

**COUNCIL MINUTES**  
**DECEMBER 1, 1997**

The regular City Council Meeting was held on Monday, December 1, 1997, at 7 PM in the Euclid City Hall Council Chamber. President Cervenik presided.

Members Present: Dallos, Farrell, Holzheimer Gail, Gallagher, McGarry, Miller, Vadnal, Cervenik  
Excused: Korosec

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

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

Council Minutes

Councilwoman Miller moved to receive and approve the Council Minutes of November 17, 1997. Councilman Korosec seconded. Yeas: Unanimous.

Communications

Councilman Cervenik moved to receive and approve a request for a transfer of a C1, C2, D6 liquor permit from Pride Supermarket, Inc., DBA Convenient Food Mart at 27571 Euclid Ave., to AIDA Enterprises, Inc., at the same location. Councilman Dallos seconded. Yeas: Unanimous.

Council has received the following communications:

From Parks & Recreation Director DeMinico, the Shore Cultural Centre Rate Proposal.

A memo from Law Director LeBarron regarding Cablevision.

A memo from Law Director LeBarron regarding Ramada Property.

A summary of legislation on tonight's agenda from Director LeBarron.

Reports & Committee Minutes

Councilwoman Miller moved to receive the Police Report of October, 1997; Fire Report of October, 1997; Recreation Commission Minutes of 10/28/97; Chairman's Report of Organizational Meeting; Board of Control Minutes of 11/10/97 & 11/17/97; Planning & Zoning Minutes of October 21, 1997. Councilman Vadnal seconded. Yeas: Unanimous.

Administration Reports & Communications

Mayor Oyaski - We want to welcome newly elected Councilman at-large, Pat Gallagher, to his first meeting. I want to direct Council's attention to a couple of things. I'm very pleased that the Law Department and the Council, acting together, have brought about a refund of \$329,096 to the City of Euclid. Law Director LeBarron brought this program to Council almost a year ago. Through her action and with her support, we were able to receive the entire cost expended in demolition the Ramada Inn on Euclid Ave. The Finance Director received that money last Monday, and we have it available in the Special Purpose Grant from whence it came originally, to be used for other eligible activities. I look forward to discussing plans and disposition of that money with the Council in the 1998 Capital Budget. I wanted to commend the Law Department and in particular the Law Director, for bringing about that full recovery.

Secondly, I direct your attention, as well as the Cablevision community residents, customers of Cablevision in the community will be receiving a refund of about \$17.76. It will not be handled as a refund. It will be a credit on the December bills. I know the Council has voted on a number of pieces of legislation under our local authority in 1992 Cable Act. The Law Department has successfully resolved one our of older disputes which involved how Cablevision handled the 2% franchise fee a couple of years ago. The FCC works slowly, but the bottom line is that through the efforts of the Law Department again, and Joe Melnik, in particular, Euclid customers will be receiving a full credit in the aggregate total of \$247,436. I do want to make note of that because its some good news and an accomplishment that we can bring about that refund and that credit to Euclid Cablevision customers of which there are nearly 14,000.

The City has received and deposited \$50,000 from the State to be used for the partial renovation of the Henn Mansion. As we previously discussed this \$50,000 will not be spent without the full accord of the City Council as to how and for what purpose the money is spent. We have received from Representative Jerse, the \$50,000 grant.

Mayor Oyaski presented Res. 236-1997 to a representative from Rick Case for their "Bikes for Kids" Day.

Mayor Oyaski - I made a discovery over the weekend. Senior citizens call these glasses, bifocals. Baby boomers call them, progressive lenses. In any event I can read again and it is a wonderful revelation. Final report is by our Parks & Recreation Director DeMinico.

Director DeMinico - With the Christmas theme, the Parks & Recreation Department has started a new special event. We have reserved Lolly the Trolley to load up residents or non-residents, anyone who would like to partake in a lighting tour of downtown Cleveland, the Metropark Zoo and other areas. That date is Thursday, December 18. We will be leaving behind City Hall at 6:30. Please call the office at 289-8114, for more information and detail.

Councilman Farrell - The money that we got back from Ramada Inn, can only be used for improvements on Euclid Avenue. Is that correct?

Mayor Oyaski - It can be used for the same purposes as the original grant, which I believe is the commercial revitalization activities within an area on Euclid Avenue.

Director Koran - It is the same target area that we proposed when we initially got the grant. It includes Euclid Avenue but it goes as far north as the railroad tracks.

President Cervenik - I had a question on the credit. What about people that quit cable because of the rate increases and they will not be able to get that credit on their bill, even though they were the ones that were overcharged?

Director LeBarron - Very good question. I don't know the answer to that. It's based on subscribers. At the time the rate increase legislation was passed, the rate order was passed, which was appealed to the FCC, there were only 12,000 subscribers within the city. Now that number has increased to almost 14,000. Those 14,000 are going to receive the credit. I can look into it, I don't know the answer to your question.

President Cervenik - I don't want to delay the credit any more. I'm sure some people have either moved and other people get advantage of the overcharging and some people just quit.

#### 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. Fike - 20271 Delaware Road. That's the surveillance system. This is for a pole and the other was a temporary-type of thing. Would you explain that? Would it be permanent in some place or moved? I could suggest some places it could be moved to.

#11, the cost for printing the program guide for Parks & Recreation Department. #12, the purchase of trees. It said the cost may exceed \$10,000 and I would like to know what it might be. #13, on the Shore Cultural Centre, talking about the rental of the Community Room, talked about business hours. I would like to know what is considered business hours, because that really limits it if the business hour ends at 5:00. It would limit the use during the week. Only on the weekends it talks about evening hours.

#16, the municipal income tax service. What is the present cost to the City? #17, on the tax rate, is that the same rate that we've been paying? Thank you.

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

#### **LEGISLATION**

##### **Ord. 239-1997 (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)

Councilwoman McGarry moved for passage, Councilwoman Miller seconded.

President Cervenik - This is a Public Hearing. Is there anyone in the audience that wishes to speak on this item? Seeing none, I will ask Council.

Councilman Gallagher - I was asked by Councilman Korosec to, due to concerns from the residents, that the driveway on E. 250 be designated as an enter only. The driveway on the Lakeland Blvd. portion be designated as the exit. I don't know if that is possible at this time.

Commissioner Apansewicz - That is part of our plan review for the parking lot that is proposed there. To address the apron concerns. This measure only deals with the rezoning of the property. It doesn't deal with the parking lot itself. The Pastor of the Church has indicated that they are putting the parking lot on hold, anyway. When it does come back, we will address that issue.

Councilman Vadnal - How will it come back before us?

Commissioner Apansewicz - They will have to come back for a permit to install the parking lot.

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

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

**Ord. 240-1997 (21-97) Committees**

An emergency ordinance establishing Council committees for the 1997-1999 term of Council of the City of Euclid. (Sponsored by Councilman Cervenik)

Councilman Cervenik moved for passage, Councilwoman Miller seconded.

President Cervenik - These are the Committee assignments that were taken care of at last Monday's Organizational Meeting. Did everybody check them out and make sure they were on the Committees they were appointed to?

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

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

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

**Res. 241-1997 (17-97) Erosion Control - Land Lease**

A resolution approving the use of submerged lands for property located at 24801 Lake Shore Blvd. in the City of Euclid so that the owner can undertake lake shore protection measures. (Sponsored by Councilwoman McGarry by request of the Law Director)

Councilwoman McGarry moved for passage, Councilwoman Holzheimer Gail seconded.

Director LeBarron - This is yet again another submerged land lease resolution. This property is known as the Normandy Apartments. They have undertaken erosion control protection measures on their property. The submerged land lease requires this resolution from Council.

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

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

**Ord. 242-1997 (1-97) Amend Code Chapter 501**

An ordinance amending Section 501.105(b) 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 McGarry seconded.

Director LeBarron - This particular ordinance does two things. It adds the Humane Officer in subsection b as a law enforcement officer to whom a person cannot willfully or knowingly give false or fictitious information relative to their name, address, date of birth or relationship. It also takes out a portion of our ordinance, which is unconstitutional and that is the section that is crossed out on your copy of the legislation. I'd be happy to answer any questions.

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

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

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

**Ord.(13-97) To P&Z - Fence Heights**

An ordinance amending Chapter 1387 of the Planning & Zoning Code of the Codified Ordinances of the City of Euclid as outlined below. (Sponsored by Mayor Oyaski by request of the CS&ED Director)

President Cervenik moved Ord. (13-97) to the Planning & Zoning Commission. Councilman Vadnal seconded.

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

**Ord. 243-1997 (5-97) Proposals for Gasoline**

An ordinance authorizing the Director of Public Service of the City of Euclid to forego competitive bidding procedures for diesel and unleaded fuel purchases for vehicles and equipment for the City of Euclid and make such purchases from any of seven (7) specified vendors based on the lowest available price. (Sponsored by Councilman Dallos by request of the Service Director)

Councilman Dallos moved for passage, Councilman Farrell seconded.

Director DiNero - For the last 4-5 years, we've been passing this type of an ordinance to allow us to go out and price gasoline at the different times whenever we need gas at our service station, motor maintenance. As you know, gas prices change. When we did go out for bids, we never did get a firm price on gasoline. This ordinance will give us the authority, there are 7 different companies here. Our Motor Maintenance Supt. Jerry Akos will call all 7 and we'll buy gas at the lowest price at the time we need gas. It's worked for us in the past 4-5 years.

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

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

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

**Res. 244-1997 (20-97) COPPS II Grant**

A resolution of support for the Euclid Police Department's receipt of the Universal COPPS II Grant for community policing from the United States Department of Justice which will allow the hiring of two (2) additional community policing officers. (Sponsored by Mayor Oyaski by request of Police Chief)

Councilwoman Miller moved for passage, Councilman Gallagher seconded.

Capt. Maine - This grant will allow us to hire two additional police officers for the next 3 year period. Most of it is picked up by the grant itself, but it will cost the City approximately \$183,000 for the next three years for these two officers. These two officers will be assigned mostly to the north side of town acting as bicycle patrol officers.

Councilwoman Miller - Is there a possibility to extend the bicycle patrol to Lake Shore Blvd.?

Capt. Maine - That's the Chief's intention to have these bike officers operate in the area between 218 and 260 on Lake Shore. Also the Shore Centre area.

Councilwoman Miller - That was the concern of many of the citizens. They felt it would be a good idea to have a bike patrol expanded to Lake Shore Blvd. Glad to hear that.

President Cervenik - Any chance of them going over to the 185 Street shopping areas?

Capt. Maine - That would be an awful big area for a bicycle officers to patrol.

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

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

**Ord. 245-1997 (11-97) Surveillance Systems**

An ordinance authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid to advertise for bids and enter into a contract for the purchase of a pole camera surveillance system, including all necessary accessories and installation to be used by the Police Department. (Sponsored by Councilwoman Miller by request of the Police Chief)

Councilwoman Miller moved for passage, Councilman Dallos seconded.

Captain Maine - Mr. President, this purchase which is granted by the Weed and Seed Grant, will provide a mobile term might be a little misleading, its actually a fixed position, which will be used. It will allow for police vehicles to monitor in a mobile mode. It will be in the Weed and Seed area. That is about all unless there are specific questions.

Councilman Farrell - So this is a camera that we are going to put in the southeast quadrant on Euclid Avenue?

Captain Maine - Yes sir.

Councilman Farrell - Just explain it a little more.

Captain Maine - Well it's, by the terms of the grant, it has to be in the Weed & Seed area which is the southeast quadrant of the city. It will be used for purposes that would assist the Police Department in fulfilling the conditions of the Weed & Seed grant. That's to reduce crime.

Councilman Farrell - You are going to have this camera, where are the pictures going to be showing?

Capt. Maine - They would be received on a mobile receiver. This is all telecast by microwave. It would be received on a mobile receiver and tape recorded. It has a tape recorder attached to it.

Councilman Farrell - How large of an area?

Capt. Maine - It will depend on where the camera is focused. It can zoom in on a pretty narrow storefront, or it can cover a parking lot, apartment area, that sort of thing.

Councilwoman Holzheimer Gail - Did you say it is permanent or movable?

Capt. Maine - It is permanent from the standpoint that it would have to be moved. It would take a lot of process to move it. It will be moved, can be moved probably within a couple of hours. But, it is not something that you can just go and grab and take in 5 minutes.

Councilwoman Holzheimer Gail - Do you have a location for it?

Capt. Maine - We have a couple of areas right now but we would like to get it up and going right now.

Councilman Gallagher - Whenever you start talking about cameras, you are talking about people's privacy. The concern I would have would be if its located near apartment buildings, are measures going to be in place to safeguard residents privacy?

Capt. Maine - Those are concerns that everybody has, Big Brother and so forth. You can rest assured, that if it is being used in an apartment area, it is being used to combat things like auto theft, drug sales. It is not going to be used for surveilling inside an apartment or that sort of thing. Mostly outdoor activities.

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

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

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

**Ord. 246-1997 (8-97) Center for Families & Children**

An emergency ordinance authorizing the CS&ED Director of the City of Euclid, Ohio to enter into a contract with The Center for Families and Children in the amount of Twenty Five Thousand Dollars (\$25,000.00) for professional services in the continued development and staffing of a Youth and Family Counseling Program, from January 1, 1998 through December 31, 1998. (Sponsored by Councilwoman Holzheimer Gail by request of the CS&ED Director)

Councilwoman Holzheimer Gail moved for passage, Councilwoman Miller seconded.

Director Koran - The next two ordinances are contracts which this City Council has approved for the past 10 years. The first one is for the Euclid Family Counseling Program which is funded by the Community Development Block Grant Program and is currently located in the Pena Building on Euclid Ave. The contract for 1998 will be \$25,000. In 1996 it was \$30,000. This is a \$5,000 decrease from last year. Because of their variety of funding sources, the United Way, etc., they didn't need as many dollars next year as they did this year. The services they provide are individual and family counseling, assessment referral, community outreach and specialized counseling to the frail and mentally impaired elderly. We have used this group probably more in the last 2 years than we had previously because of the Weed & Seed program which we've all discussed at length. Also the recently created Juvenile Diversion Program. They have tied into both those programs. They currently serve over 150 clients in the City of Euclid, specifically in our Weed & Seed area. This is funded out of the Block Grant Program which the budget was approved at our previous meeting.

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

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

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

**Ord. 247-1997 (9-97) Euclid Development Corporation**

An emergency ordinance authorizing the CS&ED Director of the City of Euclid, Ohio to enter into a contract with the Euclid Development Corporation for the purpose of obtaining technical and professional assistance in the preparation and implementation of plans and programs for neighborhood and residential revitalization in the City of Euclid at a cost of Thirty Three Thousand Seven Hundred Twenty (\$33,720.00) for a twelve month period of January 1, 1998 through December 31, 1998. (Sponsored by Councilwoman Holzheimer Gail by request of the CS&ED Director)

Councilwoman Holzheimer Gail moved for passage, Councilman Gallagher seconded.

President Cervenik - Did you address the question on the price between last year and this year?

Director Koran - Yes. On the previous item, \$30,000 and next year is \$25,000. What I'm going to talk about on this item is the Euclid Development Corporation's cost for administration. As you know, as you listen to my speech every year on the approval of the Community Development Block Grant Program, the Euclid Development Corporation oversees our Housing Rehab program, they always have. We have not provided fresh Community Development Block Grant Dollars for the rehab program in many years. Last year this City Council approved for the first time, \$150,000 from the County's HOME money to be used for housing rehab. This is the only pocket of dollars that we pull out of the Community Development Block Program for EDCOR, it is for administration. There is about a 10% increase from \$30,700 to \$33,720. Those increases are for secretarial and other office expenses. It is still one of the costs of rehab, revolving loan programs in the state. We received an award for lowest administrative cost for a rehab loan program. Currently there are 209 loans, representing a balance of approximately \$1.2 million. That's the active portfolio. Over 80 loans were processed this year, that's a record high. Forty-nine applications were taken in 1997. The other 31 are in process right now. There is a huge demand for these dollars. We are getting money out as fast as we can.

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

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

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

**Ord. 248-1997 (7-97) Parks & Rec Program Guide**

An ordinance authorizing the Director of Parks & Recreation of the City of Euclid to enter into a contract after advertising for bids for the typesetting, printing and delivery of the 1998 Spring and Summer Program Guide. (Sponsored by Councilwoman McGarry by request of the Parks & Recreation Director)

Councilwoman McGarry moved for passage, Councilman Gallagher seconded.

Director DeMinico - This is a housekeeping item. We have done this the last several years. In case we need to go and advertise for bids if it goes over \$10,000. Over the last 3 years, it was at \$8,300 last year; \$7,900 the year before. Our most expensive year was in 1995 at \$9,400. We have shrunk some of the typesetting and some of the pages to lower the cost. We also believe that we will be coming in under that \$8,300 because we are doing some typesetting ourselves. The staff has become quite adaptive to the new computers we have and we believe we are going to be able to shave our costs. This is a precautionary measure. We hope we don't go above the \$10,000, but it is needed just in case.

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

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

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

**Ord. 249-1997 (10-97) Tree Program**

An ordinance authorizing the Director of Parks & Recreation of the City of Euclid to enter into a contract after soliciting for proposals for the purchase of trees to be planted throughout the City during 1998. (Sponsored by Councilwoman McGarry by request of the Parks & Recreation Director)

Councilwoman Miller moved for passage, Councilwoman Holzheimer Gail seconded.

Director DeMinico - The last half dozen of years the City of Euclid has been having a very aggressive tree planting program with the support from the Mayor and City Council. We hope to continue that again in 1998. The funds that are to be derived for 1998 will be requested approximately \$10,000 out of Operating. In 1997 we had a \$30,000 budget out of the General Permanent Improvement. That allowed us to purchase and plant 287 trees last year. Over the last 3 years, one of our goals has been to get into whole streets in areas that do not have the abundance of trees on them. With the help of the Shade Tree Commission, they have targeted and highlighted and completed 18 streets over the last 3 years. It is our plan to continue this aggressive program. Without the budget being set, this is a preliminary measure and we will get into further detail when we get there. However with this proposal we are looking to go without the competitive bid process. We utilize anywhere from 5-7 nurseries. We do solicit prices. We do physically go to the nurseries. Tom Springer, our Arborist, Supt. of the Department, takes a look at all of the trees because you don't know what you are going to get until you see them. What maybe a dollar less may not be the bargain in the long run for the City of Euclid. Street tree maintenance, we want to make sure we are getting good, healthy trees that are going to last a long time. That is the reason for this procedure. I'd be happy to answer any questions.

President Cervenik - Tom will actually tag the trees that we will purchase?

Director DeMinico - Yes. He will physically go to the nursery and with a representative from there, spends several hours at the nursery actually tagging the trees that will have the City of Euclid tag on them.

Councilman Farrell - You've mentioned that we've already done 18 streets. How many streets do you have targeted?

Director DeMinico - Close to 48 are left.

Councilman Farrell - Do you have a long term plan as to how long it would take, you'd like to see all 48 streets.

Director DeMinico - Last year, we didn't go as far as we hoped to. The main reason was we used contractors to plant the trees. That freed-up our personnel to stay on top of some other areas that we really have a hard time with in the spring. Many members of Council have commented on the conditions of the various areas and the few complaints that we received for grass cutting in the spring last year, ball diamonds, I believe it is a direct impact from having a contractor plant our trees. Which brings up a crew of 6 employees over a period of 3 weeks planting trees ourselves. To answer your question, we do have a strategic plan and now the main goal is to get the secondaries, Miller, South Lake Shore, Forestview, Glenbrook, where there is a lot of traffic. It is believed that those residents on those streets have an increased amount of traffic and the buffer of trees and added shade will ease some of that burden.

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

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

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

**Ord. (12-97) Shore Rental Prices**

An emergency ordinance amending Ord. No. 114-1987, passed by the Council of the City of Euclid on September 21, 1987, which ordinance established rental prices for Shore Cultural Centre. (Sponsored by Mayor Oyaski by request of the Parks & Recreation Director)

President Cervenik moved for passage, Councilman Farrell seconded.

Director DeMinico - The Shore Cultural Centre has been under the city's jurisdiction for approximately a dozen years. There has never been a serious rate increase, if you will. This ordinance is comprehensive. We are looking at all areas that we rent. Part of the facility, auditorium rents, cafeteria rentals, short term, long term, permanent tenants, gymnasium rentals. It must be pointed out that some of the numbers that have been banded about in the newspapers are projected numbers. It is projected numbers with tenants that are permanently located there now paying the going rate.

President Cervenik - Mr. DeMinico, what are your business hours?

Director DeMinico - Our non-business hours, which would be easier to describe, are Friday evenings from 5:00-11:00. Also Saturday and Sunday evenings from 3:00-11:00. Everything else is considered business hours.

President Cervenik - We have a Committee Meeting set up for next Monday, December 8.

President Cervenik moved Ord. (12-97) to the Executive Committee. Councilman Vadnal seconded.

Roll Call: Yeas: Dallos, Farrell, Holzheimer Gail, Gallagher, McGarry, Miller, Vadnal, Cervenik.  
Executive Committee

**Res. (14-97) Proposals Private Developers - Shore**

A resolution directing and authorizing the City Administration to solicit proposals from developers for private development of the property on which the Shore Cultural Centre is now located. (Sponsored by Councilman Gallagher)

Councilman Gallagher moved for passage, Councilman Dallos seconded.

Councilman Gallagher - Shore Cultural Centre, my understanding is, it is running at approximately a deficit of \$250,000 a year. I also understand it is in need of immediate repairs of approximately \$1 million worth. The proposals that we have in hand for the use of that property are extremely expensive and may not be practical. I think it is in our best interest to go out and solicit proposals from private developers for any possible projects they may have for that property. If a desirable project is presented to us, it maybe in the city's best interest to sell the property for private development, thereby relieving the city of the financial burden. Also increasing the aesthetic qualities of that property. It maybe that in the end, the best course of action is that the building is raised and replaced with grass. I think we should give private developers a shot and see what kind of ideas they can come up with. I would also like to move this Resolution to the Executive Committee to be discussed along with all the other matters concerning Shore Cultural Centre.

Councilman Gallagher moved Res. (14-97) to the Executive Committee. Councilman Vadnal seconded.  
Roll Call: Yeas: Dallos, Farrell, Holzheimer Gail, Gallagher, McGarry, Miller, Vadnal, Cervenik.  
Executive Committee.

**Ord. (4-97) Selection of Bond Counsel - Amend Code**

An ordinance amending Chapter 137 of the Administration Code of the Codified Ordinances of the City of Euclid by adopting new Section 137.08 requiring the Finance Director to use a competitive process for the selection of bond counsel and underwriter services for certain bond issues by the City of Euclid. (Sponsored by Councilman Cervenik)

Councilman Dallos moved for passage, President Cervenik seconded.

President Cervenik - I'm reintroducing this ordinance to Council. I'm going to move it to the Finance Committee. As you know, any ordinance left in Committee after November 30<sup>th</sup>, with the new term of Council expires. I want to discuss this with the Finance Director, in a Finance Committee sometime in January.

President Cervenik moved Ord. (4-97) to the Finance Committee. Councilman Vadnal seconded.  
Roll Call: Yeas: Dallos, Farrell, Holzheimer Gail, Gallagher, McGarry, Miller, Vadnal, Cervenik.  
To Finance Committee.

**Ord. 250-1997 (19-97) Income Tax Service**

An ordinance authorizing the Director of Finance of the City of Euclid to enter into an agreement with Ohio Municipal Income Tax Service, Inc. to continue providing distribution of the municipal income tax from the City of Euclid to the Board of Education, provide auditing and monitoring of distributions of the tax from Central Collection Agency (CCA) to the City of Euclid, provide a delinquency program and taxpayer assistance for Euclid taxpayers and to provide revenue projections based on the anticipated income tax collections at a cost not to exceed Twenty-Eight Thousand Dollars (\$28,000.00) for the year 1998. (Sponsored by Councilman Cervenik by request of the Finance Director)

President Cervenik moved for passage, Councilwoman Miller seconded.

Director Balazs - To answer resident Dorothy Fike, the cost of the program is \$28,000. It has been that way for the past several years. If you recall in 1993 we had an amnesty program. If there were any delinquencies, or if you were delinquent on your city income tax of 1993 you could come forward and pay it. We abated the penalty and interest. In 1993 and 1994, we brought \$462,000 worth of delinquency at that time. This program has been ongoing since 1994. We passed an ordinance in 1994 where we had an arrangement with apartment owners, whereby the apartment people would tell us the people that they would rent to, when they would leave their apartments on a quarterly basis, we went after the delinquents in the apartment areas and that was considered valuable to the delinquency program. Since 1994, we've averaged between \$200,000-\$300,000 annually. Oscar Knicely is the expert on the delinquency program and city income tax. He's done a great job since 1994. I'm recommending at this time that we retain him again in 1998.

President Cervenik - I visit Oscar now and then to see how he's doing. Oscar just recently sent out 3,500 delinquency notifications. They are not all delinquent. Some people have moved and they didn't file an income tax. He is doing some good work as far as collecting delinquent taxes.

Director Balazs - Bill Cervenik has helped us in the delinquency program and a few other people on Council have also participated. Thank you.

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

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

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

Mayor Oyaski - There was a question from the audience. The amount of that contract is the same as it was for 1997.

**Res. 251-1997 (18-97) Tax Budget Millage**

Whereas, this Council, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 1998, and thereon to the Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without and what part within the ten mill tax limitation; therefore be it. (Sponsored by Mayor Oyaski and the entire Council)

Councilwoman Holzheimer Gail moved for passage, Councilwoman McGarry seconded.

Director Balazs - To answer resident Dorothy Fike again, the millage rate ordinance here is the same as last year. There is no increase. It is at 15.80. The total millage for the City of Euclid, totally is 97.90 mills. That's basically made up of the county, schools, library, etc. Our portion of that is 15.80. I have the breakdown of the balance, 16.60 mills is the county portion. 63.02 is the school portion for millage. 2.48 is the library millage. The City is 15.80 for a total of 97.90 mills. That's based on your real estate value. This is no increase from last year. It is the same as last year. I'm recommending that this be passed at this meeting. For the County Auditor purposes, we have to sign millage rate sheets. Each Council person has to sign it and designate what the vote is. Do you have those sheets, Regina? Thank you very much.

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

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

**CEREMONIAL RESOLUTIONS**

**Res. 236-1997 (2-97) Bikes for Kids**

A resolution declaring December 1, 1997 as Rick Case "Bikes for Kids" Day in the City of Euclid. (Sponsored by Mayor Oyaski and the entire Council)

**Res. 237-1997 (22-97) EHS Varsity Football**

A resolution of congratulations to the Euclid Senior High School Varsity Football Panthers and Head Coach Tom Banc upon the completion of yet another spectacular season in 1997. (Sponsored by Mayor Oyaski and the entire Council)

**Res. 238-1997 (23-97) Tony Fisher EHS Panther**

A resolution of congratulations to Antoine "Tony" Fisher for his outstanding season with the 1997 Greater Cleveland Conference Champions, the Euclid Senior High School Varsity Football Panthers. (Sponsored by Mayor Oyaski and the entire Council)

Councilwoman Holzheimer Gail moved for passage, Councilwoman McGarry seconded.

Mayor Oyaski - Does the Clerk have amended Resolution #23?

Clerk Cahill - I have the amended Resolution but it is not on their desks.

Mayor Oyaski - Just so you know our local Euclid High School football player, Tony Fisher, since this Resolution was written by the Law Department last Wednesday, has subsequently received yet another award. He has been designated by the Associated Press, Mr. Football, in the State of Ohio. You will be receiving a modified resolution to reflect that new honor and we hope to have Mr. Fisher here at the next meeting.

President Cervenik - The City of Euclid is the only high school to have two Mr. Football. We sort of had three, but Robert Smith won it two years in a row.

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

**COMMITTEE OF THE WHOLE**

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

Mrs. Dorothy Fike - 20271 Delaware Road. Mr. Balazs talks about the millage rate of 97.9. What is the effective rate, though, in the City of Euclid? Since we have the 920 rollback and we have the 12% rollback, and we have the 10% and 2 1/2%?

Director Balazs - I do have the effective rate here as shown on the Treasurer's Notice. Throughout the city it is 57.40.

Mrs. Fike - I think that is important for the citizens and Council to know. I have several other questions, comments. When will be the last leaf pick-up? I know you are way behind, Mr. DiNero. I've got leaves again today. How much longer will you be picking up the leaves?

Director DiNero - We are going to continue to pick up leaves. Usually by the second week of November, our leaves are all picked up. If you noticed the trees this year for some reason didn't want to give up the leaves, they weren't shedding. Also with the snow that we've had and the rain, it has put us behind. We will continue to pick up leaves as long as we can. Hopefully we'll get this under control before bad weather really sets in.

Mrs. Fike - It is supposed to snow again. That's what happened to me the last two times.

Director DiNero - It makes it very difficult, especially when they are wet the leaves get stuck in the picker.

Mrs. Fike - It isn't very good for my treelawn either.

Director DiNero - It is double the work.

Mrs. Fike - About three weeks ago I called the Fire Department, as I was going up Grand Blvd. after church there was a fire hydrant knocked over. They've already been informed, but I'm still waiting. The water is still coming down the hill and freezing. I know the Water Department is supposed to fix it, aren't they? How long does it take?

Director DiNero - They classify all different leaks. In their estimation, that is not one of the major catastrophe for them. It is one of those things, we keep calling and your guess is as good as mine to be honest with you.

Mrs. Fike - It is still leaking and with the freezing, someday there is going to be an accident on it.  
Mr. Johnson, what happened to that camera over there? Is it missing?

Director Johnson - It has been out of service for about 4 weeks now. Unfortunately the repair of some of this equipment is not as easy as taking it to your local repair person. They have to be sent out and we are hoping to get it back anytime.

Mrs. Fike - To Mr. Koran, I'm not sure, the special project that you got the money back. I've also talked to Mr. DeMinico, can any of that money be used to fix the hill on Grand Blvd. They keep saying that there is no money there. Remember Mr. Koran, when you first came to Euclid and I gave it to you, the Grand Blvd. hill?

Director Koran - The Stokes money that we received from the County the lien, is in a target area that's the southeast quadrant. Grand Blvd. is not in that area.

Mrs. Fike - Sorry, we tried.

Mrs. Madeline Scarniench - 1511 E. 221. I was also going to ask about Grand Blvd. Is there no way that money can be put aside to do something with that hill? At the last couple of homeowners' meetings, people have brought that up. It is really an eyesore and it is probably one of the only ones left on Euclid Ave. at our end. So, if you could find a way to come up with a plan. We were talking about the cemetery wall. That's a beautiful wall. Is there not a way that a wall like that could be put over by Grand Blvd.?

When you do the liquor permits, the one that Regina read, does that mean the property is being sold? Do you know that?

Director LeBarron - We don't know the specifics. It can either be sold, or a transfer, it can be a number of things. This is what the Council receives from the Department of Liquor Control.

Mrs. Scarniench - So it never tells you exactly what it is that they are doing with it? Okay. The last thing, it is like a housekeeping thing, I know the Mayor explained this once before. The numbering on the legislation. #3, #6, #15 & #16 are missing. Are those things that should have been on here and have been pulled off. How come the numbers don't go, 1,2,3,4,5?

Director LeBarron - These are temporary numbers that are used internally by the Law Department. We write various pieces of legislation. They don't all go on at the same time, but they are numbered in the order that the secretary is typing them. They are just temporary numbers that we use internally. Once Council acts on them, Regina gives them a permanent number.

Mr. Jack Fraier - 235 Greenbriar. Thanks for passing Ord. (10-97) for the purchase of trees. Euclid did win a Tree City Award last year. I was at the ceremony when it was awarded. I discovered there's also a Tree City Growth Award. That's the next step up. Many cities are doing more than we are and I would hope in the future that we could increase the tree planting program. I've had the opportunity to visit nearly every residential street in this city. Not only have the trees improved the streets, but I would hope sometime in the future these residential streets could have new street lights, new curbs and possibly new street signs. A trip to Orange is worth the effort. They've installed new street signs that are very attractive and certainly enhance that city.

Item #2. Within the past month articles appeared in both the News Herald, I'll try to get this in the television camera for the television viewers, and the Sun Journal concerning uses for the Henn House. It has been 10 years since the Parks & Recreation Department left that building. Then for 10 years we've been trying to find a use for that particular structure. When I saw the headline, particularly the one in the News Herald, "Henn Mansion Group Drafts Future Use Plan", my heart leaped up when I beheld that headline. I thought at last we have a final solution to that particular building. However, in going through the article, I noticed it is almost a rehash of everything that's been proposed in the past. Office space, display cases, meeting rooms, party center. These proposals generate a lot of questions. Is there a shortage of office space in Euclid? Are there any empty stores anywhere? Meeting rooms. Is there a shortage of meeting rooms in the city? Have we looked at the new Library? Within a few weeks it will be reopening with more meeting rooms than it every had and more display cases. Also, we have the old City Hall. Perhaps that can be turned into Meeting Rooms. There's an advantage of having Meeting Rooms at the old City Hall. Behind the old City Hall there is a parking lot and it is a lighted parking lot. A party center. We will be competing with churches, fraternal organizations, that do have halls to rent. Why take that money from them? We also have private party centers. The parking lot over at Sims Park is something that should be discussed very thoroughly. Who will have priority in that parking? If I get married next June and want my reception at the Henn House, who can use that parking lot, my guests or visitors to the park? Or, will I have to call the Police to throw out the visitors to the park? Also who will pay for the increase of the parking lot, if it has to be increased? Who will pay for the lights if they have to be installed? I was also happy to see one thing. They dropped the proposal for the bed and breakfast. However something else appeared and that is the proposal for a deck. To quote the News Herald, "an outdoor deck cafe, service to the existing kitchen facility could provide refreshments for the summer for beach goers and in the winter for cross country skiers or hikers." Somewhere along the way we will have to send up a red flag and sound an alarm. If this building is supposed to be National Register quality, one does not alter the exterior of a historic structure. It would be like putting hot tub in front of Mount Vernon, or plastic awnings on the White House. We live on the north coast, not the gulf coast. Eating outside can be done from the 15<sup>th</sup> of May until the 15<sup>th</sup> of September. That's four months. I'm not sure about these husky cross country skiers or hikers, who are going to dine outside on the deck. Will they be serving hot coffee, hot klufa and hot kielbasa? What on earth is going on. There are possibly other uses that might be suggested for that building. We blew the chance of a century a month ago. Why wasn't Mr. Koran sent to Des Moines, Iowa to get the McCoy septuplets to Euclid. Here is a house all set up for them. I think this should have been done. Why can't that building be turned into a half-way house? Or a homeless shelter? I remember about 2 years ago when a structure on East 222 was under discussion, the term, "Christian charity" entered the discussion. Why shouldn't that place be used for those people? We are now giving charity it seems to the Chamber of Commerce to allow them to be housed over at Shore Centre. Now they want to put them into the Henn House.

I did see an opportunity for financing that building and wanted to call your attention to something that was discovered in October. I was in Alexandria, Louisiana with another organization. One evening we had a reception at a 75 year old school building. The building had been completely restored, it is now a community center, library and veterans center. The question came up, where did the money come from for the restoration of that building? It was put on the ballot by a group of citizens. They increased the sales tax by ½ percent. What a wonderful way to get out of a problem, let's put this thing on the ballot. Thank you.

Mrs. Geraldine White - I live in Euclid Villa, 100 Richmond Road. Those of you of whom that have received letters, not only from me, but other tenants, and we have been ignored. I would like to say to you, just finished reading a book by Judge Judy Shendon. The title, Your Raining on My Leg. Yet you say and I know, you are peeing. Okay? Thank you. Have a Happy New Year and Merry Christmas.

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

### COUNCILMEN'S COMMENTS

President Cervenik - There is an Executive Committee Meeting scheduled for December 8<sup>th</sup>. A Finance Committee Meeting is scheduled for December 3<sup>rd</sup>. Tonight you have a budget overview and Mr. Balazs will be presenting that to us.

Mayor Oyaski - Whether or not we want to do something on Grand Blvd., or plant trees on 40 streets, these issues have to come out in the Capital Budget, which Council will begin addressing in late January, early February. I do believe, just so the public knows, Mr. Tollerup has done a very a thorough job of investigating the issues that have arisen in Euclid Villa and has filed a report. Erik, do you want to briefly summarize what you have found?

Mr. Tollerup - I have been in contact with Mrs. White at Euclid Villa, the management of Euclid Villa, Associated Estates. The information Mrs. White provided us came from HUD, the Health Department and I also went through the Housing Inspection records. Euclid Villa is one of the few buildings that we know throughout the city that actually has acquired a Certificate of Occupancy. Which means that over the last several years, the last 5 years including this year, they are up to code 100%. Being our largest building with over 500 units, that's quite an accomplishment. HUD is satisfied with the management and operation of the building. HUD is also satisfied with the physical condition and the improvements of the building. I have toured the facility several times addressing complaints that have been lodged, complaints regarding garbage in the hall, complaints regarding security lapses. I have found none. I have been through the building looking for the issue of metal shops and cabinet making going on in the building. Have not found any. I have offered all people at Euclid Villa who have a complaint, I've offered them my office number and instructed them to contact me as soon as these violations are happening and I will come out immediately, myself to investigate. I've made the offer and I have not had a complaint come to my telephone in my office to have an investigation. Currently we are working with Associated Estates on having them erect handicapped parking signs. We are under no obligation in the Housing Department to enforce them to do this. It is private property. But we are asking that they go ahead and erect those signs for the benefit of the residents that are living there.

### ADJOURNMENT

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

Attest:

---

Clerk of Council

---

President of Council