

**COUNCIL MINUTES
MARCH 15, 1999**

The regular City Council Meeting was held on Monday, March 15, 1999 at 7 PM in the Euclid City Hall Council Chambers. President Cervenik presided.

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

Councilwoman McGarry moved to excuse Councilwoman Holzheimer Gail and Councilman Korosec. Councilman Vadnal seconded. Yeas: Unanimous.

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

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Councilwoman Miller moved to approve the Council Minutes of March 1, 1999. Councilman Gallagher seconded.

President Cervenik announced the birth of Councilman Korosec's son, Daniel Joseph.

Communications

Council has received the following communications:

The Ohio Municipal League Legislative Bulletin for 2/26/99.
The Euclid Community Concerns January & February, 1999 Report
A letter from RTA clarifying the Federal Transit Administration's New Starts Program.
A letter from Darlene Johnson, Area Manager for the Illuminating Company regarding Resolution (425-99).
A summary of legislation on tonight's agenda from Director Murphy

Administration Reports & Communications

Mayor Oyaski – Good evening ladies and gentlemen. We have only a few brief remarks. We do direct your attention to the Open House at the Soccer Park there at the old GM Plant, which is this Friday afternoon. We wish everyone a Happy St. Patrick's Day. I'd like to direct your attention, I think Councilwoman Miller and Councilman Dallos were here, ten years ago this week we conducted the first City Council Meeting in these chambers. It's been 10 years already.

Mayor Oyaski presented Frank Chuckayne with Resolution No. 48-1999.

Mayor Oyaski – On this Sunday, at the Slovenian Home there will be a number of awards to Euclid residents and they are listed here on your agenda. We are going to be presenting these, I believe at our next meeting, but I did notice that one of the award winners just stopped in and I do want to publicly congratulate and acknowledge Harry Brule.

President Cervenik – Thank you Mayor. In case I forget tomorrow, I want you to have a Happy Birthday, it's the Mayor's 46th Birthday tomorrow.

Mayor Oyaski – 47.

President Cervenik – 47, I tried to save you a year.

Mayor Oyaski – Thank you.

Reports & Committee Minutes

Councilwoman Miller moved to receive the 1998 Board of Health Report; Police Report – February, 1999; Safety Committee Minutes, March 8, 1999; Board of Control Minutes 2/22/99 & 3/1/99. Councilman Vadnal seconded. Yeas: Unanimous.

Village of Euclid Reparcelization

Councilwoman Miller moved to sustain the reparcelization of P.P.#648-40-001, 002 and 648-42-001, 002, by RMS Investment Corp., approved by the Planning & Zoning Commission. Councilman Gallagher seconded.

Roll Call: Yeas: Dallos, Farrell, Gallagher, McGarry, Miller, Vadnal, Cervenik.
Sustained.

Committee of the Whole

Dorothy Fike – 20271 Delaware Rd. Item #2, in one part of the ordinance it says a permanent easement and another part it says temporary. Which is it, permanent or temporary? #3 another permanent easement, I'd like to know where is it exactly and what is it for? #7, the single family residence, I noticed it's coming out of some fund, and I want to know why it isn't coming out of the greens, the Briardale Greens Golf Course money? If it's for the golf course, shouldn't it be coming out of golf course money? #10, the personal services contract for audit, I'd like to know the approximate figure for that. I really want to have an approximation tonight because I notice on #9 and #11 they also have figures in there. Once before I asked for a figure and I was not given it. You said I couldn't have it because it was for service that really could be variable. #14, again, the purchase of the truck for the Parks Department, there again I noticed in the ordinance it says it's coming out of Recreation and Parks capital. I want to know which one is it coming out of. Because Recreation capital, well I want to know specifically, is it Parks capital, or Recreation capital? Because they are two different funds. Recreation capital, you know, has their own. #17 for the marina, I am very much opposed to that because I don't think it's for the best interest of Euclid. I do like to see the lake opened, but I don't think we need a marina. #18, on the second hand dealer's license, when that business owner came to Euclid he said that was going to be a high class operation. He was designing jewelry for sports figures and I don't think a second hand license is high class. I hope, I wasn't able to go to the Safety Committee Meeting, but I noticed the one, the pawn shop on Lake Shore Boulevard has a great big sign on the back of the building where you come down 222nd, you can't miss it. There's also a sign in the front of the building. I hope that's not going to be allowed on Euclid Avenue. #20, I just hope that the Council supports the Mayor on this. I think what he's talking about is very true. On #21, I was not familiar with and I want to congratulate the City for being up on things like this to support for the small person, that we can have some voice in what's going on. Thank you.

Jack Fraier – 235 Greenbriar Ct. The item I wish to call to the attention of Council is #1, the Landmark Commission. I strongly favor a Landmark Commission for the City of Euclid. Cleveland Heights has had one since 1973 and it's time we had one too. However, so that this Landmark Commission can be an asset and not a stumbling block or an obstacle to the progress of this City, I would suggest that two amendments be considered. Number one, the Euclid Historical Society is one of the greatest assets of this City. It's been around for almost 50 years. I've heard people come to this microphone in the past and say Euclid has no interest in its history. False, it certainly does. I would suggest that the President of Euclid Historical Society be ipso facto a member of the Landmark Commission. That expertise and experience is valuable. Number two, landmarks, I've had many an opportunity to see many landmarks in this country. Even fire hydrants can be landmarks, lampposts can be landmarks. There is a group out in Idaho trying to make a trailer a landmark, which is kind of nice, they can move from city to city. I would suggest that we have two ex-officio members on the Landmark Commission. One from the Service Department, we have one on the Shade Tree Commission, and one from CS&ED. The City does receive funds from government to improve stores, homes and if some of those stores and homes become landmarks, in order to be able to improve them, they'll have to go to the Landmark Commission and Planning & Zoning. Perhaps a lot of that headache could be eliminated if CS&ED and Service have a representative as ex-officio members. By the way, item #22, I do favor of course the social security resolution, but not at the expense of Ohio's retirement systems. Thank you.

Madeline Scarniench – 1511 East 221. Also, on item #7 I would like to know the reason why this is coming out of the HIP program instead of the golf course funds. Item #13, can you please explain the safety precautions that will be taken after last year's incident on the west side. I hope that we are doing everything possible to make sure that we don't have any such incident like that happen at our fireworks. #18, I have had conversations with Jim about the reason that he has to have this second hand license and it is so that he can buy jewelry.

Mrs. Scarniench - The state requires it, he has no intention, from our conversations of selling items that you would usually find in a pawnshop and he did say he would never put pawn in his name. So, I hope you will support this. Item #19, I would like to know if you plan to extend the Weed and Seed site. I was told that when you apply for the new funds that all you have to do is change the boundaries and we would love to see the rest of Euclid Avenue included in this if it is at all possible. Thank you.

President Cervenik recognized the Euclid High School Students in the audience.

Councilman Dallos moved to rise and report. Councilman Farrell seconded.

LEGISLATION

Ord. (342a-98) Landmark Commission

An ordinance creating Chapter 1303 in the Planning & Zoning Code of the Codified Ordinances of the City of Euclid in order to establish the Euclid Landmark Commission. (Sponsored by Councilwoman McGarry)

Recommended for passage by the Planning & Zoning Commission)

Councilwoman McGarry moved for passage. Councilman Vadnal seconded.

Councilwoman McGarry moved to place Ord. (342a-98) into the Building Standards Committee. Councilman Vadnal seconded.

Roll Call: Yeas: Dallos, Farrell, Gallagher, McGarry, Miller, Vadnal, Cervenik.
In Committee.

Ord. 49-1999 (372-99) Easement/Textron

An emergency ordinance accepting a permanent easement and right-of-way to allow for the relocation of an existing sanitary sewer on the property of Compressor Components Textron, Inc., P.P. # 647-29-08. (Sponsored by Councilman Dallos by request of the Service Director)

Councilman Dallos moved for passage. Councilman Farrell seconded.

Director DiNero – This is an ordinance that we need. That ordinance should be amended. It's not a permanent, it's a temporary easement. This is just a change over their existing sewer and their connection will be put into the right-of-way. It is just permission to go on their property temporarily. It should not be a permanent easement.

Councilman Dallos moved to amend Ord. (372-99). Councilman Gallagher seconded.

Roll Call: Yeas: Dallos, Farrell, Gallagher, McGarry, Miller, Vadnal, Cervenik.
Amended.

Director DiNero – The easement has already been signed. I guess Mr. Murphy, the Law Director, has looked at it, approved it and if the Council passes this emergency ordinance it will be recorded down at the auditor's office tomorrow or the next day.

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

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

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

Ord. 50-1999 (432-99) Easement/PMX

An emergency ordinance accepting a permanent easement on the property of PMX Industries, Inc. (An Ohio Corporation), part of lot No. 7 in Tract No. 19 of P.P. #644-07-03, for future ingress and egress and the installation and maintenance and maintenance of utilities. (Sponsored by Councilwoman McGarry by request of the Law Director)

Councilman Gallagher moved for passage. Councilwoman McGarry seconded.

Director Murphy – The easement we have negotiated with PMX is part of an overall settlement with them. They are granting to the City an easement on the so-called Sikora, near the Sikora property off of Lake Shore Boulevard. I don't have the exact address with me, but it is that area. The City plans and hopes at a point in the future to install utilities, more specifically a waterline to service those properties.

Councilman Gallagher moved to close debate. Councilman Farrell seconded. Yeas: Unanimous.

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

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

Ord. 51-1999 (437-99) VBP/VLP Prop.

An emergency ordinance amending Ord. No. 5-1999, passed by the Council of the City of Euclid on January 4, 1999, which ordinance authorized the sale of property located at 21935 Lake Shore Blvd., known as the Lakeshore Tavern, to VBP Properties, Inc. (Sponsored by Councilwoman Holzheimer Gail)

Councilwoman Miller moved for passage. Councilman Gallagher seconded.

Director Murphy – You previously adopted an ordinance that authorized the sale of the Lake Shore Tavern property to VBP Properties. I am happy to tell you that at long last, a week ago today, the property did transfer. The City of Euclid now owns the LakeShore Tavern. We had a meeting with the VBP Properties individuals last week. They advised us that they have restructured their corporate existence when the City is prepared to transfer title to them, the new entity VLP Properties is the corporate entity to which the property will be transferred. So, the purpose of this legislation is simply to amend the existing legislation so that the City may transfer to the new corporate entity.

Councilman Farrell – Are we comfortable that this restructuring has nothing to do with what they had planned on doing?

Director Murphy – Yes. The plans remain exactly the same for the renovation of the building.

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

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

Roll Call: Yeas: Farrell, McGarry, Miller, Vadnal, Cervenik.
Nays: Dallos, Gallagher.

Passed.

Ord. 52-1999 (438-99) VBP/VLP Prop.

An emergency ordinance amending Ord. No. 6-1999, passed by the Council of the City of Euclid on January 4, 1999, which ordinance authorized a Special Storefront Renovation Agreement with VBP Properties, Inc. (Sponsored by Councilwoman Holzheimer Gail)

Councilman Farrell moved for passage. Councilwoman McGarry seconded.

Director Murphy – This is a similar piece to the one above it. Once again, the Council has previously approved a storefront renovation agreement. That ordinance allowed the agreement to be executed with VBP Properties. Again, due to the corporate restructuring, that agreement will be entered into with VLP Properties.

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

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

Roll Call: Yeas: Farrell, Gallagher, McGarry, Miller, Vadnal, Cervenik.
Nays: Dallos.

Passed.

Ord. 53-1999 (419-99) InnVoy Inn Sale

An ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a contract after advertising for bids for the sale of real property owned by the City of Euclid, formerly known as the Innvoy Inn, located at 27861 Euclid Ave., P.P.# 648-30-013. (Sponsor Mayor Oyaski)

Councilman Gallagher moved for passage. Councilman Dallos seconded.

Director Koran – As we all know the City of Euclid last summer bought the InnVoy Inn and over this past winter, we have torn the building down. It is currently demolished, the building is gone. As you also know, we are in the process, we have applied to the county for Brownfield Funds for the county to help us in the acquisition and financing of the acquisition and demolition of the building. What we have before us tonight, requested by the Mayor is an ordinance authorizing him or his designee to enter into a contract after advertising for bids for the sale of this 3.37-acre parcel. Already we are receiving interest in the property, specifically the adjoining property owner to the east has made us an offer for the property. We have had that property appraised and our plan is to, as the ordinance states, advertise at least 4 consecutive weeks in probably the Plain Dealer and probably of Used Cranes Magazine to advertise and circulate the fact that this parcel is for sale. We are going to use this route which is specifically identified in section 10904b2 as to how the City can sell property. If there are questions on this I'd be happy to answer them.

Councilman Dallos – I guess the one thing that concerns me is this gives the City Administration to sell the property without Council knowing what the price may be. How are we determining, you said we have the property appraised, are we having some sort of minimum value placed upon it?

Director Koran – Yes, the Mayor's idea is to have a minimum asking price of \$450,000, which is the appraised value of the property.

Councilman Dallos – What will the funds that we are anticipating coming from the county for the Brownfield, what is the total amount?

Director Koran – The project's cost has remained the same since we presented this project to Council. We paid \$1,025,000 for the property with all of the extra costs including demolition, we are up to about \$1.2 million project cost. The County will subsidize the project, that \$1.2 million the amount of 45%. So, whatever that works out to, I believe it's about \$540,000, should be our grant from the county. The balance will be a loan. We have the option of just paying cash or at least not reimbursing the county or taking the damage of the loan of the county office.

Councilman Dallos – Just so I understand, we will not accept a bid for less than \$450,000?

Director Koran – That is the Mayor's current thinking, yes.

Mayor Oyaski – As the Council can see from Section 1, it says quote, "the Council of the City of Euclid reserves the right to reject any and all bids."

President Cervenik – It will come back to us before they accept it.

Councilman Gallagher – That was the question I had. How will the process be as it comes back to Council if you have already entered into a contract?

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Mayor Oyaski – Section 1 indicates that the parcel at 648-30-013, Mr. Koran's indicated we will advertise it for sale at the minimum price of \$450,000. The Board of Control will open the bids sometime in the next two months. At that time, we will review them and submit them to your final decision.

Councilman Gallagher – So, this piece should be amended to remove the right to enter into a contract.

Director Murphy – Any agreement that the administration entered into will be contingent upon Council approval.

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

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

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

Ord. 54-1999 (418-99) Golf Course/House

An emergency ordinance authorizing, empowering and directing the Director of Parks & Recreation of the City of Euclid to negotiate for and purchase the single family residence and lot located at 541 Babbitt Road (P.P. #644-32-002) for an amount not to exceed \$45,000 to be used for public purposes as part of the Briardale Greens Golf Course. (Sponsored by Councilwoman McGarry be request of Parks & Recreation Director)

Councilman Gallagher moved for passage. Councilwoman McGarry seconded.

Director DeMinico – We have been approached to buy the property, to see our interests in purchasing this house located on this property. As you drive by Briardale it is somewhat of an unsightly structure. It would fit in very nicely as just open space for Briardale Greens. We have no plans to utilize that space as part of the golf course. We won't be moving any tees or any greens or anything of that nature. It would basically be open space similar to the house that was located on the north side of the road which was demolished about 7 or 8 years ago and the landscaping that was put in there. So, the plan is to move forward with this purchase when it becomes necessary and just make it open space and landscape it.

I understand a question came regarding the Housing Improvement fund to purchase this. That is one of the abilities of that program to purchase and move forward with demolition of such properties.

Councilman Farrell – Do you anticipate this purchase to happen right away?

Director DeMinico – We've been in conversation with the owner. No, I don't expect this to happen within the next week or two. However, he is getting his ducks in a row, so to speak on his side and we are hoping that sometime by early summer this should be able to be completed.

Councilman Dallos – I'm not sure that the housing improvement, the way I understood the Housing Improvement Program was set up to reward citizens for making real estate taxable additions or improvements to their home. I really question the funds coming from this.

President Cervenik – We allocated \$100,000 through the Housing Improvement Program specifically for demolition. We did do one up on Euclid Avenue, I believe we spent about \$25-20,000 there.

Director Koran – Yes, last year Council provided approximately \$345,000 to what we earmark the HIP Program. \$100,000 was the traditional HIP that Councilman Dallos is referring. There is an additional \$100,000 for acquisition and demolition. We did purchase a couple of houses last year when this first came up, the end of last year, at the Director's Meeting I mentioned that there was a balance in that fund. If the Administration and Council would agree, we could use those dollars.

Director Koran – We didn't spend all of the \$100,000 from last year.

Councilwoman Miller – Also the question was asked why it is not coming out of the recreation budget instead of...

President Cervenik – The golf course budget.

Councilwoman Miller – I'm sorry, the golf course budget is different from the HIP Program.

Director DeMinico – With this Housing Improvement \$100,000 set aside and it was discussed, we just felt that was the course of action to take.

President Cervenik – We will probably keep funds available for further improvements on the golf course and getting rid of an unsightly home on Babbitt.

Director DeMinico – We continue to try and put funds and improvements into the golf course. I think this Council is very much aware that we hope with another successful season to build a new clubhouse. If there are any ways that Briardale Greens Golf Course can move forward with that, continuing operating very efficiently and if there is a way to make this improvement out of the Housing Improvement fund, that would be my first choice.

Councilwoman Miller – The golf course budget is already set then, that you don't have \$45,000?

Director DeMinico – That would be correct.

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

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

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

Ord 55-1999 (408-99) Court ATM

An ordinance authorizing the Director of Administration of the City of Euclid to enter into an agreement with WRG Services, Inc., 21651 Tungsten Road, Euclid, OH 44117 for lease of space to provide for the placement and installation of an Automated Teller Machine (ATM) in the lobby of Municipal Court. (Sponsored by Councilman Cervenik by request of the Administrative Director)

Councilman Vadnal moved for passage. Councilman Dallos seconded.

Director Johnson – We received a request from the Municipal Court to place an ATM machine in the lobby of the court for the convenience of the people that were coming in to pay their fines. It would provide them access to cash. The Court actually received several proposals. We selected this vendor which happens to be a Euclid vendor because they are the only vendor that agreed to enter into a one-year lease as opposed to a three-year contract. Also they agreed to provide the machine and they would service the machine for the one-year period without any cost to us. We will have to provide an electrical outlet and a telephone line for the machine. The other proposals were basically leases, proposals that ranged anywhere between \$6-8,000 a year, spread out over a two or three year period. There is a possibility of revenue sharing with the vendor. There is about \$1.50 to \$2.00 per transaction charge. We chose this because we didn't know what the experience would be, if it would be more cost to the city.

Councilman Dallos – So, what is our potential income?

Director Johnson – Mr. Dallos, what the vendor has agreed to do was to, because the vendor has no idea, he can tell me that if the machine was being placed in a bar or in a restaurant, he could probably predict what the revenue would be. But, because this is a new location for him, he could not predict what the revenue would be, so that is why we are proposing a one-year contract to see what the transaction activity is and he can tell us whether at the conclusion of that one-year period, whether there is a revenue sharing possibility, whether we should look into leasing the machine.

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

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

Ord. 56-1999 (424-99) Dispatch evaluation/Strock Assoc

An ordinance authorizing the Director of Administration of the City of Euclid to execute a professional service contract with Barry Strock & Associates, 464 Pond Hill Road, Rensselaerville, NY 12147-9987, to provide services necessary to prepare bid specifications and evaluate bids received in the acquisition of an automated public safety dispatch system, for an amount not to exceed \$52,000. (Sponsored by Councilwoman Miller by request of the Administrative Director)

Councilwoman Miller moved for passage. Councilman Gallagher seconded.

Director Johnson – As you are well aware we have debated the acquisition of the public safety dispatch system for a number of years. Last fall, Police Chief and Fire Chief and their assistants, the President of Council, the Mayor we sat down and discussed this with Mr. Strock. We feel that we would like to attempt to try and go forward with this project again. Keep in mind, if we were to start now, the project would not come to fruition for almost another year. It's going to be a timely process.

Councilwoman Miller – I'd like to ask both chiefs if this is exactly the type of equipment that you want?

Chief Dworning – At this stage of this project we are not addressing equipment, this will be for putting specifications together so that we can decide on equipment and what type of dispatch to be looking at. After meeting with Mr. Strock last fall, and discussing this with him I'm very optimistic that I think that we can see this project through to fruition based upon the process that he used again with the meetings with the individuals involved in this.

Chief Baumgart – I'm sure that Mr. Strock is capable of putting together some fine specifications. I'm not in favor of going forward with this much money. But, I will wholeheartedly work toward getting what is best for the City with this.

Councilman Farrell – What is the reasoning, the rationalization behind the consulting services taking up to a year to accomplish what we are looking to get?

Director Johnson – Councilman Farrell, the process that we go through, usually when you engage a consultant they interview all of the departments, the fire department, they are going to interview the fire prevention bureau, fire suppression as well as EMS. In the police department they are going to be interviewing, police, the dispatch section, corrections all of the divisions of both departments. They interview all of the key people in those departments to try and determine what their needs are in terms of automated equipment. Once that need analysis is done, they prepare specifications which then leads to the bid process. Once the bids are taken they do an evaluation and recommend the top two or three bids. Once those bids are taken, then it is up to each of the departments to appoint teams that will then go out and actually see this equipment in place. It's usually a very time consuming process. Once those site demos are done, they come back and hopefully reach some kind of consensus in terms of the system they think is going to most benefit the entire city.

Councilman Farrell – Do you have any, if you could refresh my memory, do you have any ballpark figures as to what we anticipate the expenditure of this system to be?

Director Johnson – It's estimated that it could cost as high as \$500,000.

Councilman Gallagher – I realize this is a professional services contract that doesn't require bidding but, have you taken steps necessary to assure yourself that this a fair and reasonable price?

Director Johnson – As much as reasonable. This individual I contacted and I told him that we had been working on this project for several years and had not actually come to a conclusion that we had some problems trying to resolve or to agree on one particular system and I asked if he thought he could help. He said that he did, he did come down and visit with us. At that particular meeting everyone felt that he could guide us through this project and hopefully reach a logical conclusion.

Councilwoman Miller – Well, I have mixed feelings on this. I think that \$52,000 is a lot of money for something like this that we have already been studying over the years. I do know that Chief Dworning as well as Chief Baumgart have done extensive research in the department of a safety dispatch system. I just wonder if we really need to do this, if we can have different companies come to us and tell us what they can offer us, instead of going out like this?

Director Johnson – There are probably 300 or 400 vendors of this type of equipment, this type of a system. However, the approach that you can find on any given day a half dozen vendors that will tell you that they can sell you the system that would satisfy your needs. What this does is put into the place the logical, rational method of selection. I think in the absence of that you may end up with not the best solution.

Councilman Farrell – I would like to make a comment on that because I kind of deal in these situations all of the time. When you are selling to a dollar amount of that height you are often selling to consultants as opposed to the company for the very reasons that Jack talked about.

Councilman Farrell moved to close debate. Councilman Gallagher seconded. Yeas: Unanimous.

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

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

Ord. 57-1999 (427-99) Healthcare Audit

An ordinance authorizing the Director of Administration of the City of Euclid to execute a professional services contract with Buck Consultants, 1111 Superior Ave., Suite 1600, Cleveland, OH 44114-21507, to provide an audit of the City's health care program. (Sponsored by Councilman Cervenik by request of the Administrative Director)

Councilwoman Miller moved for passage. Councilman Vadnal seconded.

Director Johnson – I had asked for this legislation to be drawn particularly because we had an audit done for healthcare, as you know we are self-insured for healthcare, we had an audit done by Health Designer Plus in 1992. We have not had an audit for the healthcare process since that period. They did perform an audit and did not find any irregularities. That audit did cost us about \$4000. But, because we are spending \$2 million of the taxpayers' money, I think that it is wise to periodically have an audit. To answer Mrs. Fike's question, we expect this should be about \$18,000.

Councilman Vadnal – When you say audit, what exactly are you referring to? What are they going to specifically do for us?

Director Johnson – Specifically they are going to provide or perform a point system audit. They are going to contact Medical Mutual and audit the claims process in a point system to make sure that claims are being paid appropriately and properly. That the claims that are being paid are properly covered individuals on our plan. They also are going to perform a cost control audit.

Director Johnson - That's to make sure that the discounts that Medical Mutual and the other providers say that they are giving us are actually the correct discounts. The other part of it is in the cost, the reproduction of the reports and any other out-of-pocket expenses they would incur. It's not an audit in the traditional sense of the audit that Mr. Balazs has done, for the financial condition of the City. This specifically gets into the payment of the claims and the claims process.

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

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

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

Ord. 58-1999 (428-99) Payroll/Y2K

An ordinance authorizing the Director of Administration of the City of Euclid to enter into a contract with New World Systems' public sector software to provide migration support services to allow the City to migrate Payroll/Human Resources applications from version 3.X to version 4.X, for an amount of \$25,000. (Sponsored by Councilman Cervenik by request of the Administrative Director)

Councilman Farrell moved for passage. Councilman Gallagher seconded.

Director Johnson – This is for conversion services. As everyone knows, everyone is dealing with the year 2000 dilemma. We knew last year that our financial system as well as our payroll personnel system at least the versions, the levels that we were running were not year 2000 compliant. In January we were successful in bringing up the new version of the financial system. The new version of the financial system is running but because of the time involved we are going to need assistance in converting the payroll system. The cost on this is estimated at \$25,000 and this is for the services of this company to come in and actually do a lot of the work or most of the work in the conversion itself. Because of the time, I'd like to stress we have to get this done before the end of the year or we will not be able to cut payroll checks. These are some of the things of Y2K that you hear of that firms are spending millions of dollars, these are some of the things that they are having to upgrade their software and update their hardware before year end to make sure that it's running.

Councilman Farrell – How old is this payroll and human resource system and how much did we actually pay for this software?

Director Johnson – We actually started running this payroll system in 1992. I can't recall exactly how much we paid for the software package, but it's complete payroll, personnel package.

Councilman Farrell – Are you comfortable when you upgrade this to make it year 2000 compliant that you want to live with this system for the next 5 years?

Director Johnson – Yes, we would be committed to living with it for the next 5 years. The system is not perfect. But, I think it is less expensive and less time consuming to try and upgrade this package than to begin looking for another payroll package.

Councilman Gallagher – Is the upgrade version 3 to version 4, is the only benefit to that the Y2K compliance?

Director Johnson – No, there are some other features that are inherent. It allows for an upgrade presentation, if you will of the software is simpler to use. There are some other features to make it a little more convenient to use. It's just not the fact that it is year 2000 compliant, but we do know that not upgrading will present a problem.

Councilman Gallagher moved to close debate. Councilman Farrell seconded. Yeas: Unanimous.

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

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

Ord. 59-1999 (422-99) Richmond Rd. resurface

An emergency ordinance enacted by the City of Euclid, County of Cuyahoga, Ohio, in the matter of the hereinafter-described improvement and to request cooperation by the Ohio Director of Transportation. (Sponsored by Mayor Oyaski)

Councilman Dallos moved for passage. Councilwoman McGarry seconded.

Director DiNero – If we pass this ordinance tonight this would give us the agreement with the State to do Richmond Rd. resurfacing project from Euclid Avenue to the top of the hill which is the Richmond Heights line. It's just a regular grind, what they call a mill and fill which would grind the asphalt off and replace with new asphalt. It's not a major project where you need curbs or anything like that, there will be some repairs but no major project. If anybody has come down Richmond Rd. hill it's awful. Our share for this project will be approximately \$18,000. This project will not take effect until the year 2000. That's how the State operates. We have to pass this legislation now and be ready for the year 2000.

Councilwoman Miller – This definitely has to be done. I can't tell you how many people have called me and said it is like a dish board thing going down to Euclid Avenue.

Director DiNero – Yes, it sort of follows in line because the county is doing Brush Road this spring. By the year 2000 we will have Richmond Road and Brush Road done.

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

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

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

Ord. 60-1999 (433-99) Fireworks

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract after advertising for bids for a fireworks display for July 4, 1999 or rain date, for an amount not to exceed \$35,000. (Sponsored by Mayor Oyaski)

Councilman Vadnal moved for passage. Councilman Farrell seconded.

Director DiNero – This is the amount that we spent for fireworks last year, which I think were great. It seems like we always get a good turnout for fireworks. The company that has done it for our last 5 or 6 years have done a tremendous job. The question of safety from as far as I know, all of our firing racks are pinned to the ground and also we work close with the fire department and the Chief could probably elaborate some more after I get through, that we take precautions. In fact, this past year before the fireworks were started there was some questions as to whether we were going to shoot them off at all. That's why every once in a while we would shoot off one of those bombs to see which way the wind was blowing and how far it was carrying the debris from the fireworks itself. I think that we do take all of the precautions that you can take, but accidents do happen. Maybe the Chief can elaborate some more on it.

Chief Dworning – The safety precautions that we've taken for these fireworks for years have yielded us a very excellent track record for safety. It was unfortunate what took place in Independence.

Chief Dworning - Considering of the size of this display, I think it's only rivaled by Edgewater Park in this area for the amount of shells that we launch up into the air. What took place in Independence was there are two styles of racks and the one style has wooden support legs, which are nailed onto these racks on-site the day of the show. One of those legs failed and consequently the rack fell over and they launched the shell into this crowd. Last year when we inspected the site at Memorial Park we did find a couple of those racks were being used. We had the Service Garage bring in sand and we barricaded those racks with sand to insure that those things would not fall over. I talked to American Fireworks this week and they have insured us that they are eliminating this style of rack from their shows, that they will use the pinned racks with the metal legs. Additionally, we have fire prevention people there throughout the day to insure that this entire site conforms to NFPA as well as Euclid Fire Department standards. Again, it's a safe show and it's unfortunate as the Service Director said, accidents do happen. But, I think our track record speaks for itself. I think we can have another successful show this year.

Councilman Gallagher – I would be interested to know how much insurance, what that carries, if you know, or if we have any sort of requirement for insurance?

Chief Dworning – The company is required to have \$1 million of liability insurance as well as the Department of Transportation requires \$5 million of liability insurance as well from the vendor. We make sure that this documentation is provided to us prior to them even setting up these fireworks. I'd just like to add that American Fireworks, as the Service Director has stated has done this for us and they've done very, very well in the past years. I found out this week as well, that the State Fire Marshall's Office is considering using their particular way that they set up their displays as a standard throughout the State of Ohio because of the Independence incident.

Councilman Dallos 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, Gallagher, McGarry, Miller, Vadnal, Cervenik. Passed.

Ord. 61-1999 (434-99) Purchase trucks/WWTP/P&R

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to purchase a one and one-half ton truck for the Parks Department, and a two-ton truck for the Waste Water Treatment Department. (Sponsor Councilman Dallos by request of Service Director)

Councilman Dallos moved for passage. Councilman Gallagher seconded.

Director DiNero – These two trucks will be purchased through the State co-op program. I guess Dorothy asked the question about the truck for the Parks, that would be coming out of our capital budget. That was under the item in our capital budget where it was under the \$200,000 that was up to the Directors discretion. That's out of our capital budget, not rec. capital. Then the truck for the Waste Water Treatment, would be coming out of Waste Water capital. We will purchase this at the State co-op. These are just chassis and cabs. We found that it is cheaper to just get the chassis and cabs and then go out and buy the dump beds or whatever the accessories, it's cheaper to do it that way. We sort of make sure that it coordinates what we already have, in case we have to interchange anything.

Councilman Gallagher – Did you say how much we'd be spending?

Director DiNero – We will be spending I think it's approximately \$60,000, somewhere in that area for both trucks.

Councilman Gallagher moved to close debate. Councilwoman McGarry seconded.

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

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

Ord. 62-1999 (435-99) Repair Vac-Alls

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Churney's Bodyworks, Inc. 20660 Aurora Road, Warrensville Heights, OH 44146, to rebuild two (2) Vac-Alls for the Streets & Sewers Department for an amount not to exceed \$24,000. (Sponsored by Councilman Dallos by request of the Service Director)

Councilman Dallos moved for passage. Councilman Gallagher seconded.

Director DiNero – These two vehicles need their inside boxes repaired. Mr. Akos asked for prices from three different companies, we received only one, two did not answer as far as getting a quote on repairing these two trucks. The one company that we did get a bid from wanted to replace both of the beds inside and they were asking somewhere in the neighborhood of \$40,000. By getting these two boxes on the Vac-Alls repaired, I think that the one truck is a 1979 Vac-All sweeper that's going to be approximately \$12,000 to fix that. The other one is a 1992 Vac-All which will be the other \$12,000 to fix it. We figure that we can get at least 4 to 5 more years out of the 1979 truck by doing this and we figured the 1992 that we could get another 8 years of service out of it. I think it's to our advantage right now to have these boxes repaired and get the extra years out of them. Meanwhile in the next four years we'd be thinking about buying a new one to replace the 1979 vehicle.

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

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

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

Ord. (426-99) Euclid Community Concerns

An emergency ordinance authorizing the CS&ED Director to enter into a contract with Euclid Community Concerns, in an amount not to exceed \$25,000, for a period of 12 months beginning 4/1/99 through 3/30/00. (Sponsored by Mayor Oyaski by request of the CS&ED Director)

Councilwoman McGarry moved for passage. Councilman Gallagher seconded.

Director Koran – This Council passed our Community Development Block Grant budget back in November and December of last year. Part of that budget allocated approximately \$50,000 for fair housing and services. What we have here tonight is an authorization to approve a contract with Euclid Community Concerns for \$25,000. This is a similar amount that was approved last year. What ECC does for the City of Euclid is #1, promote and monitor fair housing and resident complaints that occur periodically throughout the year. Most importantly, they help organize neighborhood groups, block clubs and resident councils throughout the community. Over the past couple of years they have been very successful in making those efforts and to educate Euclid citizens as far as fair housing is concerned, conducting town hall meetings, educational forums etc. The agency was in a stage of transition last year. This Council approved a contract of \$25,000. We only reimbursed ECC \$7941.15 last year. There was a long period of time where they did not have an executive director nor any staff. They did not submit bills to the City. So, we did not pay the bills and those monies were disencumbered and returned to the block grant fund.

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Director Koran - Right now ECC does have an executive director and I am fairly confident that they will fulfill the obligations of their contract. I will stress to Council that we are monitoring them very closely. HUD monitors them, we will watch them very closely to make sure that they will comply with the work program that they've submitted to the Citizen Advisory Committee and to ourselves.

President Cervenik – Yes, I talked with the Executive Director this past week, Mr. Ken Smith. He asked if we could move this into committee. They want to come and give us a presentation as to the reorganization of the Euclid Community Concerns and what they can do. They can answer any questions that you may have of them. We will move that to Community Service, Utility and Senior Programs, chaired by Holzheimer Gail.

Councilman Farrell moved to place in Community Service Committee. Councilman Dallos seconded.

Roll Call: Yeas: Dallos, Farrell, Gallagher, McGarry, Miller, Vadnal, Cervenik.
Into Committee.

Res. 63-1999 (431-99) Purchase land/Marina

A resolution authorizing the Mayor and/or the CS&ED Director of the City of Euclid to apply for and accept a grant from the Ohio Department of Natural Resources, Division of Watercraft, for an amount not to exceed \$1,200,000 for use by the City of Euclid Department of Community Services and Economic Development to be used for the purchase and development of lakefront property for public access. (Sponsor Mayor Oyaski)

Councilwoman McGarry moved for passage. Councilwoman Miller seconded.

Director Koran – We all may recall when we had a big forum on the marina development and had a variety of speakers. There was a gentleman here from the State of Ohio Department of Natural Resources, Mr. Jim Hopewell who came up to the podium and mentioned that there were at least 2 different grant programs that the State and Federal government have available regarding the construction and acquisition of a marina public access to the lake type of project. After that meeting the Mayor, Meg McGarry, myself met with Mr. Jim Hopewell up here in Euclid. We told him pretty much what our plans were and asked him if his programs would be eligible for funding of our park idea. What Mr. Hopewell suggested and what we are presenting to Council tonight is a phase implementation process for our marina project. What became very clear in the past several months is the City is going to have to acquire property for public access to Lake Erie. As you know, we only have two public access sites along our 4 mile coastline. What we are proposing in Phase 1, which is this application to the Waterway Fund, Natureworks program is to open up more public access to the lake by acquiring three specific areas along our coastline. We are trying to get this application, which is due April 1st together in a fairly quick manner. I have two consultants busily working on the proposed plan. These consultants, City Council chose at our last meeting. We are going to have Matrix Engineering designing and putting cost numbers to a smaller marina, per City Council's wishes. Chagrin Valley Engineering is preparing the site plan that will show what will happen on the land side at these three public access sites.

Specifically, we are looking at just east of Sims Park, the Berger-Larrick piece, and the four parcel piece on the far eastern side of the proposed marina development. The chances of us receiving money, I think, are going to be a long shot. I just want everyone on Council to understand that. As Mr. Hopewell stated at our last meeting, there are \$2 million over a two year period available statewide. About \$1 million a year. There are two very long coastlines in Ohio, Lake Erie and the Ohio River. Obviously thousands of communities may be vying for these dollars. This application is for \$1.2 million. The odds are probably very slim, that we will receive funding. What I hope for from the State is perhaps partial funding, similar to what they did when we made a request to the capital budget. Perhaps that could provide the impetus to at least begin the acquisition process for this park/marina project. We do plan on continuing this.

Director Koran - Mr. Hopewell has informed the Mayor and myself and Councilwoman McGarry that in the fall the federal government is going to be releasing the regulations regarding a new program which may provide money for the construction of the breakwalls and the floating docks, etc. So, this is a long term process. The first step is to acquire property at the least this would open up land for public park purposes, so our residents have more access or opportunities to the lake. We will hopefully submit this April 1st. If there are any specific questions, I'd be happy to answer them.

Councilman Dallos – I thought we had to own the property before we can make application to the State?

Director Koran – The Waterways Safety fund, states that you do have to own the property. However, if you read the application very closely there is a natureworks component in this waterway fund where acquisition is an eligible activity. When we met with Mr. Hopewell, we kind of went through the process that we had in mind and he agreed that this was an eligible activity for the State to participate in acquisition. It is indeed an eligible activity for the natureworks.

Councilman Dallos – Do we know how much money is available April 1?

Director Koran – As I stated, it's approximately \$1 million a year. We are going to be competing with other waterway safety fund projects. However, as the project comes together, it is a nice piece. It's about 3000 linear feet of waterfronts that could be opened up. I think when the plan is presented to Columbus, it's going to look good. We need 100% consensus from City Council. We went through this before with the Henn House grant. All that took was a couple of phone calls from residents opposing the project and that \$185,000 grant request for the Henn House was defeated. We need 100% consensus on this thing. It's a long-shot to say the least. We are keeping this ball in play.

Councilwoman Miller – Could you repeat again the property involved? You said Berger...

Director Koran – Yes we call it the Berger-Larrick piece which is the parcel just west of East 238 Street. There is a plumbing, it is an under utilized parcel to bowling alley lawns with single family homes on it.

Councilwoman Miller – Is that Berger Drive you mean?

Director Koran – Yes. Half of it was owned by Mr. Berger and half was owned by Mr. Larrick.

Councilwoman Miller – So, you are talking about Berger Drive and where Plumbing was and those homes in the back?

Director Koran – There's three parcels that we have identified as potential for acquisition. Just east of Sims park, which is about 4 ½ acres. The Berger-Larrick piece which is also about 4 ½ acres and the four parcel site on the far east side between the Americana and Normandy which is about 5 acres.

Councilwoman Miller – Okay.

Director Koran – It is not set in stone that we are going to acquire these parcels if the state gives us the money. We have to come up first shooting, saying we've got the money available to the endowment fund, which is what the ordinance states. If Council approves this and if the state sometime this year says we will receive some dollar amount then we will have to make the decision on whether to acquire these parcels. Concurrently the law department is working with the property owners.

Councilman Farrell – If we receive this money, are we in the marina business? If we receive this grant, I mean is this throwing us into the marina business and here we go we're down that path without stopping?

Director Koran – I think we are in the land acquisition for public access and opening up our waterfront to our residents we are in that business. I don't think we are going to be in the marina business until we build a break wall.

President Cervenik – Public access could be the beautiful public access that we have now at Sims Park. That is specific public access.

Director Koran – Absolutely, the State of Ohio reveres as it encourages communities to open up access to the waterfront. Obviously the Governor has been up here making comments like that. He has sent his representative up here encouraging us to apply to these funds, it will be a long shot.

Councilman Farrell – I think that we, I really wish we'd exhaust all sources to try and receive funding for our marina or public access to the lake. I think one of the things that has me a little bit scared about this ordinance is that what I had just mentioned. If I could be assured, I think you just assured me that if we do receive this money all of a sudden, we are forced to go down the road of a marina business even though this Council may not think it makes the best business sense.

Director Koran – All this legislation tonight, Councilman Farrell, will give the Administration the ability to apply for the funds. If the State does surprise all of us and grants us some amount of money, we will have to come back to City Council and talk about acquisition options, etc. This is going to be a long road and we haven't even investigated any dollars for the break walls or slips or the other items.

Councilman Farrell - *So, if we apply for this money and they give us this money, you will come back to Council and if the Council doesn't find a reasonable use for this money we will just not move forward.*

Director Koran – We just return the money back to the state or we just not accept the monies in the first place.

Councilman Gallagher – That's all I wanted to hear is that if we make this application and they grant us money, we are not bound to go forward with the marina.

Director Koran – That is the case.

Councilman Farrell – Can I ask the Law Director, in this ordinance it says the City of Euclid will apply for and accept the grant. Based on this conversation shouldn't we maybe amend this ordinance to say accept the grant upon approval from City Council? Or is that not necessary?

Director Murphy – I believe that if you adopt this ordinance as written then you do both of those, you apply for and if it's awarded you accept it.

President Cervenik – So, therefore an amendment is not needed.

Director Murphy – Correct.

Councilman Farrell – I guess I'm still confused. If we as a Council deem that there is no reasonable use for this money, we as a Council based on this ordinance have the ability to nix that, based on the way this ordinance is written, correct?

Director Murphy – Correct.

Councilman Farrell moved to close debate. Councilman Gallagher seconded. Yeas: Unanimous.

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

Res. 64-1999 (317a-99) JEM Jewelry

A resolution authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid to issue a second hand dealer's license as required by Section 739.06 of the Business Regulation and Taxation Code of the Codified Ordinances of the City of Euclid to James Mataich of 308 E. 280 Street, Euclid, OH, so that he may extend his jewelry store business, J.E.M. Jewelry and Loan, located at 21001 Euclid Ave., to include the buying and selling of second hand jewelry. (Sponsored by Mayor Oyaski by request of the Police Chief) (Recommended for passage by the Safety Committee)

Councilwoman Miller moved for passage. Councilman Dallos seconded.

Councilwoman Miller – This was in Safety Committee and at this time there were several concerns addressed and all were taken into consideration and the changes were made in this ordinance now. Safety Committee moved it to Council with recommendation for passage. They did change the name and they did specify what could be sold in the store, what you would be buying.

Councilman Dallos – In response to the amendment and the Safety Committee that limit what we consider a pawn shop to just second hand jewelry, watches, gold, coins, diamonds and other precious jewels. That's the only thing we are dealing in other than his plain business.

Councilman Farrell – I just want to make a comment. Mrs. Fike brought up a point where she was concerned about a jeweler buying and selling second hand jewelry. I was in a very posh hotel not too long ago and right in the hotel there was a jewelry store and there was a sign that said we buy and sell gold. I don't think that's uncommon for the jewelry business.

Chief Baumgart – I would like everyone to know that as of 4:00 this afternoon I spoke with Lt. Brooks who told me the Mataich's comply with all necessary requirements and that everyone there has a clean bill of health as far as the criminal record is concerned.

Councilman Gallagher – Chief, do you consider that a continuing duty on an annual basis or anytime the second hand dealer hires a new employee, that, that person has a background check.

Chief Baumgart – Yes.

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

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

Res. 65-1999 (430-99) Weed & Seed

A resolution authorizing the Mayor of the City of Euclid, or his designee, to take the necessary steps to submit an application for grants as a "Weed and Seed" site through the United States Department of Justice. (Sponsored by Mayor Oyaski)

Councilwoman Miller moved for passage. Councilman Vadnal seconded.

Chief Baumgart – This is basically a housekeeping issue where every year we accept a grant. We need a resolution of Council to accept it. I do want to address some of the questions that were asked. We are looking at increasing the boundaries, possibly and we are studying that right now. However, we are very fortunate to have received at all. Euclid is a unique city in that we don't have the problems that other weed and seed cities have. We've entered this more as a preventative situation. We don't have the problems as other cities have. I'll give you an example Lima. Lima is on I-75 and even though it sits alone on I-75 it has major drug trafficking because of the interstate going through from Detroit to Cincinnati. We don't have those problems. We have some problems obviously drugs in that area, and we were able to show the demographics of that area allowed us to go for a weed and seed.

Chief Baumgart - We are trying to expand our same services throughout the area, not just in the weed and seed area. At this present time the weed and seed money does go to that area.

Another thing we are attempting to do, is this is the last year of that particular grant. We are trying to make way for us to become a training site in weed and seed. So, that we may in fact, continue the grant through the years. This next year we will tell if we are able to do that or not.

Mayor Oyaski – I do thank the Police Department and all of those involved with everything they've done to get us eligible for this weed and seed funding. As the Chief indicated, this is the third year, so I want to be very cautious about expanding our obligations and services that we provide under this program. Because, absent this training designation the Chief mentions, there's a real chance that we will have demand for services a year from now, without any funds to pay for them. Which, could mean if we want to maintain all services as is, that we will need to find another \$200,000. This is something that I know the Chief is working on and has some very creative ideas to keep the programming growing to some extent, as a training site. But, when we talk about these services, and they are good services, sometimes the federal government is not there for the long haul. They are there for a short period of time. We have to be aware in the back of our minds that this funding source may be totally on us about a year and a half from now. Thank you.

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

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

Res. 66-1999 (429-99) Gas tax revenue

A resolution opposing the Ohio General Assembly's proposed biennial budget which allocates more than \$400 Million of gas tax revenues generated, in part, from Euclid residents for the purpose of new highway construction. (Sponsored Mayor Oyaski)

Councilman Gallagher moved for passage. Councilwoman McGarry seconded.

Mayor Oyaski – I drafted this Resolution myself and I believe very strongly in its contents. It is only a Resolution letting the General Assembly know how we feel. I think it is important that we do so. If you read published reports last month, the General Assembly is considering a budget to spend over \$400 million of gas tax revenues on new highway construction in the State of Ohio. We have no knew state highway construction planned or proposed in the City of Euclid.

What that means is that Euclid residents, all of us together, on an annual basis contribute between \$10-\$11 million per year in gas taxes and license fees. Some of that money does come back to the City of Euclid. Finance Director identified \$1.75 million that comes back and is appropriated by the Council for street maintenance. In addition to that I know that the State ODOT District 12 spends a great deal of money picking up litter, cutting the grass and striping the streets on the Lakeland Freeway. Assuming that another \$2 million, that means we receive about \$4 million a year in benefits for the over \$10 million a year that we pay. I do think that \$20 per person in the City of Euclid, we are contributing for new highway construction in the State of Ohio.

Meanwhile ODOT is trying to abandon its responsibility to maintain state routes located in municipalities. It is not the policy in District 12, where we are. However, this came up last year and Governor Voinovich rescinded that policy. The State is trying to withdraw its maintenance responsibilities from taken care of State Route 20, State Route 283, State Route 175, State Route 6. All of these are State routes in the City of Euclid.

It is a better policy that they direct some of this money for new highway construction to the maintenance of existing roadway in existing areas. If we could get that \$20 back per capita, we could finance a new cultural center and a new marina out of this gas tax revenue. I'm pleased to see Governor Taft is talking about urban revitalization.

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Mayor Oyaski - We know they are talking about farmland preservation, but meanwhile, when they talk about \$400 million for new highway construction, you can tell it is business as usual. This Council and this City should go on record let them know we are watching what's happening with gas tax revenue generated by Euclid residents. We want them to think again. Thank you.

President Cervenik – Mayor, if Council has no objection, I think this should read by Mayor Oyaski and all of Council.

Mayor Oyaski – Thank you.

President Cervenik – No objections? Councilman Dallos objects.

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

Roll Call: Yeas: Farrell, Gallagher, McGarry, Miller, Vadnal, Cervenik

Nays: Dallos

Passed.

Res. (425-99) Electric Restructuring

A resolution supporting community choice provisions that include opt-out language in the electric restructuring legislation being considered by The Ohio General Assembly. (Sponsored by Mayor Oyaski)

Councilman Gallagher moved for passage, Councilwoman Miller seconded.

Mayor Oyaski – I'd ask this be put in the Utilities Committee for April 12. You've already received a letter from the Illuminating Company telling you that residents should rely on them rather than on perhaps an independent party. This is something Council should look at because it's a coming thing. The General Assembly is going to be de-regulating the electric industry and it is something we have to keep a close eye on for the benefit of our residents and business community. I'd ask this go to the Utilities Committee.

Councilman Gallagher moved Res. (425-99) to the Utilities Committee. Councilwoman McGarry seconded.

Roll Call: Yeas: Dallos, Farrell, Gallagher, McGarry, Miller, Vadnal, Cervenik
In Committee.

Res. (423-99) Strengthen Social Security

A resolution urging the United States Congress to take responsible steps to strengthen and protect the Social Security System.(Sponsor Mayor Oyaski)

Councilman Farrell moved for passage, Councilwoman McGarry seconded.

Mayor Oyaski – This Resolution speaks for itself. On behalf of the working men and women in the City of Euclid we would like to let the Congress know along the lines of what Jack Fraier said. We would like the Congress to guaranty the viability and the economic strength of the social security fund without affecting the public employees pension fund in the State of Ohio. This Resolution does let the Congress know how we feel about that important topic.

President Cervenik – Mayor, if you have no objection again, and if there are no objections from Council, if all our names would be added. No objections on this one, very good.

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

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

CEREMONIAL RESOLUTIONS

Res. 68-1999 (421-99) Ladies Auxiliary

A resolution of congratulations to the Ladies Auxiliary of George Washington Post No. 31 of the Polish Legion of American Veterans, U.S.A. on the auspicious occasion of the organization's 60th Anniversary. (Sponsored by Mayor Oyaski and the entire Council)

Res. 48-1999 (436-99) Frank Chukayne

A resolution of congratulations to former Councilman Frank Chukayne on the occasion of his retirement from political activity after more than 40 years as a leading Democrat in the City of Euclid. (Sponsored by Mayor Oyaski and the entire Council)

Res. 69-1999 (441-99) Joseph Petric

A resolution of congratulations to Joseph Petric, Jr. on the occasion of his being named "Slovene Man of the Year 1999" by the Federation of Slovenian National Homes. (Sponsor Mayor Oyaski and entire Council)

Res. 70-1999 (439-99) Stanley Erzen

A resolution of congratulation to Stanley Erzen on the honorable occasion of his being named the Slovenian Home Society of Collinwood's "Man of the Year" for 1999. (Sponsored by Mayor Oyaski and the entire Council)

Res. 71-1999 (443-99) Patricia Clark

A resolution of congratulations to Patricia Ann Ipavec-Clarke on the illustrious occasion of being named "Slovene Woman of the Year 1999" by the Federation of Slovenian National Homes. (Sponsored by Mayor Oyaski and the entire Council)

Res. 72-1999 (442-99) Emilee Jenko

A resolution of congratulations to Emilee J. Jenko on the occasion of being named 1999 "Woman of the Year" by the Slovenian National Home, St. Clair Ave. (Sponsored by Mayor Oyaski and entire Council)

Res. 73-1999 (440-99) Harry Brule

A resolution of congratulations to Harry H. Brule on the auspicious occasion of his being named "Man of the Year" for 1999 by the Slovenian Society Home of Euclid. (Sponsor Mayor Oyaski and entire Council)

Councilwoman McGarry moved for passage, Councilman Vadnal seconded.

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

Committee of the Whole

Mrs. Sandra Bowes – 21520 Miller Ave. I would like to commend City Council this week for tearing down that eyesore on Miller Ave. I couldn't believe, I took off work that day to spend Grandparents Day at school. Drove down to pick up my granddaughter and there was the City with all their trucks. That house was done in no time at all.

What do we do to prevent something like this happening again? How do houses get to that point that they have to be demolished? Don't we have ordinance or something within the city? Wouldn't you know it as I drove down Miller, I see another house that is starting to look just as bad. I'm thinking, what are we going to do, have big spaces here on Miller Ave. where houses are going to be torn down?

Director Koran – Thank you for the compliment regarding the Miller house. Bob Apanasewicz should take all the credit for getting on top of that. The cost for demolition of that house was only \$3,500. Bob received 8-9 proposals and that was the lowest and we were happy to get rid of that eyesore.

As far as how do we keep something like that from happening again? It is a full time job for the housing inspectors. It is a huge task. There are 27,000 dwelling units in the City of Euclid, these guys do great efforts just trying to stay on top of all those units. How do we stay on top of them? Through a variety of ways. We have our pre-sale inspection where any house that transfers, the inspectors have to go through the house and cite any violations. That is where we catch most of the homes that are in really bad shape. The second most important is complaints. Whether it is the Councilmen or residents calling the housing department and giving an address of a home where they see violations or they see newspapers being stacked up or some evidence of neglect. Just give us a call, turn in the address and the inspectors will be happy to follow through. There is never a 100% solution to these things. Typically a house like that is an estate, the previous owners died, there's no one in the State of Ohio that is going to move into the house, it is in probate. It is like Ramada Inn or Lake Shore Tavern, or one of those other properties that are in foreclosure. Those are the hardest to deal with. I will pass that onto the Housing Inspectors to keep a look on Miller Ave.

Mr. Dennis Berzinskas - 20890 S. Lake Shore Blvd. I want to thank Councilman Dallos for his recommendation of a rainy day fund. As any of us know that have homes, raising children, having businesses or anything else, we do need to set monies aside for the inevitable things that crop up that we don't plan for. If it is passed, I hope there's strong language in there so that the intent purpose isn't changed years later when somebody else says, look we have a fund with a lot of money, let's use it for something else. We need strong language because in the Social Security System, as it was set forth years ago, politicians that worked on it and used it for other things. That wasn't the intent and purpose of the Social Security System, it was for old age benefits. They change it over the years because it was a good fund and it was making money. Now, when my children go to retire, they're going to have to wait until their 70 years old. If you look at the paper everyday, there's a lot of people that don't make it to 70. Thank you.

Harvey Mlachak – 23831 Lake Shore Blvd., Euclid, Ohio. It doesn't take much to confuse me and upset me a little bit. On #18, J.E.M. Jewelry and Loan, we have, I don't know how many permits, licenses and everything else, have to be renewed in the City of Euclid annually. Why did this man have to come before City Council to have his license or his permit okayed by the Council? The Chief made the statement before that he passed all the police checks, they're honorable, decent people. Like every other permit that is required in the City, why couldn't the gentleman come in there and say I need a license, here's my money. Do I comply? When he complied, why wasn't he given a license, pay his fee and leave?

Dorothy Fike made the comment today about the Pawn Shop on Lake Shore Blvd. has got a sign on the back alley. If this man complied with all the ordinances, the sign ordinance of the City of Euclid, why don't you leave the guy alone? In two properties, one of them was a pawn shop and the other one was the Lake Shore Tavern, there were two council people after things were passed, given whatever the problems were, there were two council persons that says, we'll be watching you. Why the intimidation to these people that come into our town?

Mr. Mlachak - Why can't we welcome them with open arms, say this is your right, this is your privilege, we can't deny it. As a matter of fact, this gentleman on J.E.M. made a concession to the city. He wanted to call it Jewelry and Pawn. But I believe he made a concession with everything else and said okay, we'll make it Jewelry and Loan. If the man is entitled to be in the business, for God's sake get off his back, give him the rights that he's entitled to. Thank you.

President Cervenik – Law Director, would you like to address the question as to why the second hand dealer license comes before Council?

Director Murphy – The City ordinance does require an individual who wishes to engage in the resale of second hand or used material of any type to obtain a permit from the City. That's what Mr. Mataich did. I'm not aware that he had any objection to the process. He went through the process and has been given his license.

Janelle Daugherty – 121 East 200 St. I'm not originally from Euclid. My father was in the air force so I moved with my family every 2½ years of my childhood until I graduated from high school. I'm speaking of this because when I married my wonderful husband Hal in 1988 we could have settled together in any city, we chose Euclid. My husband, born and raised here, has always loved Euclid. As he says, how could you not love Euclid, look what it has to offer us. I completely agree with him. I've lived in many cities and states and I can see the advantages of living here. Many, of which, I feel residents take for granted. I feel fortunate to be able to walk down the street and watch the beautiful sunset over Lake Erie. Can we really live somewhere with more beauty than a Great Lake down the street from us? I love the closeness of the community. My children play with neighborhood friends and we get to know each other here. I know friends who have moved away and have a beautiful home, but the neighbors don't really associate with each other. Remember, buying a house is not buying a life. The home, itself, does not guarantee happiness, it's the community. In Euclid we have down to earth families enjoying life together. I feel in Euclid you get that hometown feeling, it's a rare commodity, treasure it. I love Euclid because we are minutes from the highway and approximately 12 miles from downtown. In addition to the shopping malls available in Euclid, we are within 15 minutes of major malls and we are within 35 minutes of the airport.

How much more convenient can we make our lives? We have superior services here in Euclid. Check out other cities and see if their streets are snowplowed like Euclid's. We have streetlights and sidewalks, check around, many communities don't. We can't take this granted. We have superior trash removal system, ask other city residents what they pay for trash removal. You may be astonished. We have excellent community education programs held minutes away from our homes. Many non-residents take advantage of these programs. The recreational activities and sports offered in Euclid are wonderful. In fact, past residents have mentioned they miss this when they move. We have an excellent police and fire department here. We have a beautiful new library.

We have quality schools. My child attends Lincoln Elementary School. It's a quality school with a dedicated, caring staff. The PTA parents are among the most caring parents I have ever met. This year's big show, "The Wizard of Oz" performance is an excellent example of the quality of schools, superb teachers and wonderful children we have in the Euclid Public School System. Some have criticized the proximity of our homes here. But, as a mother with young children, I wouldn't trade it. Euclid is a wonderful place to raise children. It's so convenient to interact with family and friends.

I really just touched on some of the wonderful services Euclid offers. Some people may be saying, we live in Euclid, we know everything that you have just said, what is your point? My point is that many of us are taking our city for granted, believing that it will always stay a strong, quality community to live in. This is not true. We must continually support the City. I've listed several positive reasons why a family resides in Euclid. But, I feel the number one question a family will ask when deciding whether or not to move into a city, is do you have good schools? Are you supported by the residents in the city? We must as a community support our schools by voting yes for the school levy in May. We have a lot to be proud of here in Euclid, but let's not take our city for granted. Remember, you get what you pay for. It's a wonderful place to live in, but like a marriage, if you don't work at it and support it, it too will fall apart.

Council Minutes

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Director Murphy – I neglected to make a comment earlier, but seeing several members of our Charter Review Commission seated in the audience, reminded me that while I have the captive audience of Council here, I would like to remind all of you, in particular the at-large Council people, which does include the Council President that at its next meeting on April 8th, the Charter Review Commission is going to entertain discussion relating to in general, articles 1 and 2 of the City Charter. In particular, the provisions relating to slot elections and term limits. I will get formal invitations out to all of the Council members in particular, any member of the public certainly is invited to attend those meetings to offer any comments you may have on those particular issues. The meeting will be on Thursday evening, April 8th at 7:00 in the Chambers here.

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

Councilmen's Comments

President Cervenik – I hope everyone enjoys their St. Patrick's Day. Stay safe and have a good evening.

Adjournment

Councilwoman McGarry moved to adjourn. Councilwoman Miller seconded.

Attest:

Clerk of Council

President of Council