

**COUNCIL MINUTES
NOVEMBER 17, 1997**

The regular City Council Meeting was held on Monday, November 17, 1997, at 7 PM in the Euclid City Hall Council Chamber. President Cervenik presided.

Members Present: Dallos, Farrell, Holzheimer Gail, Korosec, Miller, Vadnal, Cervenik
Excused: Flowers (came in late), McGarry

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

Others Present: Mayor Oyaski, Law Director LeBarron, Finance Director Balazs, Service Director DiNero, Parks & Recreation Director DeMinico, Administrative Director Johnson, Building Commissioner Apansewicz, Zoning Commissioner Hayes, Police Chief Baumgart, Fire Chief Dworning, Housing Manager Tollerup, Asst. Service Director Gulich, Mr. Wendel, Sgt.-at-Arms Stankus, Clerk of Council Cahill.

Council Minutes

Councilwoman Miller moved to receive and approve the Council Minutes of November 3, 1997. Councilman Korosec seconded. Yeas: Unanimous.

Communications

Councilman Dallos moved to receive and approve without objection a request of a transfer of a D1, D2, D6 liquor permit for Convenient Food Mart, 22299 Euclid Ave. Councilman Korosec seconded. Yeas: Unanimous.

Councilwoman Holzheimer Gail moved to receive and approve without objection a request of a new D5 liquor permit to Larry W. Keefe & Mark Hanuseck & Martin E. Spehar, DBA Nazz Bar, 317 E. 200 Street. Councilman Farrell seconded. Yeas: Unanimous.

Council has received the following communications:

- From United States Senator John Glenn, a letter re: low-level nuclear waste in response to our Resolution.
- Letter from the Director of the Ohio Department of Commerce for having received our Res. re: Senate Bill 72.
- A copy of letter from Erik Tollerup in response to complaints received from Euclid Villa.
- From Director Koran, the Euclid Community Concerns October Report.
- From ISAC the 1997 Housing Summit Evaluation forms.
- Calculations from Councilman Flowers re: Ord. (556-97)
- A memo from the Mayor forwarding Election Results.
- A notice from the Liquor Control Commission re: the appeal of Colsons Pyramid Lounge & Restaurant, 321 Babbitt, is dismissed.
- From Director LeBarron, a summary of legislation on tonight's agenda.

Administration Reports & Communications

Mayor Oyaski - The Council will be sworn in, in this Chamber on Sunday, November 30th at 5:00 pm. We'd like to invite the members of the family's of the newly elected council members as well as all interested members of the public. That's November 30th at 5:00 pm in these Chambers.

The Chief and I today attended a meeting of the Ohio Motorists Association. Euclid was the leader in its category of cities of population of 50,000 or more. We received the 1996 Community Safety Award for two years achievement and proud recognition of a fatality free pedestrian safety record. I'm going to present this to the Chief who will pass it on to our Traffic Department.

I want to wish all members of Council and their families, as well as the public, Happy Thanksgiving.

Reports & Committee Minutes

Councilwoman Miller moved to receive and approve the Police Report of September, 1997; Humane Officer's Report of October, 1997; Euclid Community Concerns October Report; Housing Improvement Committee Minutes of 11/10/97; Finance Committee Minutes of October 22, 1997 and Board of Control Minutes of 10/27/97 & 11/3/97. Councilman Vadnal seconded. Yeas: Unanimous.

Lot Split Ajax Manufacturing

Council should approve or overrule Planning & Zoning Commission's approval (4-1) for a lot split of 4.3 acres of the rear property. Tabled 10/6/97.

Councilman Dallos - This is one of those no win situations. This lot split is behind Ajax and it fronts on East 219 Street, which doesn't make me very happy. I know legally there is nothing I can really do to stop it. At the present time there is nothing going to happen with it for awhile. I don't think Council can, you almost have to vote for it.

Councilman Dallos moved to sustain Planning & Zoning Commission's approval of a lot split for Ajax Manufacturing. Councilman Farrell seconded.

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

COMMITTEE OF THE WHOLE

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

Mrs. Dorothy Fike - 20271 Delaware Road. I have questions on 3,4,5,6. I noticed when reading them that it says they've been through Planning & Zoning. I go to Planning & Zoning and I don't remember it being on their agendas.

President Cervenik - They have not yet been to Planning & Zoning. We will send all of these items to Planning & Zoning this evening.

Mrs. Fike - I do have a question on one. It talks about it being a corner lot on 214 and yet the map of it doesn't show it being on the corner. I think its (545-97).

Director LeBarron - The Engineering Department checked all the permanent parcel numbers and the addresses. These are all vacant lots at various locations on Lake Shore Blvd.

Mrs. Fike - Its not (545-97), it is the one after that, (546-97), which does not give an address but says it is on the corner of 214 and Lake Shore Blvd. Yet, when you look at the map of it, one of the previous ones is on the corner and this one doesn't happen to be on the corner. So, would you double check that.

President Cervenik - We'll have the Engineering Department double check that.

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

LEGISLATION

Ord. 226-1997 (526b-97) Amend Building & Housing Code

An emergency ordinance amending Chapter 1755 of the Building & Housing Code of the Codified Ordinances of the City of Euclid as outlined below. (Sponsored by Mayor Oyaski and the entire Council by request of the CS&ED Director) (Recommended for passage by the Housing Improvement Committee)

Councilman Dallos moved for passage, Councilman Korosec seconded.

Director LeBarron - This is the piece of legislation that was discussed in the Housing Committee Meeting last Monday. There was a change which is why it is (526b-97), and that is the amendment that was made in 1755.24. The rest of this ordinance was fully discussed and it was recommended for passage.

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

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

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

Ord. (477-97) Rezoning Church of God

An ordinance rezoning a parcel at 946 E. 250 St., (P.P.#643-26-022) from U-2 (two family) use to U-R-2 (Church) use district and further amending Ordinance No. 2812. (Sponsored by Councilman Cervenik) (Recommended for passage by the Planning & Zoning Commission)

Second Reading. Public Hearing December 1, 1997.

Ord. (538-97) Rezoning

An ordinance rezoning a parcel at 19251 Lake Shore Blvd., (P.P. #641-04-070) from U-2 (two-family) use to U-1 (single-family) use district and further amending Ord. No. 2812. (Sponsored by Councilmen Cervenik & Holzheimer Gail)

President Cervenik moved for passage, Councilwoman Holzheimer Gail seconded.

President Cervenik - This item and the next four items will be moved to Planning & Zoning where they will be discussed in entirety at that time.

Councilwoman Holzheimer Gail moved Ord. (538-97) to the Planning & Zoning Commission. Councilman Farrell seconded.

Roll Call: Yeas: Dallos, Farrell, Holzheimer Gail, Korosec, Miller, Vadnal, Cervenik.
To Planning & Zoning.

Ord. (539-97) Rezoning

An ordinance rezoning a parcel at 19271 Lake Shore Blvd., (P.P. #641-04-071) from U-2 (two-family) use to U-1 (single-family) use district and further amending Ord. No. 2812. (Sponsored by Councilmen Cervenik & Holzheimer Gail)

Councilwoman Holzheimer Gail moved for passage, Councilman Korosec seconded.

Councilwoman Holzheimer Gail moved Ord. (539-97) to Planning & Zoning Commission. Councilwoman Miller seconded.

Roll Call: Yeas: Dallos, Farrell, Holzheimer Gail, Korosec, Miller, Vadnal, Cervenik.
To Planning & Zoning Commission

Ord. (543-97) Rezoning

An ordinance rezoning a parcel at 21700 Lake Shore Blvd., (P.P. #642-11-012) from U-2 (two-family) use to U-1 (single-family) use district and further amending Ord. No. 2812. (Sponsored by Councilmen Cervenik & Holzheimer Gail)

Councilman Farrell moved for passage, Councilwoman Holzheimer Gail seconded.

Councilwoman Holzheimer Gail moved Ord. (543-97) to the Planning & Zoning Commission. Councilman Korosec seconded.

Roll Call: Yeas: Dallos, Farrell, Holzheimer Gail, Korosec, Miller, Vadnal, Cervenik.
To Planning & Zoning Commission

Ord. (544-97) Rezoning

An ordinance rezoning a parcel at the corner of E. 214 St. & Lake Shore Blvd., (P.P.#642-16-009) from U-2 (two-family) use to U-1 (single-family) use district and further amending Ord. No. 2812. (Sponsored by Councilmen Cervenik & Holzheimer Gail)

Councilwoman Holzheimer Gail moved for passage, Councilman Cervenik seconded.

Councilman Farrell moved Ord. (544-97) to the Planing & Zoning Commission. Councilwoman Holzheimer Gail seconded.

Roll Call: Yeas: Dallos, Farrell, Holzheimer Gail, Korosec, Miller, Vadnal, Cervenik.
To Planning & Zoning Commission

Ord. (545-97) Rezoning

An ordinance rezoning a parcel at the corner of E. 214 St. and Lake Shore Blvd., (P.P. #642-16-010 & 642-16-011) from U-2 (two-family) use to U-1 (single-family) use district and further amending Ord. No. 2812. (Sponsored by Councilmen Cervenik, Holzheimer Gail)

Councilwoman Miller moved for passage, Councilman Vadnal seconded.

Councilman Farrell moved Ord. (545-97) to Planning & Zoning Commission. Councilman Flowers seconded.
Roll Call: Yeas: Dallos, Farrell, Flowers, Holzheimer Gail, Korosec, Miller, Vadnal, Cervenik.
To Planning & Zoning Commission

Ord. (546-97) Rezoning

An ordinance rezoning a parcel at the corner of E. 214 St. and Lake Shore Blvd., (P.P. #642-16-012) from U-2 (two-family) use to U-1 (single-family) use district and further amending Ord. No. 2812. (Sponsored by Councilmen Cervenik, Holzheimer Gail)

Council President Cervenik moved for passage, Councilwoman Holzheimer Gail seconded.

Councilman Korosec moved Ord. (546-97) to the Planning & Zoning Commission. Councilwoman Holzheimer Gail seconded.

Roll Call: Yeas: Dallos, Farrell, Flowers, Holzheimer Gail, Korosec, Miller, Vadnal, Cervenik.
To Planning & Zoning Commission

Ord. 227-1997 (541-97) 3% Pay Raise Non-Union Employees

An emergency ordinance approving a three percent (3%) general pay increase retroactive to January 1, 1997 for all full-time and permanent part-time, non-union employees on the payroll as of January 1, 1997, and a three percent (3%) pay increase for any other full-time or permanent part-time, non-union employees hired during 1997 who have successfully completed their probationary period retroactive to their hiring date. (Sponsored by Mayor Oyaski)

Councilman Dallos moved for passage, Councilwoman Miller seconded.

Mayor Oyaski - It is my pleasure at this time to present this ordinance to you. Back in the Budget Hearings in January and February we indicated that a fund sufficient for a 3% pay raise for the non-union employees was included in each department's general fund budget. All of the labor negotiations with the general fund bargaining units have been completed. I think it is appropriate at this time to authorize the 3% pay raise for all of the non-union employees. The Finance Director indicates to me that the total cost of the general fund is approximately \$115,000. That money has been previously appropriated. I'd ask for your support for this ordinance.

Councilman Farrell - Is this being introduced now just because we've completed all the negotiations with the bargaining unit and its the timing?

Mayor Oyaski - Yes.

Councilman Flowers - I have concerns with this. We could have given these raises out any time since they are non-union. It is not like its a negotiated agreement, correct?

Mayor Oyaski - Its up to the City Council to authorize it, yes sir.

Councilman Flowers - We could have did it any time during the year. It seems kind of funny that we are doing it now, when I seemed to notice that our budget was kind of overly inflated. It comes now before us after I sponsored legislation to put some of the money into the contingency fund.

Mayor Oyaski - That's incorrect Mr. Flowers. That's wrong. Wrong.

Councilman Flowers - What's wrong with it?

Mayor Oyaski - I requested the legislation long before you requested your legislation. If the Councilman would like to vote no on the pay raises, that is your entitlement. This ordinance was not brought up during the election as to avoid politicizing the question of pay raises for the non-union employees. If you'd like to vote against it, be my guest. This was brought to your attention in January and again in February. If you wanted to, anytime since February, to initiate the question of non-union pay raises, you could have requested that legislation.

Councilman Flowers - I have no problem, and I have voted for raises in the past. It just seems kind of funny that we are doing it now. It is not like it is a bargaining group where I understand you have to hold off and wait until after you come up with an agreement. Here's the situation, because we have additional dollars in our accounts, because it is near the end, we are just going to turn around and spend it. I have concerns with that. That's why I'll be voting no on this. Are these retroactive?

Director LeBarron - Yes.

Councilman Flowers - It doesn't make any sense to me when you knew you were going to be giving these raises out, we should have given them out in January and February because we weren't under the problem of having to negotiate an agreement.

Director LeBarron - This ordinance granting a pay raise for the non-unions is historically done towards the end of the year. It has always been made a retroactive pay raise. Last year it was done in November or maybe even the first meeting in December. In previous years it has always been done in either November or December.

Councilman Flowers - If I remember correctly, I remember two years ago we did it early in the spring.

President Cervenik - To the best of my knowledge it was in November.

Councilman Dallos - To the Finance Department, this money was allocated in the budget. It was in the budget already. It was not part of any surplus.

Director Balazs - You are correct. When we did the budget hearings in February, we allowed for 3% salary increase for the non-union people and it was appropriated and it is contained in the budget.

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

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

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

Nay: Flowers

Passed.

Ord. 228-1997 (520-97) Amend Code Part Five

An ordinance amending Part Five of the General Offenses Code of the Codified Ordinances of the City of Euclid as outlined below. (Sponsored by Councilwoman Miller by request of the Law Director)

Councilwoman Miller moved for passage, Councilwoman Holzheimer Gail seconded.

Director LeBarron - This ordinance was requested by the Prosecutor for the City. The Ohio Revised Code has changed to change the level of what becomes a first degree misdemeanor in various property theft type of crimes. The State has changed the threshold amount from \$300 to \$500. This ordinance is a housekeeping measure to bring our ordinance in compliance with State law.

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

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

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

Passed.

Ord. 229-1997 (548-97) Amend Code Chapter 541

An ordinance amending Chapter 541 of the Codified Ordinances of the City of Euclid by the addition of new subsection 541.33 to be entitled "Possession of Criminal Tools". (Sponsored by Councilwoman Miller by request of the Law Director)

Councilman Flowers moved for passage, Councilman Farrell seconded.

Director LeBarron - This is a housekeeping measure. The Legislature of the State of Ohio has determined that possession of criminal tools, can now become a first degree misdemeanor. We do not have such an ordinance. This ordinance is done to bring us into compliance with the changing State law.

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

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

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

Passed.

Ord. 230-1997 (550-97) Proposal Doctors

An emergency ordinance authorizing the Mayor, as Ex-Officio Director of Public Safety of the City of Euclid to enter into a contract after seeking informal proposals for a doctor or group of doctors to provide necessary medical and dental services for City employees, jail inmates, and others for whom the City might need to provide medical attention for a period of up to three (3) years. (Sponsored by Councilwoman Miller by request of the Police Chief)

Councilman Korosec moved for passage, Councilman Vadnal seconded.

Director Johnson - This piece of legislation, if Council so desires will allow me to seek proposals again. If you recall last year we renewed or extended contract with Dr. Thomas for one year after having executed a three year contract. What we would do is seek proposals again for medical services for jail inmates as well as pre-employment physicals.

Councilman Vadnal - What is this costing us now?

Director Johnson - Presently, the cost is about \$45,000. Last year our cost totaled \$53,000 for one year.

Councilman Vadnal - All that goes to Harold Thomas?

Director Johnson - No. He does have a sub-contractor that provides some of the daily visits to the inmates. So about \$20,000 of that goes to a sub-contractor.

Councilman Vadnal - It is generally costing us \$45,000-\$50,000 year?

Director Johnson - That's correct.

Councilman Farrell - It says in the legislation, "and others for whom the City might need to provide medical attention." Who are the others?

Director Johnson - Primarily pre-employment physicals.

Councilman Farrell - That's covered where it says city employees. It says jail inmates and others for whom the city might need to provide medical attention.

Director LeBarron - A pre-employment physical, you are not considered an employee at the time you receive that. They are called post-offer physicals now because of a change in federal law. These are the types of physicals we are talking about. We may send an applicant for a physical. They are not an employee at the time. That is what is meant by, and others.

Councilman Farrell - When would we need this service for city employees?

Director LeBarron - We have used Dr. Thomas' services in the past when we've had individuals with Worker's Compensation claims and there's a disagreement as to whether they can return to work. Their own physician may say no. We have the ability to send them to another doctor. We have used Dr. Thomas in some cases.

Councilman Flowers - You said this costs us \$53,000 now and this would go to \$45,000, did I understand that?

Director Johnson - Our cost to-date, a part of the cost is not totally determinable because some of the costs for federal prisoners, some of it is for county prisoners and we have no idea, we estimate at the beginning of the year what the cost would be. All I can tell you is what our cost is year-to-date is \$45,000.

Councilman Flowers - I was confused because I heard \$53,000.

Director Johnson - Last year was \$53,000.

Councilman Flowers - You expect it to be around \$45,000?

Director Johnson - Between \$45,000-\$50,000.

Councilman Flowers - Any reason why you went to a three year contract versus just extending it another year?

Director Johnson - We extended it for one year for 1997. We felt that it was prudent to seek proposals to find out if we can obtain better costs.

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

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

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

Ord. 231-1997 (551-97) Proposals Health Care Self-Insurance Program

An emergency ordinance authorizing the Director of Administration of the City of Euclid to enter into a contract after seeking informal proposals to provide medical cost reduction services to the City in conjunction with the City's health care self-insurance program for eligible employees. (Sponsored by Councilman Cervenik by request of the Administrative Director)

Councilwoman Holzheimer Gail moved for passage, Councilwoman Miller seconded.

Director Johnson - This piece of legislation would authorize me to seek medical cost reduction services. We had a contract with a company called Group Health Care Consultants. They've been our consultants for the last several years. We felt that it would be prudent to seek proposals again. If they end up being the best service available, we would select them again, but we thought it would be prudent to look around again. Our current cost for this particular vendor is \$19,200 a year.

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

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

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

Ord. 232-1997 (553-97) Proposals Prescription Plan

An emergency ordinance authorizing the Director of Administration of the City of Euclid to enter into a contract after seeking informal proposals for a prescription drug program and an employee assistance program for eligible employees. (Sponsored by Councilman Cervenik by request of the Administrative Director)

Councilman Flowers moved for passage, Councilwoman Miller seconded.

Director Johnson - This particular piece of legislation we are asking authority to seek informal proposals for prescription drug program and the employee assistance program. All of the medical benefit programs that we have, our contracts have been in place for sometime. We will probably be coming to you in the future with request for legislation to renew the contracts for our major medical health care. We feel that because of the changes that we've introduced employees to, in the form of deductibles and co-pays and that kind of thing, it would not be prudent to switch carriers at this time. We felt that changing of the prescription drug program and the employee assistance program would not cause employees a lot of disruption.

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

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

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

Ord. 233-1997 (549-97) Purchase Two Ford Sedans

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to purchase two (2) Ford Taurus 4-door sedans from Stenger's Ford, Inc., 2901 South Dixie Drive, Dayton, OH 45409, through the State Cooperative Purchasing Program at a cost not to exceed thirty thousand six hundred seventy eight dollars and 50/100 (\$30,678.50). (Sponsored by Councilman Dallos by request of the Service Director)

Councilman Dallos moved for passage, Councilwoman Miller seconded.

Director DiNero - This emergency ordinance would give us the authority to go out and purchase the two vehicles through the State Co-op. Both vehicles were in our capital budget. We had exactly \$34,000 in our capital budget for the two vehicles. One will go to the Housing Department. The other one will go to Community Development Department. The two vehicles are in the Capital Budget and they're under the amount.

Councilman Vadnal - Are these replacing vehicles? Or, are we just adding two more to our fleet?

Director DiNero - These are replacing. We like to take some of the old police cars that we have in service, we'd like to take them out because some of them have over 150,000 on them and they are getting costly to repair. Whatever vehicles we take out of service, we will put them in the auction in the spring. Usually some of these vehicles bring us some good dollars back through our public auction.

Councilman Vadnal - What does our fleet look like for the next year? Are we going to have to replace more next year?

Director DiNero - I would like to but I don't know if we'll have the money in the capital budget to do so. We have approximately 15 police cars in service right now and throughout our different departments. Some do have under 100,000 miles and are in pretty good shape. There are some that are over 100,000 and they start to get costly with transmissions or engines need to be replaced. This way you are starting to cost quite a bit of money. From the past auctions we've had, we've been getting \$800-\$3,000 for some of those cars. It is well worth not to hang onto them and get rid of them at the right time. We do get some money back from them.

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

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

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

Res.234-1997 (542-97) Local Law Enforcement Block Grant

A resolution accepting a Local Law Enforcement Block Grant of fifteen thousand two hundred fifty three dollars (\$15,253.00) from the Bureau of Justice Assistance for use by the City of Euclid Police Department to reduce crime and improve public safety. (Sponsored by Councilwoman Miller by request of the Police Chief)

Councilwoman Miller moved for passage, Councilwoman Holzheimer Gail seconded.

Chief Baumgart - Some time ago, almost two yeas ago, we had a Smart Trailer sitting out here that told people how fast they were going. It is a good tool to use because it doesn't place on officer there. It informs the public that they are speeding and to watch the speed limits on certain streets. It becomes a good PR tool. We couldn't afford to put this in Capital Improvement at the time. We were fortunate enough to find a Block Grant. Our match to this is a little over \$1,600. We can get this Trailer with the Block Grant and \$1,600.

Councilman Farrell - Are you going to bring this trailer to different spots in the City?

Chief Baumgart - Right in front of your house. If we get a complaint on side streets, we can monitor the side street without having an officer there. It has a computer in it that tells us how fast the cars are going, how often and how many cars, etc.

Councilwoman Miller - You can get one of those cardboard cutouts, it was on the news, where they had them on the motorcycle and he looked real. You could stand that up next to the trailer.

Chief Baumgart - That's another \$1,600.

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

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

Ord. 235-1997 (512-97) Hunger Center Check

An emergency ordinance authorizing the Director of Finance of the City of Euclid to expend an amount not to exceed one thousand five hundred dollars (\$1,500.00) as a donation to the Euclid Hunger Center to assist in their Thanksgiving services to the needy of the City of Euclid. (Sponsored by the entire Council)

Councilwoman Holzheimer Gail moved for passage, Councilman Farrell seconded.

Mayor Oyaski - This legislation which I hope you all join in supporting would allow us to do for the Hunger Center, the same thing we did last year, which was to assist the Hunger Center at this key time of the year. It is a small amount of money, relatively speaking. It matches the same grant that was made by City Council last year.

President Cervenik - This would come out of our Endowment Fund, as it has previously. The Mayor donates a good portion, if not all of his wedding receipts, the Mayor gets to perform weddings and there is a fee for that. Rather than keep it personally, he donates it to the Euclid Hunger Center.

Councilman Flowers - This always came out of the Endowment Fund?

Mayor Oyaski - This is only the second year that the Council has done this. Last year it did come out of the Endowment Fund.

Councilman Flowers - It is not that large of an amount but I always think it is bad to take money out of the Endowment fund.

President Cervenik - We haven't over spent the interest. As long as you don't over spend the interest, I think we are doing pretty good.

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

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

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

Ord. (556-97) Contingency Fund

An emergency ordinance directing the Finance Director of the City of Euclid to appropriate monies from various accounts in the 1997 General Fund Budget, and to create a contingency fund and amending Ord. No. 42-1997 passed by this Council on February 18, 1997. (Sponsored by Councilman Flowers)

Councilman Flowers moved for passage, Councilman Vadnal seconded.

Councilman Flowers - I just want to point out that you routinely go through and when a piece of legislation comes up and people don't even raise their hand, and you say moved by and seconded by. Here comes a piece of my legislation and you go around looking for hands to sponsor it, which I don't particularly agree with.

President Cervenik - Sorry.

Councilman Flowers - I went through the accounts, the information that all of Council should have been provided, each account. I used as a calculation that you can see on the bottom. I only received the General Fund October 30th funds, I did their's based on the calculation of 26 payments divided by 22 as I was directed by the Finance Department. Multiplied out the year-to-date expense, which would therefore give the expected. I marked at the side, I have a running total, just from salary accounts of \$732,100, where we are over-inflated. Because I don't think its in Council's interest to just allow the Administration to transfer the monies around at the end of the year, I'm suggesting to put it in a Contingency Fund. In order not to tie their hands, if it turns out that they do have to use it for these particular accounts, to go up against the Contingency Fund. The \$732,100 from the General Fund.

Councilman Flowers - I looked at PERS, that's also running below expectations. I did it by each account. You can see each account where I had it. Each Council member should have had their packet given a couple of weeks ago and how it gets calculated out. There's \$366,000 over inflated. I asked to find out what the Longevity payments were. I was given that information by Mr. Balazs, of \$600,000. Using .355, I was directed to use to figure out what would be the expected payment in January, would be \$83,000. The total figure would be \$280,000, expected to be below budget in PERS General Fund accounts.

The other accounts I looked at where the salary and wages in the non-general fund. You can see each and every account, I showed what the year-to-date expected expenses would be. Then the year-to-date budget. I showed the variance. If you add up all those figures just for those 25 accounts, is \$305,000. On top of that, in reference to the Worker's Compensation, I understand that's a tricky budget, you really don't want to under-budget it because you are not sure when the expense is going to hit. So what I suggested, seeing that was also running under budget, also put that into the Contingency Fund. You are looking at saving about \$1.7 million. I would move to have Council pass this legislation. If it turns out that the money is needed, you always have it to take it from the Contingency Fund. This is what you requested me to do, Council President. The Council has had this for two and a half weeks, the total budget figures. They've had a similar piece of legislation for over two weeks from me now. You canceled the last the budget meeting, I thought it was important for me to bring this up now seeing this is my last time we can move on this from Council.

President Cervenik - Your comment about the second, I will remind you that this is almost identical to the item that is in Finance Committee. I believe it was in my parliamentary right to refuse this to be on the Agenda. Because it was your last meeting, I thought it was important that you get a second.

Councilman Flowers - It is not totally the same.

President Cervenik - Close enough.

Councilman Flowers - I used more accurate and an additional \$300,000. I didn't have the General Fund in there, Councilman.

President Cervenik - Anyone else?

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

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

Roll Call: Yeas: Flowers
 Nays: Dallos, Farrell, Holzheimer Gail, Korosec, Miller, Vadnal, Cervenik
Failed.

CEREMONIAL RESOLUTIONS

Res. 223-1997 (547-97) Councilman Flowers

A resolution of appreciation to Councilman Daniel P. Flowers in recognition of eight years of superior and dedicated Council service for the residents of the City of Euclid. (Sponsored by Mayor Oyaski and Councilmen Cervenik, Dallos, Farrell, Holzheimer Gail, Korosec, McGarry, Miller, Vadnal)

Res. 224-1997 (554-97) Richie Vadnal

A resolution congratulating Richie Vadnal on his Lifetime Achievement Award from the National Cleveland-Style Polka Hall of Fame. (Sponsored by Mayor Oyaski and the entire Council)

Res. 225-1997 (555-97) Joey Miskulin

A resolution congratulating Joey Miskulin upon receiving a Life-Time Achievement Award from the National Cleveland-Style Polka Hall of Fame. (Sponsored by Mayor Oyaski and the entire Council)

Councilman Vadnal introduced his father, Richie Vadnal, who will be receiving Res. 224-1997, on Saturday, November 29th, for his Lifetime Achievement Award from the National Cleveland-Style Polka Hall of Fame.

Mayor Lynch and Council President Cervenik presented Councilman Flowers with Res. 223-1997, in recognition of his dedicated Council service for the residents of Euclid.

Councilwoman Miller moved for passage, Councilman Dallos seconded.

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

COMMITTEE OF THE WHOLE

Councilman Dallos moved to go into the Committee of the Whole. Councilwoman Holzheimer Gail seconded.
Yeas: Unanimous.

Mr. Carl Bella - I work for Cuyahoga Engineering and I might have been here about 4 minutes late. I was the one that prepared the lot split plat for Ajax Manufacturing. I was asked to come here and give an explanation why the boundaries are drawn the way they were. I'm sorry if I'm late.

President Cervenik - It was passed unanimously.

Mr. Jack Fraier - 235 Greenbriar. I would like to second Council's action on the motion of appreciation to Councilman Flowers. In the Resolution you did omit the fact that Mr. Flowers was the Council representative on the Shade Tree Commission. I certainly appreciate his willingness to serve on that Commission. Also I do commend him for his support of School levies over the years. Of course, I'm prejudiced, I've been in the field of education all my life. Also I remember when tax abatements were discussed. His was one of the few voices that always asked the question, what will this loss of money mean to the school district? One may not always agree with everything Mr. Flowers brought up. But, it is certainly good to have someone on Council who does raise questions regularly. I'd rather have a "hot tamale", than a bowl of cold oatmeal. Sixteen years of public service is a lot of service. Eight on the School Board, eight on Council. What can one do with all that knowledge, wisdom and experience? Perhaps now Mr. Flowers could now start writing Letters to the Editor. Although, I would hope that so these letters are read seriously, please don't saturate the senses with sour grapes.

Mr. Dave Griesmer - 314 East 216 Street. My concern is for Euclid Recreation and the Euclid Volleyball League and the Adult Men's Basketball League. I'm concerned that I heard volleyball is going to be canceled because the levy failed. I was just wondering if anything has been worked out, negotiations. My real concern is how Men's Basketball started at the schools, and volleyball, I don't know what's going on with that. Bob, maybe you can help me out on that.

Director DeMinico - Currently we are waiting further review from the Board of Education. It has been brought to our attention that the Schools maybe closing at 4:00, perhaps as early as January 1, 1998. I believe that Dr. Stanic and his cabinet and the School Board are looking at the time-line for the buildings to be closed. We don't have any final answers. Kevin Flynt is the School Board representative for the Recreation Commission. Councilwoman Miller is on that as well. They know the concern that the Recreation Department has. We are trying to work something out, however, we are pretty sure the buildings will be closing, the time-line is still to be determined. The Basketball program, we have a contingency plan over at the Shore Cultural Centre. It will be an extended day of basketball starting at 9:00 am and ending at approximately 8:00 pm. We believe we are going to be able to handle all 22-24 basketball teams for this upcoming season.

Mr. Griesmer - How about Shore for the volleyball?

Director DeMinico - Currently many of the parochial schools rent the gymnasium, as well as long time people who have been utilizing the Cultural Centre, to rent the gymnasium at the auditorium and the center gym as well. With this venue we would be recouping money into the Recreation Department and taking money out of the Shore department. We have people who have been renting the gym for quite a long time. I feel it would be an injustice to take them out of their programs and their gym space because of the Recreation programs being bumped from one program to another. With over 100 volleyball teams, we would only be able to handle about one-third of those on a Monday-Thursday volleyball schedule.

Mr. Griesmer - With the loss of the 100 teams, approximately \$15,000, and the loss of swimming at the pools, are people going to be laid off? How is the Rec Department, or the City, going to make up for this money?

Director DeMinico - As far as those answers go, we are reviewing them. It is something that we've looked at. We certainly do not want to have anybody lose any positions in the Parks & Recreation Department. We work pretty tight in our budgets. We believe for the remainder of 1997 we are comfortable. 1998, we are putting some contingency plans in. We have full time staff. We utilize a lot of part time employees in the Recreation Department. We believe we may be able to shave some corners in some places, like ice arenas and programs when we get into the summer time, where part-time people work a fair amount of hours and utilize our full-time people in those positions. Nothing is definite at this point. We are still waiting for final determination.

Mr. Griesmer - A couple years back Councilman Gudenas recommended building of a Rec Center for the City of Euclid. I think that would be a good idea and we should look into that.

Mrs. White - I'm sure you've heard of me. I live at 100 Richmond Road. Euclid Villa, in Euclid. I'm sure those of you who received a letter of character assassination against me from Commissioner Tollerup. Also, those of you who received a letter from me in response to that assassination letter. I'm here to invite all of you, to bring your parents and family and live in Euclid Villa, if you have any doubts about that letter. Thank you.

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

COUNCILMEN'S COMMENTS

Councilwoman Miller - Bright and early Sunday morning, after the snow storm that we had Saturday night, my mother was in excruciating pain. I had to call the Firefighters Paramedics, and I want to compliment Dalla-Riva and Stragisher they were excellent. They were as gentle as could be and they were very efficient and handled the situation very well. I want to thank them and also compliment your department.

I'd also like to wish Dan Flowers good luck. I certainly have spent many years working with you.

Councilman Vadnal - I would like to echo Fay's comments to Dan. Dan, good luck. It's been a pleasure for the four years that I did spend with you on Council. You have a way of making some very unique insights into some of the legislation. I think it helped everyone along.

President Cervenik - I would like to announce that Wednesday, December 3, is a Finance Committee Meeting at 7:00 pm. On Monday, November 24th at 7:00 pm, will be Council's Organizational Meeting. At that time we will have our Committee appointments, Board of Control, Self-Insurance Appointments, we have to elect a Clerk of Council and Sgt.-at-Arms. I would like each of you to put together a list for a short presentation on some of your pet projects, some items that you would like to see done over the next couple of years. This Saturday at 9:00 am, we have the ISAC Urban Sprawl Forum.

Mayor Oyaski - ISAC, the City of Euclid and the First Suburbs Consortium will be in this Chamber from 9:00-12:00 pm, and the public is invited. They would very much like the Council to participate as well.

ADJOURNMENT

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

Attest:

Clerk of Council

President of Council