

**COUNCIL MINUTES**  
**May 17,1999**

The regular City Council Meeting was held on Monday, May 17, 1999 at 7 PM in the Euclid City Hall Council Chambers. President Cervenik presided.

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

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

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

Communications

Council has received the following communications:

A petition from the Chardon Hill Community Association regarding the conditions of Chardon Road. Resolutions from the City of Parma opposing House Bill 101 and House Bill 175.

A Resolution from the City of Cleveland Heights urging the General Assembly to review the existing Ohio Enterprise Zone Program.

Memos from Parks & Recreation Director DeMinico announcing the Evans Park Ribbon Cutting and the Roosevelt Pool Ribbon Cutting on Saturday, June 12.

A memo from Parks & Recreation Director DeMinico regarding the boilers at Shore.

A letter from Senator Fingerhut thanking the Council for our Res. 102-1999 regarding the Ohio Enterprise Zone Program.

A memo from Parks & Recreation Director DeMinico regarding the 1999 Community Festival.

A memo from Law Director Murphy regarding the Collection Bargaining Agreement for AFSCME.

Notice of a Veto of Ordinance 104-99 from Mayor Oyaski.

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

Council Minutes

Councilwoman Miller moved to approve the Council Minutes of May 3, 1999. Councilman Vadnal seconded. Yeas: Unanimous.

Administration Reports & Communications

Mayor Oyaski – Mr. Chairman, thank you very much and good evening ladies and gentlemen. Mr DeMinico has a brief announcement.

Director DeMinico – On Saturday, May 8<sup>th</sup> a young man by the name of Milan Tomsic earned his Eagle badge for Boy Scout Troop 367. His service project was to clean up Heritage Park playground located off of Euclid Avenue and East 193<sup>rd</sup>. They were there for several hours. A lot of time and energy were put into that. A couple of new flowerbeds were planted. I would just like to thank Mr. Tomsic at this time and all of the Boy Scouts who participated.

Mayor Oyaski and Capt. Maine presented Retired Police Officer Thomas Hoinski with Resolution No. 113-1999.

Mayor Oyaski presented Dawna Pella with Resolution No. 111-1999.

Mayor Oyaski – I invite the Council to join with the Directors and Chiefs for the annual Memorial Day Parade which will be two weeks from this morning, Monday, May 31<sup>st</sup> at 10 AM at 228<sup>th</sup> and Lake Shore. We hope the weather is as nice as it is today. I am pleased to tell you that Senator and Mrs. Voinovich will be joining us for the parade with the various veteran's organizations. I hope you can attend.

Reports & Committee Minutes

Councilwoman Miller moved to receive the Humane Officer's Report – April, 1999; Executive Committee Minutes – 4/26/99; Recreation Commission Minutes – 3/23/99; Board of Control – 4/26/99, 5/3/99. Councilman Vadnal seconded. Yeas: Unanimous.

Councilwoman Holzheimer Gail moved to waive the 24 hour rule and place on the Agenda Ord. (500-99). Councilman Farrell seconded.

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

Waived.

Committee of the Whole

Dorothy Fike – 20271 Delaware Rd. I have several questions and I am just assuming you will answer them as they come up on the agenda. The first is on #2, the skateboard park, I would like to know what the cost approximately will be. Why is it coming out of recreation operating and not capital? #3, the chairlift, again, what will the cost be and where at Shore will it be located? #4, again, for the Parks & Recreation, the service agreement for the Orr Arena, I would like to know the cost. #7, the slum and blight survey, again, the approximate cost if you can give it, please? And, what will it entail? If it's just for downtown, I agree that I think there is more parts of this city that should be surveyed for blight.

#8, this is on the abatement, it talks about the period of time, but I would like to know the amount of each category. #9 the rezoning, I know it's on Euclid Avenue but I couldn't quite follow it because it talks about going to the City of Cleveland and I don't understand that description. #13, the link deposit loan program, I'm hoping that if it passes, and I hope it will, that you will be getting this news, this information out to the citizens. I don't quite understand it, so when it comes up I would like a little more explanation. I thought link deposit was about deposits, but this is a loan program. I would like to know. I would assume there will be banks and so forth involved with it and I think the citizens should know about it. #17, about the leasing cars, they would like \$14,400, how many cars? I see it's for the weed and seed, but it says it is a unique program and I would like to know what's unique about it. #18, the Cops in School Grant, \$125,000 for three, I would like to know what's involved with it, besides the hiring of a police officer. Because, that seems rather high. I would like to know just what's involved in that program. Thank you.

Madeline Scarniench – 1511 East 221. Item #2, about the skate park, I am all for this. Obviously, there is a lot of the kids that are here tonight are anxious to hear that this is going to go forward. I would like if Mr. DeMinico could answer the question on to why you chose this area rather than the downtown area. I remember the young man had spoke at the committee meeting, talked about that they like being downtown because it was close to the drugstore and it was close to Wendy's. So, I would really like to know why you chose Memorial Park rather than the other. #3, this is a plus. It is time that Shore came up to the ADA requirements. It is very necessary that this type of work be done. The building is used constantly by people. I know a neighbor of mine who has to use that and her son is in a wheelchair. It's very difficult for her to get upstairs where she needs to be. I hope all of Council will support this resolution. #5 also goes back to Shore, it's another one of those programs that is a win-win situation. I hope everyone supports this. Anything that helps to motivate and get kids interested in doing things is just a plus for the City. I know Mike Peterson, and I've known him for a long time, and he's a great guy and he works well with children. This is one of those situations where I wouldn't object to the reduced rate for the program.

Item #8, I would like to know how residents will be notified. I know at the committee meeting, the question was asked about this situation and Mr. Koran said that not many people use it. I think it's because no one knows about it. I think it would be important for the residents to know that this is available. When they say they are going to move out of the City because there house lacks space, this is an incentive to stay rather than move and uproot everyone. I would like to know how you plan to let everyone know about this program. Thank you.

Josh Luthley – 27190 Mallard Ave. We heard that a question that Council was having about who would use the park. While, we got together a lot more people, but I guess they didn't show up. A lot of people showed up and this is who is going to use it, this is just a little bit of the people here.

Tom Carpey – 19491 S. Lakeshore. I think it would be a good idea to get the skate park. We, like every other sports player, want somewhere to go to play our sport. We have nowhere to go right now, so it would be a good idea.

President Cervenik – Thank you. It is good to see you come up here to see if this legislation would pass.

Matt Mitrillo – 22500 Chardon Rd. I think the skate park is a really good idea and it's going to keep the kids out of trouble. I think a lot of kids will use it, maybe even kids that want to do it that don't have places to go to do it, that will help them maybe go and do it. We really appreciate it. Thank you.

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

**LEGISLATION**

**Res. 114-1999 (483-99) Willow Playground**

A resolution authorizing the Mayor and/or Director of Parks and Recreation of the City of Euclid to apply for a grant from the Ohio Department of Natural Resources' Nature Works Grant Program for the purpose of purchasing playground equipment for Willow Playground, to replace outdated equipment purchased in 1985. (Sponsored by Councilwoman McGarry by request of the Parks & Recreation Director)

Councilwoman McGarry moved for passage. Councilman Gallagher seconded.

Director DeMinico – Over the last 5 years, the Recreation Department, with Mayor Oyaski's full support and Council, has aggressively been approaching and attacking some of the outdated playground equipment. Over that time frame we have put in a quarter of a million dollars worth of work at several area playgrounds, Euclid Central, new Heritage Park, Mavec Family Park, Tungsten, the Villa has had some improvements as well as East 276 Street. By applying for the Natureworks Grant, it certainly does not guarantee that we will receive the grant and have it funded. It is just another option to receive state funding to move forward with some of these projects.

I would ask that Section 1, where the amount says \$37,500 be amended to \$50,000. The grant on the application will be for \$50,000, the \$37,500 is what we are requesting from the State of Ohio, the balance of \$12,500, we would utilize recreation capital funding to match the 25%. The total project cost of the equipment that we have picked out, is going to be \$50,000 with purchase and installation. I would request an amendment to this proposed resolution.

Councilwoman McGarry moved to amend the amount to \$50,000. Councilman Korosec seconded  
Roll Call: Yeas: Farrell, Holzheimer Gail, Gallagher, Korosec, McGary, Miller, Vadnal,  
Cervenik.

Amended.

Councilwoman McGarry moved to close debate. Councilwoman Holzheimer Gail seconded. Yeas: Unanimous.

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

Passed.

**Ord. 115-1999 ( 490-99) Skateboard Park**

An ordinance authorizing the Director of Parks and Recreation of the City of Euclid to purchase and install an all steel skateboard park from Skateparks International located in Brighton, Colorado. (Sponsored by Councilwoman McGarry by request of the Parks & Recreation Director)

Councilwoman McGary moved for passage. Councilwoman Miller seconded.

Director DeMinico – This request to bring to City Council is previewed by the Safety Committee when we had the ordinance proposed regulating skate boards in the downtown business district. I would like to thank Libby Russo and Nancy Welsh who have taken an initiative and have gotten with the kids and made them come in, and we wanted them to come in and sit down and be involved in this process and have some input. We spent a lot of time, over the past month, six weeks, at talking to different individuals, Recreation departments, touring different facilities. We had come to the determination that an all steel skate board park is the way to go. They have wooden materials that require much more maintenance than an all steel. There is some kind of prefabricated almost like a plastic material that has also proven to be detrimental and needs to be replaced. The ultimate skate board park would be built out of concrete and we could at least double our price. The all steel is the best avenue and most affordable avenue to utilize. I've learned quite a bit of three sided pyramids and follow box, trick pipe, recorder pipe, mini-half pipe, grinding... these kids know the terminology, they know what is going on. They know what they like and what they want to see in a skate board park.

We have taken this to our Recreation Commission and they have voted to recommend this site that is picked in the Memorial Park Parking lot, by Diamond #3, the Ice Arena and Memorial Park School. We did look at an area in downtown. The problem in that area was the Waste Water Treatment Plant, speaking with the Service Director he did not feel that area could sufficiently hold the skateboard park and be a safe area for the kids to operate.

We looked at the tennis courts. Originally we looked at removing 4 tennis courts. We cut that down to two. We decided that we would rather just refurbish our existing tennis courts and move it into this under-utilized parking lot.

I have a generic drawing that we just put together to somewhat locate the proposed park. It is in the northeast corner by Babbitt Road. It will be in sight when you go driving south on Babbitt. Director DeMinico - If your going towards the freeway, you won't be able to see it. It would be obstructed by the housing and bushes until you almost pass it.

The cost, I know that was a question. The cost of purchase and installation is approximately \$50,000. Additional \$10,000-\$15,000 will be incurred to grind and resurface the 100'x100' area because that parking lot is in fair to poor condition. We also will put up a 4 ft. fence to enclose it.

The reason it's coming out of Recreation Operating, we had limited funding through the Recreation Capital budget. We are stretched very thin right now with the Roosevelt Pool grant. We had a cash balance in Recreation Operating that we would be able to utilize those funds to make this purchase.

That answered most of the questions. I'm sure if there are more, I'll be glad to answer them.

Councilman Farrell – To the Law Director, what is the city's liability should anybody get injured?

Director Murphy – The City would have no liability particularly if as we contemplate there will not be a fee charge for use so we would have recreational immunity.

Councilman Farrell – A question to Mr. DeMinico, what exactly is this park going to consist of? What other apparatuses?

Director DeMinico – Currently, our proposal is 8 apparatuses. It is a 3 sided pyramid, power box, manual padded spine ramp and an obstacle. I have pictures here and I'd be glad to show them to you.

Councilman Farrell – Should we pass this today, when can we expect it?

Director DeMinico- The passage today would allow us to move forward and a delivery and installation is sometime in early to middle September. That is how far back on the list we would be with this company.

Councilwoman Holzheimer Gail – I spoke with Director DeMinico earlier today and I do support this proposal. I think it will be a good outlet for the young people. I just would ask if you could share, we had talked about some screening measures. I think this is a good compromise of the location, but there are houses along Babbitt. We had talked about screening and I wonder if you could share your plans for that and the possibility of adding some fencing closer to the home.

Director DeMinico – I was out there again today and we're probably a couple hundred feet away from the back of the house and property line. We do have the ability to extend a 4 ft. fence that is existing on School Board property, run it along our property. Our plans are for this fall to purchase, we thought about 8-10 evergreen trees that would be able to also screen in the backyards. There is really only one house that comes into play. Perhaps the second house. With the 8-10 trees, I believe in a handful of years, will be shielded from the visibility of that.

Councilman Gallagher – Awhile ago you said that Willoughby had a similar type park. Do you know what kind of usage that has?

Director DeMinico Yes. I have been in contact with the Recreation Director Brian Katz. On any given day, they could have as many as 50-60 kids utilizing that facility. He hasn't physically gone out and counted this year, but his belief is, to use an old saying, if you build it they will come.

Councilman Gallagher – Are there any other cities that you know of in the area that have this?

Director DeMinico The City of Independence has an all steel facility that is currently being used. Berea had an all wooden one, it was about 8 years old. They are in the process of looking at the all steel. I have been in contact with a fellow in Bellevue, in the State of Washington. I just rummaged through and talked to people in New York and Pennsylvania. They have some problems. Some of them were location. They put them in a somewhat secluded area. Their recommendation is to keep out in the open, visible. Two purposes, to see the kids, see what's going on and the kids like to be seen. This is a sport, while its not a baseball game, its still a sport. To see a kid go down a ramp and go up about 8 ft. in the air, and show off his stuff, he wants people to see it. Location was a problem with some of them. I feel we have a very, very visible location and should not have those concerns.

Councilman Gallagher – Have any of those cities reported increased incidences of vandals? Or any negatives to be expected?

Director DeMinico Worth reporting? No. Being in contact with the kids, the kids know that the city's taking a very, very positive step forward. I've reiterated to them that this is their park. This is their area. There are going to be some rules that are posted and some expectations of them.

Director DeMinico - I truly believe that these young individuals are going to police themselves and not let one or two bad eggs spoil the basket because ultimately, this can be locked up, gates can be locked up and closed down. I'm sure that's the last thing that anybody wants to have happen.

Councilwoman McGary – Among your youthful advisors, has there been an enthusiastic acceptance of this location would you say?

Director DeMinico – Yes. They like this location. It is centrally located. I know a comment was made about it being downtown. They can go to CVS. In conversations we had as late as last week, there's a Convenient store that's about 20 pushes on their skateboard away. I do not perceive the location being a problem.

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

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

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

**Ord. 116-1999 (479-99) Shore/Chair lift**

An ordinance authorizing the Director of Parks and Recreation of the City of Euclid to enter into a contract after advertising for bids for the purchase and installation of a chair lift for the Shore Cultural Centre. (Sponsored by Councilwoman McGary by request of the Parks & Recreation Director)

Councilwoman McGary moved for passage, Councilwoman Holzheimer Gail seconded.

Director DeMinico – There were a couple of questions from the audience. Our approximate cost for the purchase and installation of a chair lift is \$25,000. The location that we are proposing is the first floor of the auditorium, is accessible via the ramp in the front. To get from the auditorium level, to the main floor where the offices are, community room, board room, Euclid Community Concerns. There is no access. There's approximately 8-10 steps that have to be negotiated and currently there is no other accessible way to get to that first floor. It would be going on that location.

Councilman Farrell – We certainly have been talking about Shore in the last couple of years, if anything is ever done to Shore, is this a piece of equipment that could go along with the changes?

Director DeMinico – Yes. It will be mounted to the wall. It can be taken down and removed and utilized in another area. Obviously if it is going into another area that needs more hack, then there would have to be some adjustments. There will be some electrical costs in this \$25,000 estimate. The purchase and install is actually \$20,000 and \$5,000 is for electrical upgrades.

President Cervenik – Director DeMinico, the entrance that we are talking about having, is that accessible, the outside? Is it as accessible as some of the other entrances in the building?

Director DeMinico – That entrance is probably the furthest entrance from any of the parking lots. Shore has many entrances. In the front of the building there's 3 entrances. There's a couple on the side of Babbitt Road. There's 3 in the back of the building. I'm not 100% familiar with the past history of why that location was put there for the ramp. That is the furthest access from the existing parking space to the ramp location in front of the auditorium.

President Cervenik – The other day I looked at that and it concerned me a little bit. For a physically challenged person, that is quite a challenge to get to where the chair is. That concerned me a little bit.

Director DeMinico – That's a legitimate concern. To be honest, I don't believe, at this point, perhaps Director Gliha would know a little bit more if there's been any other entrances that have been looked at for handicapped accessibility to that first floor.

Asst. Director Gliha – Originally the ramp at the rear of the building that goes down to the basement, it was looked at as far as whether we could get somebody down to the basement and then bring them up from there. That ramp that goes down to the basement does not meet code. It is too steep. It was about 8 years ago when we put the big ramp in the front. Our engineers decided at that point in time that was the best location because in order to get access to the busiest part of the complex, which is the auditorium, that was the best place to put it. The building is a very difficult building to work with. There's no doubt about that.

Councilman Gallagher – This piece of equipment, no matter what happens with Shore, it can be taken out and put into one of our other buildings if necessary?

Director DeMinico – That's what I was told, yes

Councilman Farrell – Mr. Gliha, are you saying that the location we have proposed is the only possible location at Shore?

Mr. Gliha – I can't make a definitive statement like that. No, I cannot make that statement

President Cervenik – If it was a question of being a few more thousand dollars and being able to make a handicapped accessible entrance and exit being on the main concourse where a car can pull right up, that's my concern. Before we actually spend the money, you are going out for bids now right? Before we go out for bids and spend the money, could you take another look at some of the other exists?

Mr. Gliha – I'm sure Director DeMinico will gladly go along with this, we'll have Mr. Comiskey who is our ADA coordinator, I'm sure Robert has already worked with him. But, we'll have Mr. Comiskey work with Bob again and take a second look if that's all right with the Director.

Councilwoman Miller – We should probably look at this and see if that's the best entrance. I'm just thinking of people that I know that would need something like that. You are right. They would have to bring the car up, so they can get out of the car, to be able to get into the building. If you are going to park the car in the parking lot and then walk all the way around to go up the ramp by the auditorium and then go into the building, I don't think that would be the best solution. Maybe we can look at it some more. Definitely this is needed in the building, but just where.

President Cervenik – If we pass this tonight, you get back to us before you go full speed ahead?

Director DeMinico – Sure.

Councilwoman Holzheimer Gail – I think we are talking about two separate issues. The ramp going in at the auditorium is the only ramp. We are not talking about building a new ramp. We are talking about a chair lift inside the building. I don't know if they make exterior chair lifts. The three levels in the front of Shore all have concrete steps going up to them, several concrete steps. We are not talking about building a new ramp, I guess that's what I'm hearing. People are talking about different entrances on the outside. We are talking about the chair lift on the inside. The only floor that is accessible right now through a ramp is the auditorium floor. The only way to get from that floor to the main level floor is through the stairs that you are talking about. The issue is being clouded a little bit. We are not talking about another way to make it accessible from the outside.

Councilwoman Miller – I understand what you are saying, but for example, if you come in the back door, you have stairs going up. You can put the chair lift there to get them up to the main floor. It is easier for them to get into the building. Then have to park in the parking lot and walk all away around.

Councilwoman Holzheimer Gail – I don't know that there's any other doors that go in at the ground level.

Mayor Oyaski – Councilwoman Holzheimer Gail is on the right track here. You could buy two chair lifts. One for the back by 155 and one for the main staircase that Mr. DeMinico is talking about. Remember this is an old building that was added onto a number of times and we are trying to increase the accessibility within reasonable limits. So, we can continue to look at improving access from the outside into the building, but what Mr. DeMinico is proposing is to increase access on the first floor. Remember we are still not talking about access to the second floor. We are talking about an elevator someday. This is merely an evolution of improving the access in that aging building.

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

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

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

**Ord. 117-1999 (494-99) Arena Preventative Maintenance**

An emergency ordinance authorizing the Director of Parks and Recreation of the City of Euclid to enter into a contract after advertising for bids for a Certified Preventative Maintenance and Total Service Agreement on equipment located at the C. E. Orr Ice Arena for a three (3) year period. (Sponsored by Councilwoman McGarry by request of the Parks & Recreation Director)

Councilwoman Miller moved for passage, Councilman Korosec seconded.

Director DeMinico – The last two years we have extended by one year our existing agreement with York International. The contract was originally signed in 1994, it was a 3 year contract. We've had two one year extensions. The cost per year is \$12,403. That is a complete maintenance agreement for our compressors, dehumidification units. We have two Bryant pumps, condenser pumps, dehumidifier pumps, cooling tower and an air handler for the rink system.

This piece of legislation will allow us to go out to advertise for bids and enter into another 3 year contract with the lowest and best bidder. With the first contract the average increase per year was 3%. The \$12,000 if you go by 3%, we could anticipate a minimal increase in our contract.

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

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

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

**Ord. 118-1999 (495-99) Shore rate reduction/Basketball Camp**

An ordinance amending Ordinance No. 8-1998, passed by City Council on January 20, 1998, and authorizing the Director of Parks and Recreation of the City of Euclid to grant The Lamb of God Ministries a reduction in rental rates for the gymnasium at the Shore Cultural Centre for the purpose of conducting a youth basketball camp. (Sponsored by Councilwoman McGarry by request of the Parks & Recreation Director)

Councilman Gallagher moved for passage, Councilwoman Holzheimer Gail seconded.

Director DeMinico – Earlier this month we received a request from the Lamb of God Ministries, Mike Peterson who is in the audience tonight, for some assistance in getting his basketball camp off the ground. This is his first venture into that with the City of Euclid. The Shore Cultural Centre offers an ideal site. It is a two week program. We have the two gyms. We feel comfortable and confident that Mr. Peterson is able to run such an operation for the two weeks. It could be a very win/win relationship as someone had spoken to earlier. Utilizing the gyms in the daytime hours when perhaps it is not quite as busy and offering an opportunity to not only the Euclid youngsters, but I'm sure some of the surrounding communities would also participate. This reduction request is a 25% rate reduction from the full amount. I'd be happy to answer any questions with specifics.

Councilwoman Holzheimer Gail – I do support this proposal, just a question. Have other groups asked the city to do similar, asked to do camps in the past? Have we given reductions like this?

Director DeMinico – This is as long as my tenure running the facilities, the first time we've had anybody come in for a full fledged camp of this nature looking to utilize Shore. The answer would be no.

Councilwoman Holzheimer Gail – Are there any groups that have reserved it during these days that will have to be relocated?

Director DeMinico – We have to tweak the schedule a little bit. One of them is a direct impact on a Parks & Recreation program. We feel comfortable enough with this proposal that it won't impact us dramatically.

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

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

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

**Ord. 119-1999 (482-99) Hazardous Tree Assessment**

An emergency ordinance to levy assessments for the removal of dangerous/hazardous trees as provided in Section 909.02 of the Codified Ordinances of the City of Euclid. (Sponsored by Councilwoman McGarry by request of the Parks & Recreation Director)

Councilman Vadnal moved for passage, Councilwoman McGarry seconded.

Director DeMinico – This is just a housekeeping issue. We have removed trees on these properties. Giving the property owners proper notification and this will allow us to send them through the program of the dangerous tree. We probably send out anywhere from 30-40 letters per year. Whether it be whole trees to be removed or limbs hanging over sidewalks. These requests from property owners, usually neighbors, next door. The Parks Department maintains the 10,000 street trees, but there are probably double that on private property owners. Thirty to forty per year and to have only 3 people aware of the dangerous possibilities and most of them have taken care of the situations themselves.

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

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

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

**Res. 120-1999 (234-99) Slum & Blight Study/downtown Euclid**

A resolution requesting the Administration of the City of Euclid to enter into a professional services contract, after soliciting proposals, with a professional firm for the purpose of conducting a slum and blight study of the downtown Euclid area to facilitate a complete plan of redevelopment and possible purchase of certain properties. (Sponsored by Councilman Cervenik) (Recommended for passage by the City Growth Committee)

Councilwoman McGarry moved for passage, Councilwoman Holzheimer Gail seconded.

President Cervenik – This legislation was discussed at the Committee Meeting last Wednesday. This will allow the administration to use a professional to do a slum and blight study of areas in downtown Euclid, which will facilitate the possible purchase by eminent domain if it is ever necessary.

Asst. Director Gliha – This was thoroughly discussed in a Committee Meeting a week ago. Director Koran informed me that he will be meeting with a couple of consultants this Wednesday soliciting proposals. Looking at the legislation, it does not set a dollar amount. I would imagine that if the study, which we don't think would approach over \$10,000, but if it would we would come back to Council. If not, it would be awarded at Board of Control

Mayor Oyaski – If this Resolution is passed, the Administration looks forward to working with you and interested parties on a basis where this authority can be used in the most effective way possible. It may require a certain minor budget amendment, depending on how extensive it is, but I think it is worthwhile that we talk to this sort of consultant because it was very helpful as you know up on Euclid Ave. It could be very helpful for further specific improvements in downtown Euclid. I do think that we have to put our thinking caps on and apply this authority on a very specific basis where we have reason to believe it will do some good. Mr. Chairman we look forward to proceeding with this with you.

Councilman Gallagher – How are we defining downtown Euclid? Is that just zone A?

President Cervenik It is zone A, but it is my understanding through my discussions with Mr. Koran, he's going to meet with the consultants and discuss what they think is the best approach and how far this study should be expanded. There are probably very few areas in downtown Euclid that are really slum and blighted. But, there are some buildings that have definitely been an eyesore and definitely hindering possible development. Once he has an informal discussion with a number of consultants, he'll be able better formulate a plan, which is why we really can't determine right now what the cost will be on it and I would come back to Council at that time.

Councilman Gallagher – The other issue I had was, will this also touch upon adjacent residential areas?

President Cervenik – It wasn't in the intentions of this legislation to go into the neighborhoods to determine which, if any, slum and blighted homes.

Councilman Gallagher – As part of the redevelopment plan?

President Cervenik – The redevelopment plan, I probably should have struck that out of the opening of this legislation. The redevelopment plan would be the second phase. That would be the result of after this study is done, then we would determine what redevelopment plans we need to do. That would be step two.

Councilman Gallagher – This is strictly slum and blight

President Cervenik – This is strictly slum and blight. Identifying problem buildings, problem areas. The hope here is that it never comes to the point where we are going to need to use the information on the slum and blight study, an eminent domain building. What we are hoping happens is a number of good things that are close to happening in downtown do happen and everything else takes care of itself. This will be a tool that we use in case eminent domain's power needs to be dealt.

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

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

**Res. 121-1999 (413a-99) Amend Tax Abatement period**

A resolution amending Resolution No. 238-1989, which designated "Community Reinvestment Area A" passed by Council on November 6, 1989, pursuant to Section 3735.66 of the Ohio Revised Code and amending the tax abatement period contained therein. (Sponsored by Councilman Cervenik)  
(Recommended for passage by the City Growth Committee)

Councilwoman Holzheimer Gail moved for passage, Councilwoman McGarry seconded.

President Cervenik – This is two of three items that were discussed at the City Growth Committee last week. The third one is still in Committee. This one will extend the CRA abatement for construction in the downtown Euclid area from 7 to 15 years. This hopefully will facilitate some new major development in downtown Euclid.

Asst. Director Gliha – If there are any questions. Dorothy asked earlier what the percentage of the abatement was. It is 100% for each usage whether it be new construction, rehab, commercial/industrial or rehab single family.

President Cervenik – It is 100% of the increased value?

Asst. Director Gliha – Of the increased value.

President Cervenik – No taxes will be reduced by this legislation. But, any increase in value of the property if you apply for the CRA treatment, it will abate the taxes for 15 years.

Asst. Director Gliha – I should emphasize that the existing tax base remains fully taxable. We are talking strictly, and the simplest example would be new construction. That is totally new added tax value. In reference to remodeling, the County Auditor looks at many factors. There are many things that you can do remodeling that are considered basically general maintenance. The tax increase is not necessarily there. New construction, once again, is actual new added tax value. The value of the land can go up. That's fully taxable, even if it goes up. As every three years the property is re-appraised, when the tax

abatement period ends, as that reappraisal over the 5 three year periods, the taxes are going to come on basically 25-30% more than they would have been when the original construction took place.

President Cervenik – There are some residences in this CRA zone, not many. But it would also count for anything those residents do.

Councilman Farrell – Are there any developers in the wings waiting to take advantage of these programs?

Asst. Director Gliha – We've all seen it in the paper and it has been sort of discussed that there's a possibility of one maybe two supermarkets being constructed in downtown. There's also another possibility of another major project. We'd love to be more specific, but when you're dealing with the private sector, sometimes you just cannot give details. It is not wise to give details until everything is really firmed up.

Councilman Farrell – Good things are in the future.

President Cervenik – Good things are in the horizon.

Mayor Oyaski – Yes indeed I agree with that. Also, I think it is important to remember what Mr. Gliha said, that not all investment leads to tax abatement. That is a very common misconception. Many, many things that owners do are construed as maintenance and not increase in value. We will look into using the newsletter and/or Channel 51 to publicize this program for the various neighborhoods involved. Thank you very much.

President Cervenik – There are a number of other neighborhoods in the other CRA's as well that could benefit by the CRA. It would be good to see it promoted.

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

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

**Ord. (480-99) Rezone Innvov Inn**

An ordinance rezoning P.P.#648-30-005, 27861 Euclid Avenue, from U-3 to U-8 use district and further amending Ordinance No. 2812. (Sponsored by Councilman Korosec by request of the CS&ED Director)

Councilman Korosec moved for passage, Councilwoman Miller seconded

Councilman Korosec moved Ord. (480-99) to Planning & Zoning Commission. Councilwoman Millet seconded.

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

**Res. 122-1999 (487-99) Service Garage repair transfer**

A resolution stating City Council's intent to delay the Streets and Curbs Program listed in the Capital Budget and to transfer the Six Hundred Thousand Dollars (\$600,000.00) allocated for that program to be used towards the repairs on the Service Garage. (Sponsored by The Entire Council)

Councilman Farrell moved for passage, Councilman Gallagher seconded.

President Cervenik – This is a Resolution that Council's been talking about over the last few weeks. It is a reallocation of capital funds from Streets into repair of our Service Garage. If you look around the city and talk to Mr. DiNero and people on his staff, there is a tremendous amount of street work being done this year. I think well over \$5 million, not to mention East 200<sup>th</sup> Street and Babbitt Road. We do have a very large problem with not only our Service Garage, but other buildings. We had a report done by Gills, Guard and Johnson that spells out a lot of problems. I think this Council has made a decision that we are going to start taking care of some of the problems in our own buildings as well.

Director DiNero A n assessment was done in 1991 to the Service Garage. There was temporary repairs done to the west wall and a part of the east wall of our storage area where we store our equipment that we don't use during the summer and what we don't use in the wintertime. It is used by building maintenance, it is used by motor maintenance, it is used by Parks Department and Streets & Sewers Department. That wall was supposed to be temporarily repaired and it should have been repaired the

following year in 1992 or 1993. Here it is 1999 and it is still not done. If anybody would take a look at the wall, it looks like a roller coaster. It is in and out and the steel beams that we put in there for temporary repair are starting to be wavy too. This is a necessary thing to be done. It is your call about transferring the money to do this. I did have Gills, Guard and Johnson out there. They looked at it. As far as the \$600,000, that would only be to repair the storage area only. It's not the whole Service Garage. His first report to do the whole thing was somewhere in the neighborhood of \$1.7 million. There's about 3 different ways that we can be doing these repairs. He's going to look into doing it as the cheapest and the best way that it is going to be adequate so we won't have to be back here in 10-15 years. Hopefully it will last us as long as we want it to last. It is something that needs to be done and it is strictly up to the Council. As far as the engineer, engineering work and specifications and plans, the cost of that would be \$54,000 to do plans and specifications. Then you also have to consider, that whenever you start on a building like this or an old building, that there are things that come up that you don't expect. You have to understand that. I don't want you to say that this is cut in stone that \$600,000. I wouldn't want to lie to you or anything like that, but, right now from his estimate from what we could see, it is going to be a tight budget but he thinks it could be done. I want to caution you, there's always something that could come up. Just like on Lake Shore Blvd., we started there where we just thought it was a little hole that we needed to patch and we got two lanes of the street. Now that we got that situated, we found that there's another problem there and next Council Meeting I'll be coming back to you to ask to go out for bids to do some relining of the sanitary sewer on the south side.

Director DiNero - These are one of these things that when you get into one of these projects, you have a tentative cost and it could be a little bit more money. I want to caution you on that.

Councilman Gallagher – Are you going out to start this project now? Or, are you going to get it fully assessed and then get back to us?

Director DiNero If you pass this ordinance tonight, and the following ordinance, I will proceed to have Gill, Guard and Johnson draw plans and specifications to go ahead with this project.

Councilman Gallagher – Given your comments though that it could be \$600,000 perhaps even more, what's the cost of a new building?

Director DiNero – We've kicked that around. I know it came up that we have the property at the Incinerator to build a new building. There's a lot of hidden costs in that too. I would venture to say, this is just taking it off my hat, that it would probably cost \$2-\$3 million to build a new building. Then there would be unknown costs about the clean-up. That means that we would have to pull all our tanks out that are at our Service Garage now. Mayor, if you remember, it costs us about \$250,000 to do that. There's a lot of costs that would be unknown when you get into that too. If we repair this Service storage area and the other part where the mechanics work everyday, that maintenance garage should last us a good 25-30 years if we do this. I always remind the Mayor of this, we know there's a problem there and I would hate to see something happen there with one of our employees in there. I think this is a necessary thing to be done at this time.

Councilman Korosec – Once the bids go out, what's the approximate time that it is going to take to complete fixing both walls?

Director DiNero – It depends on the weather. If they draw up plans and specifications, they'll probably will take at least a month for that. All the bidding. This project maybe able to start sometime in the month of August, end of July. It would be approximately 5-6 months to do it. A lot depends the method of how they are going to do the repairs. If they use the steel beams, that was one way of doing it. I would know what the timetable, when you order the beams, how long it would take the beams. That would be a lot that would determine how long it would take.

Councilman Korosec – Are you giving them specs of what you would like them to use? Or are they coming to us?

Director DiNero – We are going to hire the engineer once you pass this legislation. He's going to come to me and suggest two or three methods of doing it. So that we could pick the best way that we can do with the money that we have to spend, plus it is going to last us 25-30 years so we don't have to come back and do it again.

Mayor Oyaski – As Council recalls, when we sat down to discuss the 1999 Capital Budget, initially there were no funds involved for Curbs & Resurfacing for the reason the Council President indicated. We have a great deal of work going on in the city: 197, Miller, 214, Walnut, Birch, Babbitt, E. 200, and I might be

neglecting to mention 1-2 streets; Brush Road south of Euclid Ave. The Administration has no objection to the shift in priorities here, but I think it is very important to remember, first of all the Service Director indicated to me, that of all of the budget needs for the public buildings, this is the one that he thinks is primary. We cannot forget that we did a study that identified about \$6 million worth of improvements that were needed to public buildings and that did not include Shore or the Henn Mansion. This is an attempt to take care of priority number one on our public buildings and we will have plenty of streets and resurfacing going on. We still must sit down and discuss a long term plan for all of our various public buildings even after this is completed. Thank you.

President Cervenik – Mayor, all 9 of us agree that we do need to allocate a specific portion of every capital budget to handle these problems. It is a pretty thick book we have here. It is time to make it a little thinner.

Councilman Farrell – My rationale for supporting this. It is something I'm really not excited about supporting, but I think its necessary. As a Council, I think we were a little "Pollyannaish" thinking that the school levy was going to pass and then we were going to put a levy maybe 6-8 months later on the ballot to take care of the public buildings and Shore Cultural Centre. The school levy didn't pass and I don't think in good conscience the Council can put a bond issue to raise this money until the school levy passes. With that in mind, we have a limited budget that we have to work with. We have to set our priorities under that limited budget. This has become a priority. This was predicated, at last on my part, by the voters turning down the school levy, sending a message to this Council.

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

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

**Ord. 123-1999 (486-99) Repair Service Garage Roof**

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract after advertising for bids to repair/replace/rebuild the City Service Garage walls and roof. (Sponsored by the Entire Council)

Councilwoman McGarry moved for passage, Councilman Gallagher seconded

President Cervenik – This is the accompanying legislation that will give Mr. DiNero the authority to do what needs to be done.

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

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

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

**Ord. (489-99) Animal Care Requirements/Amend Code**

An ordinance amending Sections 505.08, 505.29 and 505.34 of the General Offenses Code of the Codified Ordinances of the City of Euclid as they apply to animal care requirements. (Sponsored by Mayor Oyaski)

Councilwoman Miller moved for passage, Councilman Korosec seconded

Councilwoman Miller moved Ord. (489-99) to the Safety Committee. Councilman Korosec seconded.

Roll Call: Yeas: Farrell, Holzheimer Gail, Gallagher, Korosec, McGarry, Miller, Vadnal, Cervenik To Safety Committee.

A Safety Committee Meeting will be held on Wednesday, June 9, 199 at 7 PM.

**Ord. 124-1999 (493-99) Linked Deposit Loan Program**

An emergency ordinance authorizing the execution of a Linked Deposit Loan Program Agreement and authorizing the Mayor of the City of Euclid to execute the Linked Deposit Loan Program Agreement and authorizing related matters. (Sponsored by Mayor Oyaski)

Councilman Vadnal moved for passage, Councilwoman Holzheimer Gail seconded.

Mayor Oyaski – Several months ago this Council and Administration worked with the County Commissioners on the new Brownfield Redevelopment program, that's assisting us at the Innvoy Inn redevelopment. That was a reflection of the County Commissioners concern about working with inner-ring suburbs to help in redevelopment. Now we have Ord. (493-99) which is the County Auditor's effort to assist older suburbs that have been identified by objective criteria in doing more in the area of housing rehabilitation. I do want to publicly thank County Treasurer Jim Rokakis for working very hard to try to develop a program where the County can assist older suburbs like the City of Euclid. We have a number of wonderful housing rehab programs in Euclid, the HIP, Weatherization, Operation Overcoat, EDCOR. This will, because it has no income restriction, will allow people to borrow money at very attractive rates to make improvements and enhancements. It definitely compliments what we've done here. The County Treasurer should be commended for putting the county resources where they can do some good in rebuilding older homes and older neighborhoods. Mr. Gliha can briefly explain the outline of the program and answer any questions you may have.

Asst. Director Gliha – In simplistic terms, what the County Treasurer is proposing to do is take their surplus funds, invest them and receive a lower interest rate from the banks on their investment. In return, the banks will then provide a 3% lower interest rate to the homeowner in the various suburbs, in this case Euclid, to make improvements to their homes and structures.

Asst. Director Gliha - One example, I'll use myself. I recently just had to put a roof on. I got a going rate of 8.5%. If this program would have been active at this point in time, for the first 5 years, my rate would have been 5.5%. There is an extreme benefit to our Euclid homeowners. Whether it be with a minimum \$1,500 investment or the maximum, which right now the hand out says \$20,000, but they are thinking of moving that up to \$35,000 for an addition. There will be a benefit that the interest rate, the prime rate stays as low as it is. You are going to get an additional 3% off of that. Even as the feds get together because of inflation going up, if the prime rate goes up a little bit more, you are still going to have a 3% lower interest rate than you would normally be able to receive going to your bank and borrowing money for the improvement.

Mayor Oyaski – Bob, correct me if I'm wrong, but if you borrow \$20,000 to build an addition, what this means is you will save 3% times \$20,000 for 5 years. Or \$600 a year for 5 years or \$3,000 in interest for that 5 year period. That's the incentive that the County Auditor is offering in a nutshell. We want to thank County Treasurer Rokakis. I politely ask for your support.

Asst. Director Gliha – The legislation being passed tonight is just the first step in order to get the program going. The County is hoping that by August, they'll have all the details worked out. I know with this being publicized and the article that was in the paper about 3-4 weeks ago, we've had a lot of calls. There's a lot that has to be done yet on the County's part. What we are saying here is that we will work with the County to make sure that the program is a success in the City of Euclid and that our residents are able to take full advantage of the program.

Councilman Korosec – I support this wholeheartedly. One of the main reasons is that many of the residents that I've spoken to have said that there are a lot of programs for people who need to meet income requirements and nothing for the average homeowner that's making \$40-\$60,000, whatever it maybe. This program offers everyone in the city, where you don't have to meet any income requirements, the ability to take advantage of a low interest loan. I want to congratulate the County Treasurer for having the foresight to do this. He is one of the only County Treasurers in the State to come up with this type of plan.

Mayor Oyaski – I do thank Councilman Korosec for those comments. Remember that the HIP program that this Council authorized does not have any income restrictions. But, I think you hit the nail on the head that the County Treasurer is, except for houses over \$250,000 in value, basically widening the net as much as possible. Thank you.

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

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

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

**Res. (488-99) Service Employees Union Agreement**

A resolution authorizing the Mayor of the City of Euclid to execute an Agreement by and between the City of Euclid and the Ohio Council 8 and Local 2509 of the American Federation of State, County and Municipal Employees, AFL-CIO, as exclusive bargaining agent for all employees in the Streets and Sewers Department, Public Buildings and Lands Department, and Traffic Signs and Signals Department. (Sponsored by Mayor Oyaski)

Councilman Vadnal moved for passage, Councilman Gallagher seconded.

Director Murphy – This is the fourth collective bargaining agreement we are presenting to you for your authorization for signature. This agreement with the AFSCME union on behalf of three city departments, Streets & Sewers, Public Buildings & Lands and Traffic Department, tracks very closely and similarly to the previous agreements that have been executed and approved by you.

I have provided you with a written summary of the agreement. This union has agreed to the 9% increase in wages over three years. But has elected to divide that 9% into a 3.5, 3.5, 2% manner. The employees in this union would be eligible to receive the same residency consideration that the prior unions have. That is, after 8 years of actual residency in the city, they would be permitted to apply to their Director, Mr. DiNero, to move their residency out of the city, to a 3 county area. The medical plan coverage that the city has offered to other unions would also apply. In addition, the AFSCME offers to all of its employees and the city subscribes to that AFSCME offering, supplemental coverage for dental, vision and life insurance. There is a 4% increase in the AFSCME plan, which the city has agreed to absorb. There is an increase in the shift premium from .55 to .65 cents per hour.

Director Murphy - There is an increase in the uniform and shoe allowance from \$200 to \$225. There is a one time equity adjustment of \$200 to all employees.

In addition, probably the most significant provision on behalf of the city is an extension of employee probationary period, from 90 days to 6 months. If there are any other questions, I'll respond to you.

President Cervenik Mr. Murphy, what is this contract going to cost the city for three years?

Director Murphy – The increase is approximately \$205,000. Mr. Balazs may have an updated figure on that.

Director Balazs I worked with Pat Murphy on this cost increase and some of them are difficult to come up with. I did work with Tony DiNero particularly on the shift differential because he really had to estimate some of those figures. We are talking about the first year cost probably in the range of \$73,000-\$74,000. To take that times three years, we are talking about a total of \$220,000 for the 3 year cost. The good news is that the budget that we passed in February at the budget hearings is that we have budgeted 3% for all the wages in this area. We are estimating that the first year cost of just the 3.5% and the other increases will be around \$26,000-\$27,000 estimated. Basically most of the cost increases is in salaries and 3% of those salaries are budgeted. Also in consideration because of the incremental factors of the 3.5% the first year, 3.5% the second year, but the third year does drop down to 2% of an increase, per the contract. It is an estimate based on this time and I don't think we are going to have to increase our budget by an amendment by \$28,000, we may have to but I'll wait until the end of the year to make any amendment to the budget.

President Cervenik – I believe Councilwoman Miller asked at another contract if we could have cost breakdown that we are accustomed to receiving. I know we don't have that. I would like Council, until we receive that, put this into an Executive Coinmittee. I think it is very important that we have an actual, not an estimate, but the actual break down of what each of these items is going to cost us. If somebody would move that to Committee, I'd appreciate it.

Councilman Korosec moved Res. (488-99) to Executive Committee. Councilwoman Holzheimer Gail seconded.

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

**Ord. 125-1999 (491-99) Lane Lining**

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract after advertising for bids for the labor and materials necessary for lane lining of various streets within the City of Euclid. (Sponsored by Councilman Dallos by request of the Service Director)

Councilman Farrell moved for passage, Councilman Gallagher seconded.

Director DiNero – This is to go out for bids to have our streets lined. Our main streets such as: Lake Shore Blvd., E. 222, and various other streets, main drags only. This was due to the fact that when we went into the capital budget, we did need to buy a new paint machine, which would have been in the neighborhood of \$80,000-\$90,000 to buy this paint machine. So, we decided not to put in for a paint machine because there are some different requirements now that they are asking for the EPA that needs to be done with these paint machines. Some of the counties are even getting out of the painting, street lining, they are contracting it out. We will go out for bids but before we have then reline any of these streets, like Babbitt Road, chances we won't do because that's going to be resurfaced and I don't know if the county is going to do it, but we'll wait at that time. E. 200<sup>th</sup> Street, chances are we won't do, because that's going to be tom up this year. Brush Road, that we normally do part of it. This is going to be basically a minimum amount of street lining this year for the reason of all the construction that we have going on. We have to think about Euclid Ave. I don't know if we want to spend the money to reline Euclid Ave. I would discuss that with the Police Department before we go ahead. From what I understand, if everything goes right, that will be a spring start, 2000, to renew Euclid Ave. with resurfacing and curbs and sidewalks and aprons. This is to do just the main drags. We are still doing the side streets ourselves with the hand sprayer and stuff like that. No one is going to lose their job because we are doing this.

Councilman Gallagher – Did you say how much you expect this to cost?

Director DiNero – If we had to do all our main streets, it would be in the neighborhood of \$30,000. We do have that in our budget.

Councilman Farrell – You may have answered this but, how often do we do those main drags?

Director DiNero – We do it every year.

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

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

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

**Ord. 126-1999 (485-99) Purchase Computers/ECO**

An emergency ordinance authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid to purchase computer equipment from ECO Computers, Inc., 33901 Chardon Road, Willoughby, Ohio, through the State of Ohio Cooperative Purchase Program. (Sponsored by Councilwoman Miller by request of the Police Chief)

Councilwoman Miller moved for passage, Councilman Vadnal seconded,

Capt. Maine – The passage of this ordinance would allow the Police Dept. to purchase approximately \$33,400 worth of computer equipment that we otherwise were going to purchase out of our capital budget. If Council remembers when we presented our capital budget back in February, there was a considerable amount of money that we've intended to spend on computer equipment. This COPS More grant which would pay for all this, was originally going to be used for a CAD system. But, since that system is presently on hold and being evaluated and is in the process, so to speak, there is a very stringent time period that we have to spend this money. It has to be encumbered by the end of May. We thought this was the most judicious use of the money, since there are a lot of other computer needs that we'll need later on this year. CRIS has announced a deadline of August, when they will be instituting their new language in their system, which will require interfacing with our own computers. The purchase of this equipment will allow us to do that. Our present computer equipment will not. One way or another we are going to have to purchase the equipment that would allow us to do that interface for us to do our work. All this computer equipment is available under the State contract and it is all needed.

Councilman Gallagher – The COPS grant will pay for all of this, or is there a match?

Capt. Maine – This is all money that's already been allocated by COPS More

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

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

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

**Ord. 127-1999 (484-99) Lease Police Cars/Ambrose**

An ordinance authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid to enter into a lease agreement with Ambrose, Inc. for an amount not to exceed Fourteen Thousand Four Hundred Dollars (\$14,400.00), for the purpose of leasing cars for use by the Euclid Police Department.

(Sponsored by Councilwoman Miller by request of the Police Chief)

Councilwoman Miller moved for passage, Councilman Korosec seconded.

Capt. Maine – This \$14,400 will enable the Police Department to enter into an agreement with Ambrose leasing, which will enable us to perform some functions that we wouldn't ordinarily be able to do. When you have an innovated program like the Weed & Seed program, it sometimes requires innovative approaches. Much of what the Police Department does is out there, in the public eye. There are some things that by the very nature of police work require some covert operations. This program allows us to use these vehicles in the Weed & Seed area to do some of these things, which will help us improve that neighborhood. I would like to say also, the Police Department made every effort, Capt. Repicky, who will answer your questions if you need them answered. Made every effort to try and get a Euclid concern to provide this lease. We not only didn't receive a satisfactory reply from any of these other companies, but we didn't receive any reply from a couple of them. That's why we had to go outside the city.

Councilman Gallagher – This will be paid for through a grant with no cost to the city?

Capt. Maine – Completely paid for by the Weed & Seed access forfeiture.

Councilman Farrell – This \$14,400 leasing figure. How long is the lease for?

Capt. Maine – For one year. This allows for the use of three cars at \$400 a month. These are all good cars in good shape. If for some reason the cars need to be rotated, that option is there also.

Councilman Farrell At the end of the year, the way this ordinance is written, we return the cars?

Capt. Maine – Correct

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

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

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

**Res. 128-1999 (492-99) Cops in School Grant**

A resolution accepting a "Cops in Schools" Grant in an estimated amount of One Hundred Twenty Five Thousand Dollars (\$125,000.00) from the United States Department of Justice, which will allow the hiring of one additional Officer Liaison. (Sponsored by Mayor Oyaski)

Councilman Korosec moved for passage, Councilman Gallagher seconded,

Capt. Maine – We are pleased to announce that we just received this grant. Capt. Repicky, a week and a half to two weeks ago, got the word that we had gotten this grant from Washington. This will allow us to put another officer, a new hire, into the school system. That school will probably be Central School for a 3 year time period.

Councilman Korosec – Then after that 3 year time period, would this officer be absorbed through attrition?

Capt. Maine – One of the acceptance of this grant requires us to keep that officer on the department. I'm not sure if there's a time period required with that.

President Cervenik – Ideally would it be feasible to get another grant to continue his salary?

Capt. Maine – We expect because of the Weed & Seed designation and the teaching status that we've been bestowed, that we will probably continue to get Weed & Seed grants coming into the city. That's something we would make an application for.

Councilwoman Holzheimer Gail – Capt. Maine, a question was asked from the audience, is there anything else involved other than the hiring of this officer? Do you know if there are other activities?

Capt. Maine – This \$125,000 will go strictly for salary and benefits.

Councilman Gallagher – The officer you place in the school won't be a new hire? He'll be one of the senior members.

Capt. Maine – Correct. It is somebody that we've designated and demonstrated the ability to get along with kids and has an affinity for communication skills and that sort of thing.

Councilman Gallagher – This is \$125,000 over a 3 year period. So, there will be some cost to the city that won't be absorbed by this grant, correct?

Capt. Maine – I believe by the third year, they'll probably be some pick up. I'm not exactly sure of all the costs associated with an officer. It is somewhere in the neighborhood of \$45,000, something like that. I believe it would be some pick up by the city.

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

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

#### **Ord. 129-1999 (500-99) Lake Shore Emergency Repairs**

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with G.R. Osterland Company, 2100 West 3<sup>rd</sup> Street, Cleveland, Ohio 44113 for the labor and materials necessary to make emergency repairs to a portion of Lake Shore Boulevard, for an amount not to exceed Thirteen Thousand Dollars (\$13,000.00). (Sponsored by Councilman Dallos by request of the Service Director) (24 Hour Rule Waved, Added to Agenda)

Councilman Vadnal moved for passage, Councilwoman Holzheimer Gail seconded.

President Cervenik – For those of you in the audience that came a little late and is looking for that, it is not on your agenda this evening. We amended the agenda and waived the 24 hour rule to handle this item this evening.

Director DiNero – This is the amount of money we need to replace the pavement over lilly creek on Lake Shore Blvd. Also there needs to be some curb replacement there. Catch basin is to be repaired and also the asphalt and concrete work that needs to be done in the paved area. We've finally got it all back together with the concrete slabs and we strapped the water line. Now we have to finish it up with the pavement. Hopefully, if everything goes right, it should be done by this weekend.

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

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

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

### **CEREMONIAL RESOLUTIONS**

#### **Res. 111-1999 (496-99) Dawna Pella**

A Resolution of congratulations to Dawna Pella, for her efforts to better the community that have earned her the "Unsung Hero In Fair Housing" Award.

#### **Res. 112-1999 (497-99) Sgt. Robert Carney**

A resolution of appreciation to Sergeant Robert Carney for his many years of invaluable service to the City of Euclid.

#### **Res. 113-1999 (498-99) Patrol Officer Thomas Hoinski**

A resolution of appreciation upon the retirement of Patrolman Thomas Hoinski for his dedicated work with the Euclid Police Department.

Councilman Farrell moved for passage, Councilwoman McGarry seconded.

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

### **COMMITTEE OF THE WHOLE**

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

Ms. Sandra Bowes – 21520 Miller Ave. This is directed towards Mr. Gulich. The residents of Miller Ave. are getting a little hit antsy because its been a couple of months already and there has been no progress other than the new trees uprooted and nothing else has gone on. When is all this going to start?

Mr. Gulich – As you are aware, we have gone for bid. We have awarded the contract. The city is in the process of securing that contract with our contractor at this time. We anticipate on getting letters out to all the residents within the next week to ten days.

Director DiNero – On this particular project when we first took the bids, we rejected all the bids because there was some informalities there and there was a question on days. The low bidder had three hundred and some days to do the project. There was no way we were going to let it take 300 days because you'd be here hollering at me and everyone else on that street if it took 300 days. We rejected all the bids and then we had to go out for bids again. We do have a contractor now.

Director DiNero - We are in the process of getting the contracts signed. We'll have a pre-construction meeting, if not this week, next week. We are going to get started there. It will be done.

Mr. Mike Campbell – 2075 Hadden Road. I'm here as President of the Chardon Hill Community Association tonight. First of all, on behalf of the Chardon Hill Community Association, another neighborhood association of Euclid, I would like to thank the Administration and Council for the program that's in place this year. The \$250 grants that are available for associations. I want to commend them for supporting our activities in the neighborhoods.

My primary purpose tonight is, I was not hear earlier during the communications, but our organization faxed a petition to Council late last week. At our annual meeting on April 22<sup>nd</sup>, we circulated a petition. There's been a number of members of our organization that have commented on slippery pavement conditions on Chardon Hill, even during dry weather conditions. We've also noted a number of fender-benders and vehicles hopping the curb, having to replace a fire hydrant. It is apparent that there is some sort of conditions with the paving on that road that seem to have commenced subsequent to the repaving of Chardon Road. We would request that traffic accident statistics be examined and inquiry be made to the proper government authority, or authorities, responsible for maintenance and upkeep of Chardon Road. To determine if there is any substance to this, if there's anything that can be done in terms of the pavement conditions. This is to Council as well as the Administration.

Director DiNero – When I received this faxed petition to me, I called ODOT. As far as the pavement goes, it is no different specification in that asphalt. It is the same thing that we put down on every other street. I can say one thing, it is excessive speed. I've been at, in fact that apartment that's been hit, I asked the Chief, I don't know if he has any records on the accidents there. We put up a guard rail there, but it wasn't even 2-3 days after we put the guard rail in, they hit it. It has been hit more times. If you would stand there and watch the cars come down that hill, it is excessive speed. The State asked me if we would put a sign up at the top of the hill saying "Reduce Speed". The speed limit is 35 on Chardon Road.

If you stay down at the hill and watch the traffic, especially when they try to make that turn to go to Short Chardon, they are just going to fast.

Mr. Campbell -- That's only going to get worse with the development of Mount St. Joseph because the traffic is going to pick up, the ingress and egress there. Our Organization would be supportive of some measures to look into traffic safety there. I would comment that a number of our members have commented, sitting at that stop sign on Short-Chardon, making a turn up the hill, I had a new car with brand new tires, and use start off at a moderate rate of speed, and you spin your tires even under *dry* conditions. There's something that's not quite right. I'm not sure if there was something with the way the pavement was put down. But, certainly it needs to be investigated.

Capt. Maine -- The Chief had told me there might be a question about this. We took the liberty of doing a quick survey to find out what sort of accidents have been in that area. From January 1998 to the first of May 1999, there've been approximately 18 accidents right in the general area of Chardon Road. I can tell you that after looking through those reports, every one of those accidents had wet pavement. People aren't maintaining the proper speed under those wet conditions. Also, when you put down new pavement because of the consistency of the asphalt and a couple of the old accident investigators here who worked accident car, there is a different co-efficient of frictions depending on the age and condition of the asphalt. New asphalt will be a little bit slippery because the oils are still coming up, especially under wet conditions it brings those oils to the surface. I would agree with Mr. DiNero that probably improper speed is probably contributing to a great number of these accidents. Since the new pavement was put down, those oils are coming to the surface.

Mr. Campbell -- To that end, will there be anything else done about the speed on the hill?

President Cervenik - Capt. Maine, you are put on notice that there should be more radar, or put up some warning signs about the speed.

Capt. Maine -- We are fortunate, we also have the Traffic Captain here

Mrs. Madeline Scamiench -- 1511 E. 221 St. I'm sorry Mr. DeMinico left because I wanted to publicly thank him. He did mention the Heritage playground, the planting. Our Association paid for the flowers and I had asked him if he was going to be able to stop by that morning. He not only stopped by, he dug in. He stayed for the whole time. He gave the boys a little bit of a horticulture lesson. It was a fun experience for them and he even stuck around for lunch. I appreciate that because he did do it and it was on his own time and he had other places to be.

Mr. DiNero, have you heard anything about the gas station at 222 and Euclid Ave.? Everyone keeps asking. Are they going to do anything? Even though they took the building down, it still looks like heck over there and they are waiting.

Commissioner Apanasewicz -- We have met with the new owners that are planning to rebuild the gas station at that particular corner. They said they are planning to do that this year. They will bring in architectural renderings, they showed me some, and they are preparing to go to Architectural Review Board soon.

Mrs. Scamiench -- The home on Euclid Ave. and 212 that was taken down by the city, it is city-owned property now. The residents over there want to know what's going to be done with it. The grass is always long, it is not cut. They want to know if its going to be put up for sale. I would like to give them an answer.

Mayor Oyaski -- I'll have Mr. Koran call you

Mrs. Scamiench -- Tell him to wait until after June, I'm leaving town tomorrow so I won't be here.

Mayor Oyaski -- I understand the question and he'd be the best person to respond to that

Mrs. Scamiench -- At the top of Heritage Drive where they just did all the new construction on Euclid Ave., there's been a water leak there since they finished the construction. Is that supposed to be like that? Or, should somebody fix it?

Director DiNero -- That's a valve that's leaking that the City of Cleveland needs to fix. They are aware of it and we are just waiting.

Mrs. Dorothy Fike – 20271 Delaware. A follow up question about the COPS and the Schools grant. I thought we heard that it was a new hire and then later on someone said it was going to be an established officer. Is it a new hire?

Capt. Maine – We will hire a new officer to augment the force to be able to put an experienced officer in there. We could put somebody in there now instead of fully training somebody else.

Mrs. Fike – Schools are open only 9-10 months. This grant is a three year, then this officer would go back into regular duty or what? What is he doing in the summertime?

Capt. Maine – That's when they take their vacations, so they do some rotation. There's also a lot of programs that they get involved with the kids in the summertime. They also help augment the juvenile unit, because they are very familiar with the youth of the city. They get involved with some of the sexual assault crimes in the summertime.

Mrs. Fike – In the school time, they'll be in the schools and then the summer will be doing other things with the youth. Thank you.

Mr. Jack Fraier – 235 Greenbriar Court. First an announcement. Tomorrow the City of Euclid will receive the Tree City USA Growth Award from the National Arbor Day Foundation. The Growth Award is the top of the line award. It is something like the Quanta Day with Psalm. It is given only to cities that go above and beyond the call of duty in street program. A delegation from the Shade Tree Commission will travel to Aurora tomorrow to receive this award. The award ceremony will be attended by representatives from about 100 different communities in northeastern Ohio. This year Aurora offered to host the ceremony. It is going to be held at Sea World, one of their landmarks. Last year it was in Rocky River at their incredibly beautiful senior citizens center. The year before in Perry at the school that looks very much like the palace of Versailles. The year 2002 Euclid will be hosting the Tree City USA Award Ceremony. Please mark your calendars now. What can we show people from other communities? We can show them that if you have new trees planted on your street, please water them. I'm sure by 2002 Miller Avenue will be all taken care of, there'll be new trees on that street. Please people on Miller Avenue, we are going to take a delegation down your street, be sure all the trees are watered and no one has damaged the bark with any lawnmowers.

A question concerning #13 on the Agenda. The Linked Deposit Loan Program. Here's my eternal question. Will condominium associations be eligible for this program?

Asst. Director Gliha – Yes they will sir.

Ms. Karen Arnette – 24995 Lake Shore Blvd. Better known as the Mike Sikora sub-development by the City of Euclid. I've met with many of you that are here tonight. Mr. Gulich, Mr. DiNero, the Mayor, Meg. I've talked to Mr. Murphy on the phone and I think I've even spoken to Rich Vadnal when he was a patient at the office.

Ms. Arnette - When I purchased the home from Mike Sikora, I thought that the City of Euclid had made him do things by the book so that when I purchased this home I would be in control of my home. Well, that's not the case.

We have one waterline that feeds the whole 12 houses there. If somebody doesn't pay their water bill, my water gets shut off. We have several people on the property that don't like to pay their bills, Mike Sikora being one of them. We have had water shut offs in the past.

Recently on May 4, the City of Cleveland Water Department sent the Sikora's a notice that we had a leak on the property. I guess they are able to know this because the meter runs more. We on the street found out that we had a leak on May 11<sup>th</sup>, which was a whole week later. So Mike had not done anything at all about this leak. Thousands of gallons of water pouring out that we are going to have to pay for. He finally on the evening of May 13<sup>th</sup> put a sleeve on the leak that is in the meter hole and I don't think that I'm using all the right terminology because I don't know about these kinds of things. So now the water is not pouring out the way that it was, but it's really not fixed. We still have a leak, but we as the other homeowners on the street, have no right to go fix this because Mike Sikora is in control. But, we are going to have to pay for this water that is leaking out.

We have come to the City. We have asked you to please let us put in private water lines. You were able to get a variance for us from PMX. Mr. DiNero told me that on the phone. But instead of calling me who had the appointment with you, you called Mike Sikora and he told you no, he is not going to pay to have a waterline put in. But, we are in a situation where if we don't put our own water lines in, we have this kind of situation where we are going to have to pay for thousands of gallons of water and we are not going to be able to get it repaired.

Last year we forced, we hired an attorney who corresponded with the Law Director, Mr. Murphy. We forced Mike Sikora to finally file with the State of Ohio, the declaration of covenant, conditions and restrictions for the street. It is sort of like a condominium association. Well, he did file it, but he filed a completely different document than what was given to me by he and his wife when I purchased the home. I wonder why the City of Euclid allowed him to file a completely different document. The document that he has filed makes him have complete control until he sells the last home. He has no intention of ever selling all of those houses. I am going to have to live under Mike Sikora's rule as long as I own my home. I would like to know what the City of Euclid is going to do about this. You are the legislature that allowed him to subdivide his property and sell me a home. Thank you.

President Cervenik – Director Murphy, we are not going to be able to tackle this problem this evening, what can we do to help these people and find out and resolve this problem once and for all?

Director Murphy – I believe the only item left in which the City can participate would be the installation of waterlines. We did obtain an easement from PMX as part of a settlement with them at the appropriate time. I've had some discussion with Mr. Gulich and Mr. DiNero about that. It's my understanding we need engineering drawings. We would probably have to go through an assessment proceeding to pay the cost of the installation of the waterline. Obviously the assessment proceeding could be contested by any owner in the assessed area, which if Mr. Sikora is one, he apparently would challenge the assessment process. I believe Mr. Sikora, after many years, when he was supposed to file the condominium declaration, finally did, I believe last December. I believe he is in compliance with all of the requirements that the City placed on him and the agreement several years ago.

Ms. Arnette – Although, it's a different document than was originally presented to the City, and presented to me.

Director Murphy – That's between Mr. Sikora and any purchaser of one of his residences. The City is as far as I can tell from the file since I came to the City, there were no requirements placed by the City on Mr. Sikora with respect to what the condo declaration is supposed to say.

Director DiNero – Going back to that first agreement when Council agreed to subdivide that, in one respect, I have to state everything that was a fact at that time. There were sewers to be done and there was a storm sewer to be put in and also at that time he was willing to put a fire line in there, a waterline. But, the City of Cleveland would not give him the permission to put the waterline in there because they wanted a 50 foot easement. A 50 foot easement was not there to give them. In fact, we asked PMX at that time to give us an easement. We wanted a 25 foot easement from that. At that time, they refused us. I personally, when we did get this easement from Mike Sikora, I thought he would be willing to go ahead with this and he flatly, not him, his wife, I talked to her, and she flatly refused to do it. She said she would not take part in it. That's where we are at with this. That is the situation with that area there. I don't know what we can do about it.

Mayor Oyaski – We have met with a couple of residents out there and some of this is a private matter between the various parties even though Mr. Sikora may or may not be the prime cause of the problem. Mayor Oyaski - I'd ask the Ward 2 Councilwoman who represents this area to meet with the Law Director so that we can consider legislation to force the assessment. I know this woman and a couple of her neighbors did offer to pay because we are on private property. This is not our property, this is Mr. Sikora and his associates there. I do think we have to consider to taking a more proactive response there if the Ward 2 Councilwoman agrees in order to make the improvements. I know the Fire Chief agrees we need to improve the waterline. The Law Director has obtained the easement, but it is still private property and as the Council knows we have to dot our I's and cross our t's when we start entering on private property. She has been patient with Mr. Sikora and for whatever reason we have to consider alternatives other than the voluntary cooperation of Mr. Sikora, which is unfortunate.

Councilwoman McGarry – Absolutely Mayor.

President Cervenik – If there is any way I can assist you, Councilwoman McGarry, please let me know We will do our best to get at least the waterline problem solved.

Ms. Arnette – We would really appreciate that. We like to take showers. Thank you very much.

Debbie Anderson – I also live on a cottage on the Sikora property. They neglected to tell me that there was a water situation like this when we bought five years ago. We had no idea that there was any of this

going on. Since five years ago, we've had two breaks and the water has been shut off once, not due to anything that I did. It is just really frustrating. I would like to see us have our own waterline. Thank you.

Nick Barrich – 21551 Fuller. I was watching the City Council meeting on Channel 51 and the last one the Recreation Director was faced with the debate whether he chooses Euclid Boys League or Euclid Pony League for the Pony League field. I want to compliment him on his decision to tell Boys League to take a back seat, because that is Pony League's field and it was built and funded for Pony League. While watching it, being someone who grew up in Euclid and played in Boys League, Pony League, Class E, like Councilman Gallagher and Mr. Korosec, to see it get that far that it came to Mr. DeMinico and for Council to decide I thought was just... I was kind of outraged. I am sure Bud Davidson had to be rolling over in his grave knowing it got that far. I think Boys League should take a look at what they are doing to the City and what they are doing to the families and the children in the community. Part of the fun of playing any sport activity within a community is that you have a chance to play against your friends and your peers, people you go to school with, people who live on your street. You have a chance to, excuse the term, stick it in their ear, when you are playing against them. So, the next day you go to school you can let them know, hey I beat you, I got a hit off of you, blah, blah, blah. Boys League has taken that chance away. They are totally taking that chance away and they are alienating families, alienating kids and for them to go outside the City, which I consider desperation to get kids, is something that maybe the City should look at and say this isn't going to go.

I don't understand, I used to manage Boys League and Pony League in my early 20's, there used to be a good relationship between those two leagues when people like Bud Davidson and your Nick Straneros and your Ray Fishers ran Pony League there was a good relationship between the two leagues. Each league knew where they began and where it ended. They worked together. Now, Boys League coming in and doing this is just, I think it's an outrage. I'm glad that one, we turned it down for using the field. Second, I hope that with this decision that Boys League will put their egos aside, put their checkbooks away and let the kids play ball in the league they belong in. I think this is what it is all about, it's egos and wallets. Boys League better just put both aside and let the kids play ball, what they should be doing in the summertime instead of worrying about where am I playing this summer.

The other issue I have is I just wonder what that Pony League field. I was fortunate to play and manage when Bud Davidson was still around and when that field was being built. I don't know what the percentage is, what the dollar figures are as far as how much the City funded, how much Bud Davidson went out and got funded. I know that Bud Davidson was a big push behind that field. Now I look at it and I see that the City has scheduled softball games on it. You have a field that's dimensions are set for hardball. For those of you familiar, for those of us who play ball here we all know that when we are running to first base, 90 feet and 55 feet are a big difference. We have coed leagues playing on a hardball field. You are tearing up the grass, you are tearing up the grass on the base path, you are tearing up the grass on the pitchers mound area. I just hope that this was done in error because they took too many teams in, they said we don't have the fields and this wasn't done, that they said well Bud's gone, we can do what we want to do now. I think the City should look into that. That field was built for kids, not for coed adult leagues. If that's the case, we might as well start having men's softball at Forest Park or Roosevelt and really boost our batting averages up. It is something that should be looked at and examined.

Two more questions, I just want to know why is Diamond #1 locked up? Is Cleveland State a higher priority now? It is still a tax payer field the last time I checked. Two, are we done with CABA, the CABA tournament?

Mayor Oyaski – I am sure Kathy Will, his assistant has been here and Nick is on the softball commission, so I am sure that Nick and Kathy can discuss these things with Mr. DeMinico. He raises a number of good points. The recreation department tries to be all things to all people and sometimes it is not possible. I am sure Kathy will communicate that to Bob and you can sit down with Nick and try to answer his questions. Thank you.

Dennis Berzinkas – 20890 South Lake Shore. Last week at the Charter Review Commission, which really didn't have very many people show up at all. People take interest in your city. You were asked too to come on and we only had Holzheimer Gail there. The Mayor stopped in on the meeting to share his views with term limits and how they could effect his life and bow at the age of 55 he could be out of a job. That at the age of 55 the prospects of getting another job would be harder, we would all agree with that. Also, politicians with term limits could be on the last year of their job, concerning themselves more about there next job then to do the job they were elected for. This voter will hold back becoming bleary eyed about that prospect occurring. When thoughts of hundreds and maybe thousands of workers every year lose their jobs through no fault of their own, the companies move out of town, out of state and out of the country. Our legislators do not do enough to keep businesses here in our country. So, term limits, wake up politicians, and smell the weeds you've grown.

Here in Euclid you put your home up for sale and Euclid will be here to inspect it to be sure it is up to code. Now is the time to place all city buildings up for sale so that they can be inspected. We will have to report on what needs to be repaired by the lack of ongoing upkeep. While we have had smoke screens placed in front of our faces. Henn Mansion, Shore Cultural Centre, a Marina on the lake, the real issues that we face and we will be paying for it for the next 15 to 20 years is the money we have to spend on our waterlines and sewers. We have been made to spend money on plans and cost studies, but not the studies if they would bring a cost effective would be cost effective to every person in Euclid. City Council it is up to you to ask the questions and to use your business knowledge and some cases common sense to ask the right questions. Remember, there are no dumb questions. It is hard to correct dumb mistakes. Thank you.

Councilman Korosec moved to rise and report. Councilwoman Miller seconded.

#### Councilmen's Comments

Councilman Farrell – Mayor, can you review with us the programs that we have put in place in the last couple of years for us to improve our waterlines and our sewers.

Mayor Oyaski- Maybe I have been here too long, Councilman Farrell, but the City's number one priority, truthfully over the last 20 years has been sewer repairs and flooded basements. We have spent more than \$17 million since 1992 after detailed engineering, which was thoroughly reviewed by Ohio EPA and the USEPA. Those repairs, as you know, were funded by either the Peterson Fund or loans from the Ohio Waste Water Control. There have been at least \$17 million worth of sewer improvements done as a direct result of our dealings with Ohio and US EPA.

When I first became Mayor, I asked the Council to fund a study, comprehensive review of the water mains in the City of Euclid. Council was kind enough to support the funding I believe in the fall of 1996. We received the results of that in Spring of 1997. As you recall, there were 15 major projects that were identified. They were identified on an objective thorough basis. The basis being the age of the water mains, the number of breaks in the water mains, the pressure in the water mains, the volume of water. 15 projects were identified. We worked together and the Council unanimously approved what I believe is a historic program and is one of very few that any suburb is doing. That is the waterline improvement program. We've done the first three projects under that program. It is being funded out of a charge base to all water customers.

We are doing Walnut and Birch this year. These were projects number 4 and 5 in the priority list that was established. We established a funding schedule I believe that goes on for almost 20 years. It was a very comprehensive plan as you know. We did the 200' Street waterlining last year, we did the water improvements at the hospital and we did all of the fire hydrants on Lakeshore Boulevard from 222<sup>nd</sup> to the county line. This year we are doing Walnut and Birch and Knuth and we are working with the Fire Chief to do the completion of the water main on the South Marginal over by the car wash. I think what the City has done in terms of waterline improvements in the last 2 years and what we intend to do over the next 8, if you recall we are basing the improvements on the revenue stream that we have identified. We had extensive hearings with Mr. Benza. I am very pleased with what we have accomplished and what we are going to accomplish. The work that Mayor Lynch did, which was just completed with East 272 during my administration last year, was a substantial amount of work.

I can remember the people from Councilman Gallagher's neighborhood, Eastlawn, coming to the old 2<sup>nd</sup> floor of City Hall in the old building with sanitary waste in jars. We would have 200 people in that room complaining about flooded basements. That's no lie. Mayor Guinta deserves credit for putting in the hydro-brakes in the early 1980s. Mayor Lynch deserves a great deal of credit for settling that \$130 Million lawsuit.

Mayor Oyaski - Service Directors Piscitello and DiNero did a great job to implement \$17 Million worth of work from 1992 to 1998. Fortunately, we have completed most of the major priorities for our sewer work as a result of that settlement with EPA and that consent decree. I have been here a long time, but trust me Councilman, the records that the clerk has in her office demonstrate beyond doubt that there has been a number one priority, which is sewer work in this city since the day I was elected in 1997. It greatly accelerated once we settled that EPA lawsuit back in 1992. We've done about \$20 million worth of sewer work in this decade alone. We plan on doing more than \$10 million worth of waterline improvements on a sequential basis under the program that the Council adopted in 1996. I think we are hard at work dealing with underground infrastructure.

Councilwoman Holzheimer Gail – I just wanted to remind the public and this Council that the Shore Up Committee will be meeting tomorrow evening at 7:00 to continue working on an alternative proposal which will be presented to the Executive Committee sometime prior to our recess, at a date to be determined.

Councilwoman McGarry – There will be a meeting at 7:00 this Wednesday, the 19<sup>th</sup> of the Parks & Recreation Committee to hear the lease between the City of Euclid and the Friends of the Henn Mansion.

Mayor Oyaski – Mr. Chairman, I'm sorry I was only giving you half the total of investment in our underground infrastructure. The Service Director has reminded me that we have received \$21 million worth of Issue 2 funds in the last 10 years. That has primarily gone into sewer improvements such as Newton, 197<sup>th</sup>, it's also helping us with some waterlines. We have had \$21 million worth of Issue 2 funds. That is combined with the \$17 million worth of improvements we've made to the sanitary sewers through the sewer service charges. I didn't have all of the numbers there, but we can go back to 1977 if you wish. But, it has been a large amount.

President Cervenik – There will be a Finance Committee Meeting on June 14<sup>th</sup> at which time we will discuss the Rainy Day Fund as well as getting a general overview of where we stand before we go on summer break, on the operating capital fund. There may be a number of budget amendments for us to consider at that time. I will check the calendar for an Executive Committee Meeting. We will find a way to get one in there before the summer break. I would like to say this past Sunday, yesterday, I was able to attend the Euclid Women Caucus's 20<sup>th</sup> Anniversary. It used to be called the Euclid Women's Network, at this time they celebrated 20 years of existence where they honored women that contributed to the community. It was a great event. I just wish them congratulations on their 20 year birthday and wish them success in the future.

Adjournment

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

Attest:

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Clerk of Council

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Council President