I believe it was illegal and that is why its gone. The School Board knew it was illegal when they put it up. With all of this propaganda, illusions, threats, innuendos, half-truths, I urge you not to support this group nor its levy.

Why a permanent levy? Why a whopping 7.9 mils? If the City succeeds in demolishing the apartments on Euclid Ave. and the high rises go condo, and the school enrollment goes down, are they going to cancel the levy and reduce our taxes by 7.9 mils? I think not.

Matt DeWine - 19751 Lake Shore Blvd. I'm a senior at Euclid High School and on the soccer team. We have come here tonight to ask you to make the right decision for the good of the community. If Issue 74 fails, there will be no good outcome. The affects on the school system and the community will be drastic. All we are asking for is for you to say that you will help and do your part in keeping Euclid strong. Thank you.

Mr. Greg Lawrence - I own the Lakeshore Coffee House on Lake Shore Blvd. On behalf of my business, as well as the others along Lake Shore in the strip of businesses between 218 and 222 Street, I would like to encourage your support of City Council, to demolish the building known as LST, Lake Shore Tavern. Encourage your construction of a municipal parking area at the location across the street would be very beneficial to the area and surrounding businesses while eliminating a dysfunctional building, which is in disrepair and an eyesore.

I would also like to mention as a business owner and also many of you know I'm in real estate in the community. I think it is very important that we have a very, very strong school system. That is one of the very first things that people ask us about when they are considering moving to Euclid. Many people have relocated to Euclid from the Cleveland area. They come to Euclid because we have a good school system. It is important that we keep the schools strong. I graduated from Euclid High School in 1970. I would like to encourage the Council in their support of the Resolution of Issue #74.

Mrs. Carol DeWine - 19751 Lake Shore. I'm here to speak tonight as President of the School Board, as a parent and as a citizen. Tonight you are being asked to vote on a Resolution in support of Issue 74, the levy for the schools. I know that throughout this campaign there has been a lot of questions about why the Schools need money at this time. If you've been keeping track of city finances for at least a few years, you know that most years the city budget increases even though there are no changes in the level of services provided. This increase is no surprise because you know there has been increases in employees' contracts, that inflation has raised the cost of materials and other costs have increased. Generally you don't have to worry if you can afford this increased budget, because city income tax receipts have also increased. As inflation pushes the city's budget higher, inflation also pushes the city's income higher.

The Schools experience a different scenario in balancing the budget each year. Our expenditures increase for all the same reasons the city budget increases. The increasing enrollment in recent years has accelerated our budget increases. The problem for the schools is our main source of income, the property tax, does not increase as property values increase. This was not always the case. Before 1976 the amount of property tax the Schools received increased as property values went up so a school districts receipts increased without voting new taxes. Then the State Legislature in an attempt to control the large increases in property taxes during those few years took away the ability for the tax to increase at all. The result, is that the Schools receive no increase in voted property taxes when property values increase in the community. Our main source of income remains the same, year after year, while our budget continues to increase. This is the reason we need to ask the taxpayers for an increase in taxes at this time.

We know that the citizens of Euclid expect us to spend their tax dollars wisely. We have been careful with their money. We have worked hard to control costs in all areas. We do not have all the programs in the district that we would like because we have tried to keep spending down. We provide a quality, comprehensive, educational program. Even with efforts to control the budget, the cost of providing this vital service continues to increase. It is a well-known fact that strong schools keep a community strong. To maintain the quality program the citizens of Euclid expect, the community needs to pass issue #74. Tonight I ask each of you to vote yes on the Resolution to support this Issue. If you believe in keeping Euclid the City of Superior Services, then you have no choice than to support Issue #74 with a yes vote tonight and on November 4<sup>th</sup> at the ballot. Thank you.

Mrs. Dorothy Fike - 20271 Delaware Road. You hear me very often at these meeting but tonight I'm speaking as President of the League of Women Voters of Euclid. Many people have a misconception about the League because we are a non-partisan organization. Which means that we do not support any candidate, we just give information. We are also a study and action group and if we adopt program and study it, then we can take action. The Euclid League has studied education in Euclid for many years. We keep the position updated constantly and as such we feel we can support or not an issue. We have come out in support of Issue #74 because we believe all citizens should be knowledgeable and all students should be well-rounded. You cannot have cuts that they are going to make if the levy fails, and have a well-rounded citizenry. They need not only sports, this is a big point with our League, they need all after school activities. Not everyone takes part in sports. My children did not, one did. But they need all the activities, Clubs and every other thing that goes on in the school. This is why we have studied it and we feel this issue does need your support and I echo Mrs. DeWine. Not only tonight vote in favor of the resolution but also vote yes on November 4<sup>th</sup>. Thank you.

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

#### LEGISLATION

##### Res. 205-1997 (513-97) Erosion Control Measures

A Resolution approving the use of submerged lands for property located at 20531 Edgecliff Drive in the City of Euclid so that the owner can undertake lake shore protection measures. (Sponsored by Councilwoman Holzheimer Gail by request of the Law Director)

Councilwoman Holzheimer Gail moved for passage, Councilwoman McGarry seconded.

Director LeBarron - This is another submerged land lease resolution for another lakefront property owner. This is required by the Ohio Department of Natural Resources in order for the property owner to receive a submerged land lease so they can undertake erosion control work.

Councilman Vadnal moved to close debate, Councilman Korosec seconded. Yeas: Unanimous  
Roll Call: Yeas: Dallos, Farrell, Flowers, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal, Cervenik.  
Passed.

##### Ord. 206-1997 (514-97) County Health Contract

An ordinance authorizing the Mayor to enter into a contract with the Cuyahoga County, District Board of Health, for various health services for the City of Euclid for the year 1998. (Sponsored by Mayor Oyaski)

Councilman Farrell moved for passage, Councilman Dallos seconded.

Director Balazs - This is the legislation to contract with the District Board of Health with the county. The annual cost of the service that is provided to the City of Euclid and County residents is \$141,578,000. There is no increase in the amount. It is the same this year. There is no increase. We are recommending again that we contract with the District Health as every other municipality does. The dollar amount is deducted from our taxes from the County Auditor. If there are any questions, I'd be glad to answer them.

Councilman Flowers - For clarification, we looked into this before as far as how much it would cost. It is important that the public know it wasn't real feasible for us to run this. It was a \$250,000 figure or somewhere in that neighborhood, right?

Director Balazs - We did that study a couple of years ago, you are absolutely correct.

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

Councilman Flowers moved to suspend the rules, Councilwoman Holzheimer Gail seconded. Yeas: Unanimous.

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

Ord. 207-1997 (519-97) Motch Corp.

An emergency ordinance authorizing, empowering and directing the Mayor of the City of Euclid and the CS&ED Director to enter into a Special Storefront Renovation Agreement with Motch Corporation, owner of the property located at 1250 E. 222 St. for the provision of a grant in the amount of \$35,000 or 17% 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 Councilman Korosec)

Councilman Korosec moved for passage, Councilman Vadnal seconded.

Director Koran - The Motch Corporation is one of Euclid's oldest companies located on East 222 Street. There is currently over 120 employees that work there. The company was recently purchased. There is a new owner. It used to be a German corporation, now it is an American Corporation. The owner owns other property in the Cleveland area. The City of Euclid Administration has been working very closely with the company. We knew the business was for sale. There was rumors that the client would be moving to Vermont, taking the 120 employees with them. One of the issues that the new owner expressed was the need to rehabilitate the building. If you know the building on 222 Street, it is in need of rehabilitation. Using the Community Development Block Grant program, if this is approved tonight, we will reimburse the company \$35,000, less than 17% of the total project. They are going to invest over \$210,000 in the exterior of the property. We are also willing to reimburse them about \$1,500 for architectural fees which have gone to the Architectural Review Board and was passed recently by the ARB. If Council approves this tonight, we will be using 1998 Block Grant Funds as a reimbursement to encourage this company to stay here.

Councilman Dallos - Some of the verbiage is very misleading. It gives the indication that this is a retail piece of property. That's really an office building. We should clear up some of the verbiage if you do this again. It says retail business, major commercial building, the verbiage should be office building.

Director Koran - This is an industrial building. The term commercial used in a generic term does include office, warehousing, manufacturing. I'm sure we can clean up the ordinance if that's necessary. This is an industrial corporation. Mr. DeWine was using the boiler plate for our storefront renovation program.

Director LeBarron - Would you like to amend it on the floor, Councilman?

Councilman Dallos - No. If we have something else coming up in the future, just keep that in mind. I could tell this was boiler plate for a typical storefront renovation.

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

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

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

Ord. 208-1997 (521-97) Demolish Lake Shore Tavern

An ordinance authorizing the CS&ED Director of the City of Euclid to purchase the property located at 21935 Lake Shore Blvd. (P.P. #642-08-083) for an amount not to exceed forty thousand dollars (\$40,000.00) for the public purpose of eliminating a blighting influence, and also authorizing the CS&ED Director to advertise for bids and then enter into contracts for the demolition of the structure and the construction of a public parking lot. (Sponsor by Mayor Oyaski)

Councilwoman Holzheimer Gail moved for passage, Councilman Cervenik seconded.

Director Koran - The Lake Shore Tavern has been vacant for some years. The apartments in the second floor are vacant. The Building Commissioner ordered the condemnation of this property early this year. It has been in the Sheriff's Auction no less than three times. The first two times that it was in the Sheriff's Auction, no one bid because the condition of the property was so severe and the cost of rehab did not make the acquisition economical. At the third auction, one of the lien holders did purchase the property. After that, the pipes burst, the interior was totally destroyed over the winter because of the water freezing. The floors are destroyed. Our Building Department and Housing Inspectors have been in the property many times.

Director Koran - We had complaints from neighbors about running water and that's how we found out the floors were destroyed due to the pipes being burst. There was discussion over the past year about what the City should do with this property. At the time we were hoping that some one would buy it and fix it up. One of the problems with the property is that there is no parking. It is an older building. It was not designed when automobiles are as prevalent as they are now. There is no parking. The feeling of the Community Development Department is that you will never be able to attract a quality commercial tenant, nor quality rental tenants upstairs. While this discussion was going on, a local broker called myself and wanted to know if the City was willing to buy this property. Originally our answer was no. However the input was that it could be had at a very affordable price. We offered \$40,000 for the property that was currently appraised at \$174,000. The owners immediately accepted the \$40,000 offer. This happened about 60 days ago. We quickly built into the Community Development Block Grant budget for 1998 the acquisition dollars of \$40,000; \$30,000 for demolition and \$20,000 for construction of a municipal parking lot. With a total project cost of \$100,000, coming out of 1998 Block Grant Fund.

Before you tonight is an ordinance giving my Department to proceed with that. We feel that the property is worth at least \$40,000. The County has it appraised at \$174,000. I've done a preliminary lay out that shows we can get about 12 parking spaces there. Recently the Department, along with the Service Department, provided additional parking behind the Mary Mavec. There is a severe parking shortage in that area. As Mr. Lawrence mentioned, the entire Moss Point area, all those commercial storefronts are screaming for parking. We feel if done properly, well screened, and landscaped, this could be an attractive addition to the downtown area. It is interesting to note that the Master Plan consultants recommended constricting the commercial space downtown and encourage more municipal parking lots. This has been approved by the Citizen Advisory Group for the Block Grant Program. The public hearings have been conducted and if this is approved tonight, we will proceed cautiously in acquiring this property, demolishing it, and building a municipal parking lot.

Councilman Vadnal - What was the bid by the lien holder who purchase it through the auction?

Director Koran - \$110,000 was the minimum purchase price. Mr. Lawrence who is in the audience and the broker could perhaps give a more definitive answer. \$81,000. It got confusing because it was a lien holder situation, the property was up three times. \$81,000 was the most current bid price.

Councilman Flowers - How long has this been dormant and vacant?

Director Koran - It has been vacant over two years. We condemned it at the beginning of this year.

Councilman Flowers - I have concerns with that. We are going to take somebody off the hook because they didn't do anything with the property. If you read the article that Jeff Piorkowski did. Someone bought a house, it was appraised at \$50,000 five years ago. They put a lot of hard work, sweat and toil into it. It is now up to \$90,000. Then they get cited and have the Prosecutor go after them and throw them in jail. Here you have somebody and the neighbors are in agreement with what this individual has done with the property. Then you hear someone who has totally neglected the property, and we are taking it off their hands for them. Instead of having them demolish it, I think they should demolish it. Then we can purchase the property. That is what you were telling them to do back at the beginning of this year, were you not?

Director Koran - The property, according to the County, is appraised at \$174,000. The most recent purchase of \$81,000, we are purchasing it now for \$40,000. This owner is already losing \$41,000 through his neglect alone. Let alone the fact that it is worth over \$170,000.

Councilman Flowers - I doubt if it is worth \$170,000 if no one is willing to purchase it at \$81,000. I think it is a shame that we are strict with our residents than we are with commercial property. I disagree with it. I think the individual should be required to level that piece of property. At that point in time, we give them the fair market value, whatever that site is.

Director LeBarron - Not on the point that you are making right now, Councilman Flowers, but as I understand it from Mr. Apanasewicz, the property was in foreclosure at the time it was condemned. There is a part of the foreclosure law that prohibits liens to be placed on property that is already in foreclosure. I believe the correct Latin terms is lease pendece, maybe Councilman Vadnal knows for sure. What that term means is if a property is already in foreclosure, you cannot come along after the foreclosure has been filed and place another lien on the property. That lien is basically meaningless if it is filed after the property has been in foreclosure.

Councilman Flowers - Who's saying we should file a lien. I say he should be required to demolish it with his own money, versus our money.

Director LeBarron - I was responding to your first point that it should have been torn down at the time it was condemned by the city, it was in foreclosure. For the city to then come in, if it was in foreclosure, that owner did not have the money to tear down the building. If the City were to come in then and tear down the building, we would not have had the opportunity to place a lien on the property.

Councilman Flowers - A number of residents seem to be upset, one of them refers to Parklawn property. It gets totally run down, but let somebody off the hook. But, you were more strict on our residents. That's the point I'm making. I think he should be required to level it. At that time we should give him whatever is fair market value for empty space.

President Cervenik - It is in foreclosure. He does not have the money to level it. We are taking \$40,000 of Block Grant money, plus the cost of demolition, to take care of a blighting influence in that area that has been there for 7 years. Previously when I was Ward 1 Councilman, I was on the phone with Mike of Mike's Marathon and he was thrilled to hear that we were doing this. Mr. Lawrence is happy to see this. The stores on the south side of Lake Shore Blvd. do not have the parking that is necessary to bring more business into their stores. It is nice to say, let's make him tear it down, but if he doesn't have the money to tear it down, how much longer do we have to wait.

Councilman Flowers - I'm not saying just because it is in foreclosure you have him do it and then we put in a bid price for it. Put in something less than what we are going to be putting in. Figure out what the property would be worth if it was totally leveled and then you put in our cost for demolition. If it is worth \$44,000 as a parking lot, we should only have to pay \$14,000 seeing we are expending \$30,000.

Director Koran - It is six in one or half dozen of the other. When we are done with this, we will own the property. Under your scenario, we are going to force them to demolish it on their own, which will probably take years and lawyers fees, court proceedings, and we'll be looking at that property for another 24 months at least. Now, we've negotiated with the owner, in good faith, to come up with a deal that is going to work for everyone. By the spring, the building will be gone and we'll have a parking lot.

Councilman Flowers - But it is going to cost \$110,000 to do this.

Director Koran - It is going to cost \$100,000 and we'll own the property. That includes the price of a new parking lot.

Councilman Dallos - I don't think you can compare this to Parklawn Gardens. Here you have an owner that might have been an owner for 3-4 months. Versus Parklawn Gardens where they've been an owner for 40-50 years. You can't compare them. It is not apples and apples. This is really the best thing for the city. Foreclosure process takes 2-3 years before it comes up on Sheriff's sale. It has been sitting there, it is vacant, it is condemned. We should buy it, tear it down and put in a parking lot. It is the best thing for the city. There is too much commercial space in downtown Euclid at the present time. We don't need commercial space. We don't need a building that is ready to fall down.

Councilwoman Holzheimer Gail - I just want to echo what the Council President said. I, too, have heard from residents and was able to report to them that this was in process. They were thrilled to hear that. In their opinion, it couldn't happen soon enough. I did hear another comment from a resident who was more interested in preserving the character of downtown Euclid. That would be true and I would support that if there were some businesses waiting to come in, waiting to spend the kind of money that we would need to go into that to refurbish it. I agree, there is plenty of commercial space in the downtown Euclid area. I agree with residents, it is a blighting influence. The Citizen Advisory Committee, as Director Koran said, supports this. As the Ward One Councilwoman, I do support this Resolution.

Councilwoman Miller - I too support it. I've heard from many residents, especially the ones living down the streets in that area and the business people around there have asked, how much longer are we going to wait before this is taken care of. We do need the parking. I'm in favor of this.

Councilman Vadnal - Will the lien holder be taken care of with the sale? So we don't get involved in any dispute.

Director Koran - The purchase is contingent upon city council approval and bankruptcy court approval. In the contract there will be no way that the city can take on any liability under this. The only additional would be the demolition.

Councilman Vadnal - Who's in bankruptcy?

Director Koran - Scott McKay, the previous owner.

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

Councilwoman Holzheimer Gail moved to suspend the rules, Councilman Korosec seconded. Yeas: Unanimous.

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

Nay: Flowers

Passed.

Ord. 209-1997 (523-97) Centrex Phone System

An emergency ordinance authorizing the Administrative Director of the City of Euclid to extend the agreement with Ameritech Credit Corporation to provide the Centrex telephone switching service to the City of Euclid, for a period of three(3) months until January 31, 1998. (Sponsored by Mayor Oyaski by request of Administrative Director)

Councilwoman Miller moved for passage, Councilman Vadnal seconded.

Director Johnson - This piece of legislation, if Council so authorizes, will allow me to extend the Centrex contract on a month-to-month basis. Hopefully within the month we will be able to solicit prices from Centrex vendors. We just discussed in the last several days that there are several Centrex vendors and I believe we can obtain a much better price.

Councilman Farrell - We are giving authorization to not spend more than \$12,000. What are our lease payments now on the Centrex system?

Director Johnson - The monthly amount is about \$3,200. On a month-to-month basis, it would go about \$800 a month.

Councilman Farrell - Why did we wait? We have one of the oldest phone systems I've ever experienced. Why did we wait until now?

Director Johnson - It has been a difficult situation to try to phantom out exactly what we are buying. We are buying dial tone switching services such as call forwarding, call transferring and the ability to dial between buildings by only dialing four digits. I recently discovered that our choices are not limited to one Centrex vendor. We could have just renewed the existing contract at a discounted rate. But, having discovered that there are more than one Centrex vendors, I felt that it would be prudent to request proposals from all of them to find out if we can obtain more than the 9-10% discounts that we are being offered now.

Councilman Farrell - One of the most frustrating things that I feel when I call into City Hall, even during the day, or even at night. If I call after 5:00, I hear City of Euclid Service Garage. We have to remember that our residents are calling into City Hall also. This is the 90's now and there is very good voice mail systems out there. We just distributed a pamphlet with everybody's phone number to all the residents in the City. When we look into this system, we should also look at very strong voice mail boxes. If somebody calls in after hours to register a complaint with any department, they shouldn't have to get the Service Garage. They should at least get that various department and they can leave a message and somebody can get back to you the very next day. When I call into City hall during the day to John Hayes or Jack Ponikvar, I can't even get through from the central switchboard. They say I have to call back and dial the other number to get his voice mail box. If the mailbox is full, you get cut off. On top of that, I just heard recently that those messages cut off after 24 hours. The message you leave is gone. We have to get into the 90's with our phone system. It is terrible.

Director Johnson - I agree. I've heard the same complaints that you've just mentioned. We are looking at that. Which is why I would not recommend that we extend this contract even after we solicit for lowest prices, to extend this contract for more than a 24-36 month period. The previous contract was for a 5 year period. I agree that is too long. The technology has changed in the last 8-9 years and we do need to look at that. I really need a commitment from this Council that we are looking at spending monies that would be necessary to re-vamp this telephone system.

Councilman Farrell - One of the things we have to realize is that this is for our residents also.

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

Councilwoman Miller moved for passage, Councilwoman McGarry seconded. Yeas: Unanimous

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

Ord. 210-1997 (517-97) Amend Code Pre-Sale Rebate

An ordinance amending Section 1759.03 of the Building & Housing Code of the Codified Ordinances of the City of Euclid by the addition of new subsection (c), which authorizes a rebate of the Pre-Sale Inspection Fee for owners of single family homes who relocate within Euclid borders. (Sponsored by Councilman the Euclid Development Corporation (EDCOR). (Sponsored by Mayor Oyaski and the entire Council)

Councilman Farrell moved for passage, Councilman Dallos seconded.

Councilman Farrell - Residents relocating in the City will continue to pay Euclid taxes and deserve this break. We can view this legislation as a small thank you from the Administration and Council. We do have step-up housing in our city for growing families and condos and smaller houses for empty nesters. This maybe a tiny nudge to have residents look to relocate in our city and it works in conjunction with our promotional campaign and I urge passage. Have we given thought as to how this would be administered?

Director Koran - Yes, Erik Tollerup has come up with an administrative way to implement this. I will turn it over to Erik.

Mr. Tollerup - It should be as simple as having the homeowner after they have relocated within the City of Euclid, come into our Housing Department, fill out an application, show proof simply by showing they have the phone bill in their name. Then we will do the necessary paperwork and send it to the Finance Department and have the \$90 rebated.

Councilman Flowers - When we talked about this in Committee, do we have any idea how much this is going to cost us?

Mr. Tollerup - Unfortunately we don't have a computerized system and we do not keep track of pace report, I cannot inform you of how many people move from the City of Euclid and relocate within the City. Once our computer system is set up, we will know how many sales coming into our data base, we will be able to determine. I will estimate 30-40% of residents moving would relocate in the city.

Councilman Flowers - What happens if somebody purchases a home, or puts their house up for sale and they purchase a home, and they are sitting and waiting. Do they still get their rebate?

Mr. Tollerup - In order to receive the rebate you will go through the procedure as always. You will only receive the rebate after you have moved into your new home.

Councilman Flowers - What happens if they move into their new home before they sell the old home?

Mr. Tollerup - As long as they've relocated within the City, that's fine.

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

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

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

Res. 211-1997 (516-97) Ohio Farmland Task Force

A resolution urging Governor Voinovich and the General Assembly to follow through with the findings and recommendations of the Ohio Farmland Preservation Task Force with emphasis on urban revitalization. (Sponsored by Mayor Oyaski)

Councilwoman McGarry moved for passage, Councilman Farrell seconded.

Mayor Oyaski - The Clerk has indicated that you have a copy of the Farmland Preservation Task Force and the proposed Bill that has been introduced. The Governor did appoint a Task Force. I spoke to this Task Force along with several other hundred Ohio residents. The Task Force report is very encouraging. Not only does it preserve farmland, but it also has an equal emphasis on urban revitalization. It is that part of the Task Force report that I think could be in the long term interest of the City of Euclid.

A bill being introduced is a long way from a bill being enacted into law. It is important that the City go on record as encouraging the General Assembly to stay the course and follow through on the Governor's Task Force recommendations and actually implement real State policy in Columbus that will not only preserve farmland which is of minimal relevance to us, but to focus on urban revitalization and urban rebuilding. If the Council would like, you can table this until you've had an opportunity to review the report. Or, pass it today because I think its fairly self-explanatory and the Council has join me previously on issues of related importance.

Councilman Flowers - You mentioned some areas we've addressed before, like 615.

Mayor Oyaski - That was the first issue that attracted my attention was when they were building the 615 interchange after it had been on the drawing board for nearly 20 years. I've got involved in a collective effort of other older suburb's that are addressing the issue in a similar way. The Governor responded by forming a Task Force which was direct towards farmland preservation. We haven't had a farm in Euclid for 60 years. I didn't know how relevant it would be. Much to my surprise, they did follow through, they have come back with a number of recommendations that would require the State in all of its departments focus on urban revitalization. The Council has voted on gas taxes before, the 615 interchange. All of those issues are related, generally to the issue of urban sprawl, but mainly to the focus on rebuilding older communities.

Councilman Flowers - I'm willing to go forward. I don't know what the rest of Council would like.

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

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

Res. (518-97) Support Issue 74-School Levy - FAILED

A resolution expressing the Euclid City Council's support of a 7.9 mil levy for Euclid Public Schools and encouraging Euclid voters to pass the levy, Issue No. 74, on November 4, 1997. (Mayor Oyaski)

Councilwoman Holzheimer Gail moved for passage, Councilwoman McGarry seconded.

Mayor Oyaski - Two weeks ago we had a number of Euclid residents come to this Council and this Council to consider Issue 74. At that time I agreed to sponsor this Resolution. I understand that there is some reticence about this issue, but I feel very strongly about Issue 74 because we all know that we are trying very hard to promote our city as a wonderful place to live, work and play. Trying very hard to attract young families. The quality of the educational system is extremely important as we attempt to do all of those things.

The School Board has unanimously placed this issue on the ballot, indicating additional funds were needed. The elected School Board has unanimously indicated that a contingency plan would have to be adopted. That contingency plan would involve cutting services in the way of transportation, and would involve cutting various extra programs that make going to school in Euclid a special event. I like their program that would open up two neighborhood schools. I understand the reticence of some members of Council because it is a property tax. I think it is important that the Council vote their conscience on this issue. I urge your support. Thank you.

Councilman Vadnal - To the Recreation Director, there's a statement in this Resolution that many of the City recreation programs would be reduced if the levy fails. Can you comment on that?

Director DeMinico - Part of the Parks & Recreation Department has winter activities, fall activities that we correspond with the Board of Education. Mr. Stanic makes his buildings available, Forest Park, Euclid Central swimming pool, and Euclid High School for volleyball teams that total close to 200 teams over the course of fall and winter. Approximately 30 basketball teams that utilize those facilities. It's been my understanding that with the school closing at weekends and at 4:00, that the recreational programs would have to be cut.

Councilman Vadnal - One of the things that bothers me about this legislation, there's a statement in here that if the levy does not pass, the minimum standards, transportation will be reduced to minimum standards. The reason we have minimum standards, whether we have it for this or anything else, is that those are standards that have to be met and we will still meet those standards if the levy fails. The Mayor said that many of the extra programs may be affected. Again, those are extra programs. We are at a point where we have to face reality here that we are going to have to try to do more with less if the levy fails. The overwhelming majority of the people that I have talked to do not support the levy. Two evenings from today, we will be having a committee meeting on decreasing the income tax. It would be inconsistent to vote for a tax levy when we are having a meeting two evenings from now about decreasing the income tax.

The school funding issues in my eyes must be dealt with in Columbus. A levy here at the local level is going to do nothing more than put another band-aid on the problem rather than a permanent solution. For that reason I cannot, in good faith, support this Resolution.

Councilman Dallos - I also have some difficulty with this Resolution. I have four kids that went through the entire Euclid School system. I'm sure that two of them today will still vote for it in November. When I look at the defeat in May, that message was pretty loud. In the political arena, when you win by 66% or lose by 66%, it is called a landslide victory or defeat. This was defeated by almost 400%. The public was telling us something. They were telling us no higher taxes. That's the comment. I know, just in my neighborhood, about six widows that will have to sell their house. There is no way they can afford the increase in the millage.

Councilman Flowers - I don't think we can confuse with me what we are going to have later on in reference to lowering the income tax with the School levy. They are two different issues. There is no doubt in my mind that they need the money. Their income does not increase with inflation like our city income tax does. They are in a whole different ball game than we are. I understand the concern that it got defeated by a large margin. The School Board has a tough road in front of it to convince the voters to vote for this. One way to get to that point is for Council to support this Resolution in favor of the levy. I just want to make it a point not to confuse the School's levy with our scenario with the income tax. They are two different issues.

Councilwoman McGarry - I agree with Councilman Flowers. In comparing the meeting we are having Wednesday night, I think it is premature to make any kind of conclusions about that. Schools play such a comprehensive role in the life of the community today. Far different from the life that used to be years and years ago. After listening to the debate over this levy, and reading the School Board's plans, I am convinced that the quality of our public school system would be seriously, adversely affected if the School levy fails. It is never easy asking for more taxes and people do suffer because of it. It is difficult, I deal with these every day, in communities where levies have failed consistently. It is much to difficult to gain back the strength in our schools once it is gone. I'm supporting this Resolution. The levy makes sense for where we are in time.

Council President Cervenik - I requested a number of times to the Mayor not to put this Resolution on Council floor this evening. I've had my problems with the levy this time around and I've always supported them in the past. I supported Issue 13. I told the Mayor not to put me in a position where I'd have to speak out against the levy, because I don't want to do that. I think the levy should stand on its own. People should do and vote the way they feel without my opinion. But I do have some problems with it. It comes so soon after Issue 13, which generates in excess of \$5 million for the Schools, a few short years ago. I was told to look at the numbers and I did. I looked at the facts about Euclid City Schools education program versus budget. In there are projections. Those projections show that in the year 2001, if we were to open up the two schools and not have the levy, we would be in a \$36 million deficit. I say to myself, that's a lot of money.

President Cervenik - Let's say the levy passes. The levy will generate about \$6 million a year. In the year 2001, we will generate approximate \$18 million. We are still \$18 million, give or take \$2 million, in the whole in the year 2001. According to these figures, not according to my figures, not according to my guesses, just adding two and two together. That's a very frightening thought. Some of the numbers in the projection show that costs are increasing well beyond the rate of inflation. That bothers me. Yet it bothers me to know that these cuts could take place in Euclid schools. To the students, back in May, a levy campaign said, we need this to open up the schools. There was no mention of cuts in athletics, cuts in student government, cuts of after school programs, building closing at 4:00. In a few short months, that is what the general public was told, if we do not pass this time, we will have to make all these cuts. I believe there's another way. I believe there's cuts that can be made. I would like to see the school system stay strong. At this moment, I cannot wholeheartedly support this levy. It is easy to say the City is only as strong as its Schools. But throwing money at a problem, \$5 million a few years ago and asking us to put another \$6 million now, may not be the solution. I firmly believe that you can make it through the 1998-1999 school year with relatively few cuts. At least not the cuts proposed on the sheet, to cut all the school activities. And make it through the year 1998-1999. By that time, we will have a plan from the State of Ohio. If that plan, at that time, is not a good plan, I will be the first to help back the levy. We owe it to our residents, after Issue 13, and by the fact that there is work being done in Columbus, court mandated, that we at least wait one year to find out what the results will be.

As I said, I did not want the Mayor to put this on the ballot, because I don't want people to make a decision based on how I feel. When you come right down to it, I will be meeting with Mr. Lowell Davis later this week to answer some of my questions. If at that time, if my questions are answered to satisfaction, on November 4<sup>th</sup> I may vote for this Issue and then again I may not. In closing, don't make your decision based upon what I say, or anybody else here says. Make it based upon the information you have, base it upon how your heart feels. I would hate to see the cuts happen the Schools have proposed. I will be honest with you, if this levy fails, and those cuts are still being proposed, I hope that each and everyone of you students sit over at the School Board's meetings and help them make decisions on how to do business a different way so they don't have to cut athletics and we can determine a better way to fund our schools.

Chief Baumgart - I point of clarification brought up by Councilman Vadnal. The minimum standards for transportation is 2 miles. Any child who lives 2 miles or more from the school has to be transported by bus. Currently we work closely with the schools and there are a number of children who live a lot less than 2 miles from schools that are bused to the school so they don't have to cross major intersections. Of course our school guards are just around the schools themselves. If it meant that they only bus people that are two miles or more, we would have to increase or the children will be passing over some major highways like Lake Shore Blvd. for instance.

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

Roll Call: Yeas: Farrell, Flowers, Holzheimer Gail, McGarry,

Nays: Dallos, Korosec, Vadnal, Cervenik,

Abstain: Miller

Fails 4 to 4.

#### CEREMONIAL RESOLUTIONS

##### Res. 204-1997 (515-97) Iodine Deficiency Disorder

A resolution declaring October 26 through 31, 1997, Iodine Deficiency Disorder Week in the City of Euclid. (Sponsored by Mayor Oyaski and the entire Council)

##### Res. (522-97) PULLED

A resolution of appreciation for Paul J. Everson's seventeen years of faithful and dedicated service to the City of Euclid through his many roles in An ordinance authorizing the Mayor to enter into a contract with the Cuyahoga County, District Board of Health, for various health services for the City of Euclid for the year 1998. (Sponsored by Mayor Oyaski)

Councilman Farrell moved for passage, Councilman Flowers seconded.

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

Committee of the Whole

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

Mrs. Madeline Scarniench - 1511 East 221 St. I wasn't going to say anything but I think this is really a sad day in the City of Euclid. Some years ago my son was on the football team when we had to pay to play. That was really difficult for a lot of people. My youngest son, who was a 1995 graduate, was one of those average kids. I think and I can be backed up by that, he won more scholarships than anyone in the City of Euclid at Euclid High ever did because of his extra-curricular. Its really a shame that people don't understand the finances of schools and this is really sad.

I feel like I have been gone forever and not just a month. I would like some questions answered. Mr. DeMinico, why was the adult swing taken down and the 193 playground. I've had quite a few phone calls and it is like gone, cement and all. Why is it gone?

Director DeMinico - The kids jumped on it and broke it.

Mrs. Scarniench - Thank you for that one. On the city buildings. Did I miss a meeting that it was decided on what was going to happen with all the city buildings? I see that at one meeting you put in for a grant to go with Mental Retardation, to help at Shore. Then I've also heard rumors that the tv station is going to be put in next door. I didn't know that the decision was made on what was going to happen with city buildings. Are we going to be spending money on something we don't know is going to be there? That's kind of redundant. We are spending money we shouldn't be if we don't know what we are doing with them. Council hasn't made a decision and I hope you would make a decision before your term is up.

I would like to know how much money is left in the Special Purpose Grant. What's the update on Ramada and has Inland been sold, has that all gone through?

Director Koran - The GM property sold. The new owner owns 25 million square feet across the country. He is very big. He owns Catepillar building. Handle It is moving in. That's a warehousing distributing firm. They are putting concrete floors in as we speak, new rail spears for that company.

The balance of the Stokes account is about \$100,000, give or take a few. We hope to get the \$310,000 lien from the Ramada demolition back soon. The Ramada site is for sale. It was bought by Osborne and Steve Calabrese. The Mayor and I are meeting with the owner sometime very soon to here his plan but basically the property is for sale.

Mrs. Scarniench - I've also heard some things about what's going on at the Imperial House. They've changed their tactics on how they are going to rent their properties. They've actually lowered their standards. Do you know anything about that? Again, we maybe getting Section 8 people into this building and that's not the way it was all presented when everybody approved them to go for the loans. Anybody know about that?

Mr. Tollerup - I'm not aware of the Section 8 issue, but I'm in weekly contact with the Manager. He called me today regarding his Certificate of Occupancy and inspections for next year. I have two other facilities and rehabilitations going according to plan. I took the plan that City Council put together with the ownership of that property prior to the renovations. When down the list with the Manager and he assured me and I've seen everything that I've seen that the agreement with Council is going ahead in full. Whether or not they are going to rent to Section 8 clients, we'll have to make sure that they fall into compliance with the IRS on who they are renting to and their income levels.

Mrs. Scarniench - I've gotten like 50 phone messages. I guess this one is for the Fire Chief. I've heard some concerns and I don't know if anyone called Councilman Dallos about Indian Hills apartments and their security system not working. You have older people who are living in these buildings and they cannot answer their doors. Someone asked the Fire Department if they have a key, if there was an emergency could the Fire Department get in? The answer is no. Is there something that is going to be done about that? People are being told if they don't like it move. We are supposed to be protecting our senior citizens. Somebody needs to look into that.

Chief Dworning - To the best of my knowledge, I've received no complaints about Indian Hills. No one has presented a formal complaint to the Fire Department. Our personnel have access to those doors via keypads and a code to get into those buildings.

Mrs. Scarniench - But, they don't work.

Chief Dworning - That's the first I've heard of that. I will turn that over to the Fire Prevention Bureau tomorrow and we will send people up there to follow up on that.

Mrs. Scarniench - They've been working on it and they fixed it. In less than a month, it wasn't working. I would like the question about the city buildings answered, thank you.

Mr. Tollerup - The Housing Department has received the complaint regarding the security systems in Building E. Indian Hills is currently undergoing their Certificate of Occupancy inspection right now. That's all been taken care of as cited by the inspectors.

Mayor Oyaski - No decision has been made about the city buildings that you weren't aware of. The Minutes are available in the Clerk's office. The Council did consider a proposal to accept a grant from Mental Retardation for Shore. The Council indicated that with the short notice that it would not be possible to apply for such grant at this time. There is no plan that I'm aware of to move the television studio into the Old City Hall.

Ms. Gail Pike - 160 Westbrook Drive. You must forgive my ignorance because I've never done this before and am not familiar with how the Council works. I'm here because of a class and I never thought myself would get involved. I was listening to the debate on Issue 74 and what I saw was interest groups. I saw the School Board pushing what they want. They used the children as their weapons or their form of influence. I listened to an elderly gentleman that I also felt I agreed with him because I am a homeowner and I do pay income and I do work and I'm the most affected. It does affect my ability to educate my children in college. I had two kids that went to Euclid School. It was a very good education but you are pushing me right out of this community. I feel that the city is going down. I do believe it is becoming poverty ridden. The education is important. I agree with the President, we've got to reach a point where you've got to live on a budget, the same way you are asking us to do it. There was a gentleman that represented businesses and he also said about the Issue 74, he wants that. He's in real estate. He wants to be able to say that we have good education to have more people come in. I feel Euclid is an area that has affordable housing. I see changes and it saddens me because I moved here. I moved from Cleveland in hopes for better services and a better education for my kids. I'm also wondering why people who live in apartments, why are they not having to pay any taxes? There are people that have income. Why are they paying such a small amount? Why is it always coming to us, the homeowner and the person that works? It is getting harder and harder for us to live. We don't know if our job is going to be here tomorrow. Is there a response to that?

President Cervenik - On the tax issue, because of Issue 13, every resident pays at least .85% income tax, of which .37 goes to us the City and .48 goes to the Schools. We do get that and we do have a very good delinquency program and follow up programs to make sure that those who move into the apartments do file tax returns and pay their fair share. On the other side, on the real estate tax, we recently had a memo from Erik Tollerup showing what the taxes were paid by the Americana and the Watergate. Do you remember those numbers off hand?

Mr. Tollerup - The Watergate and the Americana total amount of three-quarters of a million dollars in property taxes. Divided by the number of apartments that are on both those sites, each apartment on average pays \$444 a year in taxes.

Ms. Pike - I'd like to make one final comment, something that I've learned. If you can prove to me that the tax is necessary, like you said a year from now, then I probably would support it. But the changes have to be made at a State level and we, as the public, have to start thinking about making our voices be heard. It saddens me that I'm as guilty as many of the residents in Euclid. I never came to these meetings nor did I show an interest. I just listen to what is on television. I listen to people argue and I thought this is my opinion and I really for the first time feel like I'm going to make an educated decision. I find it very sad that I was just as guilty as everyone else. Thank you.

Mr. Joe Felice - I live on 615 in Mentor. I'm amazed at the democratic process you have here. Back at our City Council, if you are a favorite customer of our Mayor, you are allowed to talk 10 minutes. If you are somebody that the Mayor is tired of seeing, such as myself and other members of the City of Mentor, they immediately cut you off at 5 minutes. I see you have two nice clocks. They don't even own a clock at our Mentor City Council.

Mr. Felice - I live in Mentor on 615, we call it the City of Traffic. That's right in the area of 615 and Rt. 90, the projected interchange. The section I live in, we have 50 homes, they are old homes, we have two historic homes that are on the National Registry. Our citizens group worked hard to get those two homes listed. ODOT is not very happy about it. We have over 200 children that get on and off the school bus in our street. They want to turn it into a 4 lane highway. It is rather dangerous because most children don't pay attention whether they are crossing a two lane or a four lane. It will be like Rt. 20.

I've wanted to come to one of your Council Meetings for a long time but didn't have the proper transportation but now I do. I wanted to thank you folks, personally, for taking a stand against the 615 interchange and the widening of our street. There are many other members in our community that live in about the area of 615 which is about 800 residents, that are totally against this project. Five years ago, our Mayor was rather nasty. He wouldn't let anyone talk unless you lived in the city. He also said it was a done deal. He's no longer our Mayor, Council -at-large and we are hoping we can get rid of him, frankly, at this next election. Also, we have a local newspaper company in our town, we have an Editor there that tends to slant the news regarding our efforts to prohibit the intersection and the widening. We've done battle with him and we finally resolved, this is a big political issue in the political arena.

I should also mention that back in 1950 I used to live on Babbitt. My dad and two other business partners built the first roller skating rink there on Shore Center Drive. Since that time I've lived in Mentor, since 1957. I've been self-employed all those 40 years. I just want you to know that we're glad that you are trying to support us. We will continue to accept any support. If any of you, ladies and gentlemen, have any questions, that you might want to ask me, I can answer a lot of questions. We've spent a lot of time with ODOT and NOACCA. I've been at city council meetings once a month for the last 5 years and they're not real happy. That's why I think we are going to get rid of at least 3 ex-council people at large. If there are no questions, I want to thank you for giving me the opportunity. I really enjoy this. This is a democratic process here.

Mr. Ken Ferlito - 151 E. 214. I really cannot understand how Council cannot support our upcoming school levy. I've grown up here in the City. I attended the Schools here. I teach in the City Schools and I know have three children, actually two children and one due any day. We all know that a city is only as strong as its schools, or the opportunities in education that are available to our young people. By not supporting this levy, you are telling me that you don't care if our children have the best chances at an excellent education. A minimum education, yes, but the best, no.

The future of the Euclid city lies within its schools. If the schools go down, so will our city and the standard of living. I'm a father of a five year old, who has a Kindergarten class of 23 students. I teach at Roosevelt where I have a Kindergarten class of 28 students. It should be around 16, maybe 18 at the highest at that age level. We used to offer all day Kindergarten. We now offer half day. Yes, we passed a levy after that but it never came back because we didn't have the funds to do that. My wife and I chose to stay in this community when we moved three years ago, because of the education that was available to our children and because we knew of the education that was available to us, is basically the same education that is available now. Being a teacher in the schools, I see the excellent education that is taking place and I would invite any of you to come in and see what is going on in our schools. With the number of students we have in our classes. With the problems that we have with the lack of parent support. They talk about having standards at 4<sup>th</sup> grade, if a child doesn't pass a proficiency test, then he'll need to stay in 4<sup>th</sup> grade. Maybe our parents need to have proficiency tests before their children come to Kindergarten. They don't know colors. They don't know numbers. They don't know the alphabet. But are parents required to have those standards so that their child can come to school with my child that does know those things? No. Does it need to take place down at the State? Yes, I think it does. Is the State the answer for Euclid? No. There are districts that are worse off than we are. That is where the State is going to help. They will not help us who has already taken care of our students. They may have to is our levies keep going down. I would hope that as you are out there campaigning for your elections that you would still support our schools.

Mr. Jack Fraier - 235 Greenbriar. I wish to comment on Item #6, Ord. (517-97), the one on the rebate of the pre-sale inspection fee. I'm glad to see it was passed. However, as the owner of a condominium unit, I wonder does it include condominium units or just single-family freestanding homes? Perhaps the Law Director could answer that.

Director LeBarron - It is single family homes and I'm getting whispered in my ear by Mr. Tollerup,

Mr. Tollerup - Condominium would fall under the classification of a single family home.

Mr. Fraier - If I move into Euclid, I would get \$90 back from the inspection fee. Thank you I'm overjoyed.

Mrs. Dorothy Fike - 20271 Delaware. I'm going to speak to those that voted against the Resolution to support the School levy. If you, Mr. Cervenik especially, said you looked at the School's figures, and those that spoke said they were going to wait for the State. You are going to wait and wait and wait. All, in my opinion, and a lot of opinions, is going to happen, is it is going to help those systems down along the Appalachia to bring them up. It is not going to help school systems that have a little more money. That 1% sales tax that did not pass the General Assembly would not have helped Euclid district one bit. Mostly what the State is working on and if you are looking into it, please do. There are many proposals. They are just talking, really, to help those systems that are so down. They won't be helping all over the State. Please, those of you who think the State is going to solve the solution to the problem in Euclid, you better look very carefully because in a lot of our opinion, it is not going to. I've gone to many meetings on it. I don't think it is going to happen. We have to support ourselves. We can't always be looking toward the State to help everyone. Don't look for the State to do it because they are not going to.

Dr. Kurt Stanic - 1741 Sherwood Blvd. I've heard a lot of comments tonight. I'd like to address some of them. I sincerely don't believe that we want a minimum standard school district. That's not what we've worked so hard for as a community. Euclid has been known for excellent education for a long period of time and to accept a minimum standard school district, because we have to live within a minimum budget is not what the public expects and I don't believe we should support. If Abraham Lincoln believed in Mr. Dallos' analysis, he would never have become President of the United States.

I have a hard time believing the public, when given the information, and we run a comprehensive campaign, which we can't do all the time. It takes money to run a campaign. You have to be honest about the fact that you can't always generate the kind of money that will provide all the information that is necessary to pass an issue. I'm President of the Greater Cleveland Superintendent's Association. That's 90 Superintendents in 8 counties. What we are talking about here this evening affects each and every one of those school districts. This is not unique to Euclid. If you understand House Bill 920, then you understand exactly why we are at, three years after passing an issue. That's the same facts that face every school district.

It can't be denied, it is a fact, that we have 900 more students than when I became Superintendent nine years ago. That's not debatable. What seems to be debatable lately is our budget. It's \$46 million. No other creative financing can generate another \$10 million so we have \$56 million available to spend on the students. Which brings me to my next point, cost per pupil. You've seen that figure bandied about. The Citizens League of Cleveland has done an objective analysis. They say that our cost per pupil is \$6,500. To say anything else is remiss. The fact that the students were here this evening, they've been asking, what can we do to help. So they came to the Council Meeting this evening. To underestimate the students, is a mistake. Taxes in Euclid. We're 22 out of 31 municipalities with our property tax. That's a fact. We are 13<sup>th</sup> in income tax, the effective rate. That's a matter of fact also. When you start to consider the affects of 920, and you start to consider the increase in student enrollment, that's what we've been talking about, then I really believe that this issue deserves support.

We are going to continue to campaign and provide information. We are going to continue to try to impress upon the public, the importance of education in Euclid. The future of our City truly depends on it. It sounds like idle words. I hope we don't have to realize it. We will live within our budget. I've never threatened anybody in my life. To not tell the public what would happen is the Issue goes down would be remiss. To represent it as a threat, is a mistake. Please, I want to reiterate the words, you need to support the Issue because the future of our City does depend on it. We have a man of great courage who has stepped forward to support the Issue and that's our Mayor. He is not going to get any political mileage out of this. It's not popular to talk about a tax increase. I do think, that in our own minds we have to decide what is a good investment and what isn't. I'm here to tell you that education in a city like Euclid is the ticket. It is the true investment that will pay dividends over and over and over again. Thank you very much.

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

#### COUNCILMEN'S COMMENTS

Councilman Dallos - The lady questioned the real estate taxes on the high rises and I know Erik did a report for us. I made a comment to him after I received the report. If I remember right, per apartment paid \$434-\$444 per suite in real estate taxes. What I asked Erik, what he should really do is go back the last 20 years and see how many reductions those high rises have asked for.

Councilman Dallos - I know for a fact there's probably been 3-4, maybe more, that they've asked to have their real estate taxes reduced while their rental income has gone up. So, the \$440 to me is, I'd be happy to pay that.

As far as the Schools go, on a flyer that was produced a couple of years ago when the City income tax was passed, this is not against our Mayor. But, at that time, that literature stated, and I don't know if I'll quote it exact, but the City will probably not ask for any increase for five years and the Schools will try to do the same. It was in that literature. Within two years the Schools were back asking for an increase. That's the other big problem. Nine out of ten people who have spoken to me are against it. I have to represent the people, that's my job. I'm not here to just vote for it because it is the right thing to do. I'm unopposed, it doesn't really matter. I'm representing my ward and the people are complaining. The School better understand that.

Councilman Farrell - I was going to address this issue to the Chief, but he's gone so maybe the Mayor or Debbie can help me. I've been campaigning by Upson School. There's a few residents that complained there's football practice going on and cars are parking and there is quite a hustle and bustle of activity. Is there anything that residents can do to have "No Parking" signs put up in that particular area?

Mayor Oyaski - We are not talking about 260, we are talking about Shoreview?

Councilman Farrell - Actually behind the school.

Mayor Oyaski - Who is the Ward Council member there? What would the Ward Council member like to see? Obviously the Police Department could post "No Parking" if there is a petition circulated by the residents. Normally the procedure is that we ask the resident to sign a petition and then the Ward Council person would review that because sometimes the residents are divided on something like that. We would like to have the maximum input from the people living in the area. If they clearly feel "No Parking", other streets have similar situations, Councilman Farrell.

Councilman Farrell - I should just ask the complainant to set up a petition and turn it over to the Ward Councilman.

Councilwoman Miller - They might put on it "Two Hour Parking" instead of "No Parking" at all. I do know that's brought up over and over and over again. You also have to remember that in the morning the buses line up over there too. If you have "No Parking", they are right on Shoreview.

Mayor Oyaski - I'll ask the Police Chief to follow up and make sure the current rules are being followed as well.

Councilman Flowers - I have a question in reference to Parklawn. Mr. Tollerup had went to the ISAC meeting where he discussed some of his proposals. You had indicated that if things do not work out with Parklawn, we will then have to prosecute the owner. My question is, why do we not prosecute him now in letting those buildings be in the situation they are today?

Mr. Tollerup - The reason the Housing Department did not go forward in prosecuting Parklawn. Their most recent inspections took place in May and June. At that time there's never been a standard for enforcing the Certificate of Occupancy on apartment dwellings. As I noted earlier, around 16% of all multi-family units throughout the City have a Certificate of Occupancy. At that time I felt it was unfair, both because the City was in negotiations for the property and then I would be selectively enforcing an issue that hadn't been enforced before. Now that it is, in fact, Parklawn file on the desk, we are going forward with the prosecutory action after review of Parklawn to see what revisions or violations they have corrected on the property. I've been out there once a week and I can tell you that its been minimal. I would expect to see them going through prosecution.

Councilman Flowers - A lot of people ask me, why are we letting Parklawn get away with what they've done.

Mr. Tollerup - I hate to single out Parklawn.

Councilman Flowers - That's just an example. Do we have someone doing an Engineering Report of the possibility of making the Watergate or Americana high rises? I have heard that, is that true?

Director Koran - We were requesting proposals from market analysis firms to do just that. We have received one proposal. We have not hired that firm.

Councilman Flowers - It is not presently going on?

Director Koran - That's correct.

Councilman Flowers - I requested some information a couple of weeks ago and I've gotten most of it now today. The one item had to do with the actual budget for 1996-1997. First I asked to have them, then you gave them to me where you lumped them up in one whole group. As soon as I got it that Thursday, I called the next day Friday requesting to have it by department and use the same format that you gave me the prior day. That had it broken down by year-to-date, budgeted and percentage used. The one I have here today, that you gave me tonight, does not have the budgeted figure or the percent of the budget. The reason I ask that is because I can look through it and kind of surmise what I expect the year-to-date balance to be. One other item and I requested this two weeks ago at the Council meeting, was the Vendors list. You have a vendors list now that you presently work from, don't you?

Director Balazs - We do have a couple of vendors lists. One lists the vendor's address and location. We have another vendor list which is the vendor paid list, which indicates the dollar amount that we pay the vendor throughout the fiscal year.

Councilman Flowers - Do you not have one where it shows each expenditure? My rational is, I've done County work before, and if someone tries to trace back a payment, what happens if one of these vendors call and say I've done a number of projects for you, but I didn't get payment for this and they give you a purchase number of some sort. Do you not go back and trace it and say yes we did, we sent you a check on such an such a date. This way you can tell when, don't you have a Vendors list of that nature?

Director Balazs - That's not called a Vendors list. That's called the Expenditure Voucher Payable listing. That's where we indicate who we pay it to. Not only who we pay it to and the amount, but also the distribution charges. Sometimes when we pay a vendor, that dollar amount may be distributed over 2-3 funds, particularly in Recreation and the various accounts that they have. That is the disbursement ledger that we have on that. Where it would be charged and so forth and what budget, would not be the Vendor list.

Councilman Flowers - I apologize for not asking the right questions. When I call you and ask you these things, you say make sure you put in writing what you request. Instead of discussing this through and letting you know what I want, I've got to put things in writing. What I would request then, is that piece that you just referred me to. By looking at this Vendors list, I really can't tell if we've followed State law, the way the expenditures were done. I'm sure it shows the mark of \$360,000. Obviously that wasn't one expenditure. If it was, Council would have had to approve it. That's one of the things I'm looking for. It also gives the date where I can also kind of surmise what I expect the final expenditures are going to be for the last three months of 1997. I will request that. Again, if you can give me the departmental budget figures, just in the same format that you gave me the other one, a week ago, with the year-to-date, the budgeted amount and the percentage used. I've seen those reports before when we've gone through the actual budget hearings.

Director Balazs - Annually we go through the budget hearings in January & February of every year. At that time, we go through each department, we go through each appropriation, we estimate what the revenues are to-date. We estimate what the expenditures are, not only for the current appropriation year, but generally we give the actual figures for the prior years. That's generally when you receive that information. We went through the budget hearings and Council unanimously approved the budget for 1997. Basically, the majority of that information, was in front of you at the budget hearings. In addition to that, within the last couple of years, we have now provided the City Council more information through the income statement. Our largest fund within the City is the General Fund. We have an appropriation there of about \$31 million. We detail the revenue of the General Fund monthly to City Council. We show the percentage received. In case there's any decrease in the revenue, it would come up monthly. Also, the expenditure for each appropriation, we show exactly what the expenditure is plus the encumbrances for each appropriation within the General Fund.

Councilman Flowers - That is done on a departmental basis also?

Director Balazs - We do that by city fund department in the General Fund, Finance Department, Law Department, Non-Departmental.

Councilman Flowers - Don't you have it broken down by department that way?

Mayor Oyaski - Maybe I can help here. Did the Council get this report today?

Council - Yes.

Mayor Oyaski - I believe the Finance Department tells me you get this once a month?

Council - Yes.

Mayor Oyaski - That shows revenue in the General Fund and monthly department expenditures.

Councilman Flowers - I want it broken down by department.

Mayor Oyaski - That's on page 2.

Councilman Flowers - I'm talking about each expenditure. You have salaries, then fringes, then you have other expenditures such as supplies, things of that nature.

Mayor Oyaski - That's all in the budget that you went over in February.

Councilman Flowers - I'm not talking what we went over in February. I want to see what the year-to-date expenditures are by department, broken down departmentally. You mean to say, your department heads do not do that on a monthly basis?

Director Balazs - On a monthly basis we show the percentage spent so that each department head or superintendent knows exactly where their budget is. We also do it on the revenue. As you know our revenues can be up, they can be down. So we know exactly where we are at the end of each month and those are listed on the reports that are sent to all Directors and Department Heads within the City. When we do the budget hearings, we do it by department and we give to City Council the wages and salaries, the supplies account and all the fringe benefits and all the detail. We estimate what the expenditures are for the year and we monitor that throughout the year. You really probably would not have a really conclusive effect until you get to the month of December. Right now the figures are on target for the 1997 year. Of course, at our budget hearings, we give you actual figures for wages and salaries, other fringe benefits, supplies and other details within the budgets for 1996 and 1995 year.

Councilman Flowers - So you are telling me each department just looks at the aggregate total, to see if they are within spending ranges. They do not have a breakdown on a monthly basis? Based on salaries, medicare, pers, other professional services. They don't have that on a monthly basis?

Director Balazs - Yes they do. They have that information.

President Cervenik - That's what Councilman Flowers wants.

Councilman Flowers - That's what I'm asking for. Maybe I didn't make myself clear.

Director Balazs - We have one report that we submitted to the City Council this evening. That answers your request of wages and salaries.

Councilman Flowers - I appreciate that. Wages and salaries. You are talking about the income tax money?

Director Balazs - No. There is a schedule in there by department that has wages and salaries and other expenditure items. It is hard for me to determine by your questioning exactly what type of detail you need. But I think what we have supplied the City Council in their packets, the first packet, the second packet you got this evening, should be enough information to be able to make a determination concerning the ordinances and the topic of the Agenda that will be on the agenda for that night.

Councilman Flowers - I disagree with that.

President Cervenik - Councilman, could you work out the details of what you need afterwards?

Councilman Flowers - I'll talk to him and we'll get it. I'll have it written down. As long as I don't have to keep faxing requests versus let's have a discussion on it to know exactly what I want versus hiding behind putting it in writing.

President Cervenik - I have two things. Number one, it concerns our Clerk. Regina has just gotten back from a week of school at Kent State University. She is working towards becoming a Certified Municipal Clerk. That will help all of us here, now and in the future. Keep up the good work, you have two more years. There is a Finance Committee Meeting, Wednesday October 22<sup>nd</sup>, to have a discussion on cutting the income tax as presented by Councilman Flowers.

Councilman Flowers - I'm still asking for information.

President Cervenik - Councilman Flowers, I've got enough information here to recite the budget backwards. You wanted a hearing. You requested to have a hearing on this issue and I'm going to hold a meeting on Wednesday just like you promised.

Councilman Flowers - I asked for information 2 weeks ago I still haven't received.

#### ADJOURNMENT

Councilman Vadnal moved to adjourn. Councilman Farrell seconded. Yeas: Unanimous.

Attest:

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Clerk of Council

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President of Council