

COUNCIL MINUTES

June 21, 1999

The regular City Council meeting was held on Monday, June 21, 1999 at 7 PM in the Euclid City Hall Council Chamber. President Cervenik presided.

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

Councilman Dallos moved to excuse Councilman Farrell. Councilman Vadnal seconded. Yeas: Unanimous.

Others Present: Mayor Oyaski, Service Director DiNero, Administrative Director Johnson, Law Director Murphy, Parks & Recreation Director DeMinico, Finance Director Balazs, Police Chief Baumgart, Fire Chief Dworking, Asst. CS&ED Director Gliha, Budget Manager Wendel, Housing Manager Tollerup, Asst. Service Director Gulich, WWTP Superintendent Gall, Sgt.-at-Arms Stankus, Clerk of Council Cahill.

Liquor Permits

Councilman Korosec – The first question before I think we should move on this, is to find out specifically if this is the old Toppers? Is this location 26159 Euclid Avenue, the old Toppers bar?

Chief Baumgart – yes.

Councilman Korosec moved to deny a transfer of a liquor permit from Euclid Bar, Inc. located at 26159 Euclid Avenue to BBBE of Euclid, Inc. same address. Councilman Vadnal seconded.

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

Councilman Korosec moved to accept without objection a transfer of a liquor permit from Corner Beverage, located at 923 East 222nd Street to Yurch Investments Inc. same address. Councilwoman Holzheimer Gail seconded.

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

Communications

Council has received the following communications:

A letter from Mayor Oyaski to the Director of the Board of Elections regarding reorganization of voting precincts.

A thank you letter from resident Shari Tolisman.

From Director Koran, the Euclid Community Concerns May report.

From Law Director Murphy, a summary of legislation on tonight's agenda.

Councilwoman Miller was recognized for her 44 years of teaching in the Euclid Schools and for her retirement from teaching.

Council Minutes

Councilwoman Miller moved to approve the Council Minutes of June 7, 1999.

Councilman Vadnal seconded. Yeas: Unanimous.

Administration Reports & Communications

Mayor Oyaski congratulated President Cervenik and his wife for their 25th Wedding Anniversary.

Mayor Oyaski – Mr. Chairman, we have a few brief announcements. I do want to invite the public to the July 4th fireworks at the stadium. At 7:30 the Wojtila Band will perform on July 4th. Fireworks will go off at about 10 minutes to 10:00 that evening. The rain date is the very next night. The Jaycees will be having youth games in the park on that day. We do want to invite everyone to our well-regarded fireworks display on the 4th of July.

I direct your attention to this handout. Each year for the past several years we have gotten an annual audit of the WasteWater Treatment fund in order to insure that we have an adequate revenue to pay our debt service as well as our operating funds. I would ask the Council to look at it over recess. We will have to be working on this in the first part of 2000. That is an important that is brought to you for your attention.

Mayor Oyaski and Chief Baumgart swore in Police Officer Leslie Yartz.

Mayor Oyaski and Chief Baumgart swore in Police Officer Steven Shubert.

Mayor Oyaski presented Barbara Carter and Shirley Lewis each with Resolution 141-1999.

Mayor Oyaski presented Mike Miklavcic with Resolution 143-1999.

Reports & Committee Minutes

Councilwoman Miller moved to accept the Fire Report – May, 1999; Humane Officer's Report – May 1999; Charter Review Commission Minutes 4/8/99 & 5/13/99; Recreation Commission Minutes 4/27/99; Euclid Community Concerns Report – May 1999; Board of Control 6/1/99 & 6/7/99. Councilman Dallos seconded. Yeas: Unanimous.

Committee of the Whole

Helen McCarthy – 22350 Lakemont Ave. I was at the meeting last Wednesday night where the subject of trees came up. I notice that is on the agenda again for tonight, agenda #35. I was dismayed at the attitude of some of the people from the sewer department that night. They seemed to be unable to verbalize anything but annoyance that the whole subject of trees was coming up again. There was actually a comparison made between the fact that 15 years ago no authorizations or signatures or anything needed to be found to cut down trees in Euclid.

Whereas now for peat's sake you have to have all of this rigmarole you have to go through all of the time to protect trees. By the time it was over, perhaps I misunderstood what was happening. Something that had been sent forward as a possible ordinance had been watered down to a resolution and was just going to be brushed aside. Again, perhaps I misunderstood what was happening here. It is on the agenda again for tonight. I cannot emphasize enough with how aware we are of being an inner city suburb that people, yes they are moving out. Part of the reason they are moving out is for trees and all of the little birds and all of the little creatures that like to live in and around trees. I am asking, please be very cautious of what we do about our trees. I couldn't help but reflect when coming here tonight how beautiful Euclid looks, partly because of the trees.

That plus mention was made that night of a national meeting of some kind, which I didn't quite where it was that Councilman Cervenik was talking about. If somebody could be really careful to monitor to monitor these national meetings, some of the things that were mentioned that had come up that national meeting sounded like they might have promised. Other cities again you know are suffering the same problem. Some clever person may come up with a resolution that isn't so drastic, it is just always has to cut down the trees because of sewer problems. Thanks for your time.

Jim Wallace – 427 Lloyd Rd. I have a number of issues to address. The first one is the ordinance by the Charter Review Commission. As a member of the Charter Review Commission I sponsored this resolution so that the people of Euclid would have an opportunity to again, voice their opinions on whether or not term limits are necessary at the local level. Through our discussion there were some concerns about the impact at the state level. A majority of us felt that it was necessary for the public to again consider this issue. The Commission would appreciate if the City Council and administration make all of the necessary arrangements to make sure it is on the November 2nd ballot.

Mr. Wallace - The other issue I would like to address is the Rainy Day Fund for budget stabilization. There was a lot of discussion on that. I feel that it is a very responsible thing to do fiscally. It may not be accepted by the public where the city income tax is viewed as too high. There is a lot of problems with businesses in Euclid wanting to move to other areas. They may find a better tax rate somewhere else and their cost of doing business may go down. To have funds set aside idly as the public may view it, is cause for a decrease in their tax rate. That is something that Council should consider. It may be a backlash in going hand to hand and taking action on that issue. Councilman Dallos mentioned that the Lincoln Motor Division was a good reason to go ahead and possibly set this up for a possible tax base that's going to be decreasing in the future. I am a point of that Lincoln Motor Division and it is a likely possibility that place is going to leave, the business that purchased it. But, that area more than likely will be sucked up by Lincoln Electric itself and used in some other way.

The concern here is to go ahead and save the jobs that are there. About ½ of those jobs that are there will probably be sent back to Lincoln Electric and about ½ of those jobs will be lost jobs. Those are jobs that we need to keep in the City of Euclid. There are areas in Euclid where this new company can relocate. I think it would be a very good effort by City Council and the administration to make sure that this company stays in Euclid also.

Another issue that I would like to address is the Channel 50 issue. There were some concerns that maybe we might have a loss of programming that we are getting from other communities. Once we activate Channel 50 Cablevision may very well place all of that other programming on another channel say Channel 52. Then we have all of that programming that we are currently getting on Channel 50 on Channel 52 we have our public access on Channel 50 and we have Channel 51. I think it is a very good idea as long City Council earmarks the funds, the \$300,000 that was mentioned earmarks that to maintain and run these operations.

Another issue I would like to address is the Landmark Commission. I would urge City Council to send this back to committee for further considerations regarding the membership makeup. I personally think that someone should be involved from the Euclid Historical Society. We should take a look at exactly where members are going to come from. Whether it is going to be totally at-large or whether or not we can have some other representation from organizations from within the City. Another good idea for this commission is there was some talk about the discussion of the historical designation. Well, if an individual wants to go ahead and change a historical site, basically all they are going to lose is the historical designation. If this legislation had some incentive in it to have people seek out that historical designation other than the historical designation. Say a 10% tax break on their property, then you have built in an incentive. Then you also have a built in penalty should they decide to go ahead and make alterations that change the historical structure of that. I think it would be a very good idea to send that one back to committee and reconsider that one.

Resolution (505-99) the HIP program. I think it is a very good idea to go ahead and increase the housing stock in the City of Euclid. It is very important that we have larger lots and better homes so people want to stay in Euclid. Thank you.

Madeline Scarniench - 1511 East 221. Item #2, #3, #4 I hope Council sees fit to waive the second and third readings and go ahead and approve these tonight. On item #5, the Landmark Commission. This is showing pride in our City. I don't feel this needs to go back to Committee. I think it needs to be addressed. We for too long have been talking, hearing people talk down about our city. It is time that we do something. It's pride, it's something that's needed. I hope everyone supports it.

Item #6, the Rainy Day Fund, I thought at the meeting, maybe I am wrong that the name was going to be changed because that doesn't fit the bill. Will that be done this evening?

Item #12, I would like the Chief if he could tell us what the renovations at the jail will be when it comes time for that. Item #15, and #16 Shore Cultural Centre, I hope everyone approves this tonight. A whole lot of us have worked very hard, especially Councilwoman McGarry and Councilwoman Holzheimer Gail to get this to where it's at. We've already seen the Friends of the Henn House and what they have done with the building. The people from Shore, we feel it's time that we are able to show that the same kind of thing can be done with that building. But, we need to be able to do it and the hands have been tied. So, I hope everyone approves that this evening.

Mrs. Scarniench - Item #26, the HIP program, one question. Section 2 it says intent to demolish. Does that mean that it has to be demolished before they get the money or are they going to get the money up front? I hope it is afterwards. So many times we hear people that are going to do something and they don't do it. I hope that we are not going to give them anything up front, it has to be afterwards.

Item #34, the Henn lease, I have two questions. In Section 12 the first sentence that the lease premises shall be used solely for charitable and educational purposes. I don't know where having showers and that kind of thing fits into that, but maybe another word needs to be added. I know that has always been a concern of certain people on what goes on there. Maybe there is something else that needs to be put in there to clarify that those kind of things are okay. They are always rented out from what I hear. I have been there a couple of times. They are doing a great job. That would probably alleviate concerns if it is in writing. The other thing item #16 where it says landlord, it says Mr. DeMinico is the landlord. Maybe the wording should be the City of Euclid in care of Mr. DeMinico. Like it says for tenants Friends of Henn Mansion in care of. I don't know if it makes a difference in how that is interpreted. But, I didn't know that Mr. DeMinico owned the Henn House.

The last thing, it is about the tree inventory. I walked away from the meeting the other day. I thought we had this already. Why would we go out and pay for that if we already have it and it is on computer? I don't think that was the intent of what people wanted. I am just curious as to why we are going to do a contract for what we have already done? Thank you.

Debbie Anderson – 24995 Lake Shore, Sikora Cottages. I just want to thank everybody for coming down there and looking at the waterlines. We are hoping still to get our own waterlines. Thank you for the effort that has been put in so far. Thank you.

Tamm Straight – Family Credit Union, 585 East 222nd. Mayor, Council and Administration, I would like to speak concerning agenda item #31. The Eaton Family Credit Union is an important benefit for the employees of the City of Euclid and for many residents. There are currently 1151 employees and family members who belong to the credit union. We also serve another 569 Euclid households. This figure is approximately 25% of our total membership in the credit union. We also serve more than 25 local businesses in our field of membership including the City and the Euclid City Schools. Besides serving many employees, residents and businesses, we support City programs such as the Euclid Community Festival, the Euclid Police Department's Child Safety and Drug Education Program and the annual Senior Citizen's Luncheon. In addition, we support fund raising efforts in the City in various ways. We donate items for the City of Euclid Charity Golf Outing. Our staff at the Euclid Municipal Office sells candy on behalf of the Euclid Animal Shelter. We also assisted the Euclid Fire Fighters in their efforts to raise money for the Muscular Dystrophy Association by shipping nearly \$1300 in coin donations at our expense to the Federal Reserve Bank.

We also support the City of Euclid in other ways. The City has donated surplus office furniture and supplies to the City. Euclid residents who must pay any City Hall fee are provided free cashier checks at the Credit Union branch office. As members of the Euclid Chamber of Commerce, we support the efforts to promote the City of Euclid as a great place to live and work.

We are not in total agreement with the lease being presented today. The Service Director and Law Director have been friendly and helpful but we still not have been able to agree on a few points. We believe that we can come to an agreement in time, but we are requesting that you consider a one-year extension on our current lease, which expires on or about September 6, 1999.

As you know credit unions are not for profit financial cooperatives whose motto is not for profit, not for charity but for service. On July 1, 1998, we added the Euclid Municipal Credit Union to the Eaton Family. Although Euclid Municipal Credit Union served its members well, the credit union was experiencing financial difficulties. Eaton Family assumed the financial condition of the Euclid Municipal Credit Union when the two credit unions merged. With the merger, Eaton Family made the financial commitment to keep the branch office open and upgrade technology to serve its members. Assuming that we would retain our current branch location in the basement of City Hall, Eaton Family upgraded the computer system and linked it with the main office. In addition, the security system was updated and other new office equipment purchased.

Ms. Straight - The cost for these additions were \$21,000. Moving our office at this time will cost the credit union and its members another unbudgeted \$35,000 to add the necessary improvements to build a full service office in the old City Hall. In addition, in our efforts to prepare for Y2K we are allocating many financial and human resources to this issue. Eaton Family Credit Union has completed testing and has a business resumption plan in place. We are trying to keep our assets liquid by avoiding unbudgeted expenses as we move to the year 2000.

We feel that a one-year extension will allow us time to put the Y2K issue behind us and be in a stronger financial position by being able to budget in advance, remodeling and relocation expenses. This will also give us time to continue negotiating the lease and come to an agreement. We hope you will consider our request when you discuss agenda item #31. Thank you for your time and attention.

Jack Fraier - 235 Greenbriar Ct. Item #5 is the Landmark item on the agenda. I'm pro-landmark. However, the ordinance as it is presented has me greatly concerned. Sometimes good intentions can go wrong. Euclid has many landmarks. I think we could find 100 very easily. You could start at the top of Mt. Baldy and go all the way down to the breakwater over in front of Sims Park. Our most famous landmark is right on Euclid Avenue, the General Motors Plant. One of the reasons it is famous is that one of the architects for that building was Minuro Yamasaki. There should be a gasp in the audience at this point. Minuro Yamasaki went on and became the architect for the World Trade Center in New York.

Now, in this ordinance Section 1303.10 regulation of building change. There is a new owner at that GM plant. Changes are being proposed. But, if this ordinance goes through as presented he is going to have to go through the Landmark Commission. Present plans, details. What a great way to discourage someone from improving an old building.

20 years ago someone from the Ohio Historic Preservation Office came to Euclid to try to find some sites that might go on the National Register. 12 sites were found. 6 were industrial sites. Let's not overlook our industrial heritage. Cleveland Heights has churches that are like cathedrals. Homes, mansions that were designed by world famous architects, but we have something they don't have. We have railroad bridges and factories. The way the ordinance is written that entire section should be removed.

The second item that concerns me about the ordinance is the failure to require someone from the Euclid Historical Society to be on that commission. Let's not overlook that group. Right now the City of Cleveland Heights is finally getting around to setting up a historical museum. We have one of the best in the county. To whom does the City of Cleveland Heights turn for advice, the Euclid Historical Society. I suggest this ordinance either be sent back to committee or be rejected. By the way, landmarks come in all sizes and shapes. Chattanooga, Tennessee is very proud of this one, a neon sign, Roy's Grill. I'm sure we have some neon signs in this city that should be saved.

There is one other item on the agenda that intrigues me no end and that's item #36, the lighthouse. Which, is definitely going to be a landmark, I mean it is already the talk of the town. I'm going to ask a question I don't think anybody could ever answer, how much money has already been spent on the Surveyor's Triangle? Whatever happened to the fountains? When will I see people using that park? Thank you.

Dennis Berzinskas - 20890 S. Lake Shore. Items #15, #16, #34, the Henn House. Gentleman, ladies, if you don't realize what need we have of Shore, the Henn House the services they can provide to the community you know you may not be the people we need on Council or in the City period. The services that the Henn can offer to young brides that don't have the money to go to Landerhaven or any place else, this is a service to them. Why can't a young bride have a nice place? You know it's not something that you can put in your pocket or put up on a wall, but it is something of personal pride and something you will not forget forever as long as they live.

Shore, I worked at Shore. I know a lot of things that could go on to make it better. I know a lot of things that weren't done. If we want to talk about them, we'll talk about them. But, there are a lot of things that you can do to make it run. The City of Wickliffe has a Wicki. 14,000 people live in that city. How many people do we have in this city? They run it as a non-profit organization. We have to have pride. The Landmark Commission, we need a Landmark Commission.

Mr. Berzinskas - You know one of the things we can go along and start designating are some of the signs I see with Paul Oyaski's name on them. We do have a lot of them Paul.

The thing we need is term limits, the other thing on the agenda. It's something that was voted in a few years back. It hasn't given a full run yet. Feel how it feels not to have a job. You know it going in. Other people do not know it going in. They work hard and they are out of a job. Some of them are old, some of them are younger. Term limits were put on by people that are just getting fed up by the politics of the City of the State and of the Country. Thank you.

Brian Palason - 27100 Oriole Avenue. As we just witnessed, another school year has passed and we have some really quality kids that come out of the Euclid school district. I would like to know the next up and coming year what the City Council envision, their level of participation is going to be with the Board of Education to help improve the schools? Thank you.

Dale Vernon - 1497 East 196 St. In reference to item #6, I trust that the Director of Finance or spokesperson is going to give us a thorough definition of the phrase certain specifically stated conditions. I would like to know what that covers. Thank you.

Harvey Mlachak - 23831 Lake Shore. I'm here tonight to voice my objection to the lease agreement between the Friends of the Henn House and the City of Euclid. When this first started out the Henn House was condemned by the Mayor and the entire Council. The Friends of the Henn House said give it to us, we can do it. The Mayor said let's give them a chance. At meetings they said we will do this with a minimum of taxpayers money. They already have \$100,000 in there of taxpayers money. \$50,000 of which came from a grant from the State of Ohio. Whether it comes from the State, the Federal Government, the City of Euclid or any place else, it is taxpayers money. I was very glad to see that they returned the steps to the Henn House. I talked to Mr. DeMinico in the contract of the Friends of the Henn House and the City they are supposed to take care of this maintenance problem. The City of Euclid repaired those steps. I asked Mr. DeMinico, are you going to charge them for it? He says no. Why not? Some more taxpayers money.

The duplicity of the City of Euclid and the Friends of the Henn House, for what they will do and what they will not do is absolutely unbelievable. The park and the Friends of the Henn House is supposed to be a passive nature which was promised to us. The City of Euclid is allowing them to violate the zoning ordinances as far as legal missionary and philanthropic uses. The City also has a plan to beautify the Henn House. I think it is about a \$1500 or \$2000 sprinkler system in there. At the last meeting the planning of the Parks Commission the Friends said that they have an application for three different entities for grants. I would like to request either the Friends or whoever the City has a copy of those requests that I can write those entities and voice my objection as a citizen and a homeowner and a taxpayer of the City of Euclid.

On the new lease that comes out, it says in the ordinance that the terms and conditions of the original lease agreement with the Friends of the Henn Mansion Inc. will remain the same and binding as if fully rewritten. On Section 13.1 it says notwithstanding the condition and terms of the contract, the City is if I understand this correctly, pledging \$21,000 for the ADA sanitary facilities. There is no mention of this in their original lease.

Now, I would like to ask the Law Director if the ordinance says that it just as though it is rewritten from the original agreement and now they shoot another section in here that is going to cost the taxpayers another \$20,000 because I don't think they can put those sanitary facilities, ADA approved for \$20,000. Is this not conflicting Mr. Murphy?

Director Murphy - I think we will answer your questions Harvey when we get to it on the agenda.

Mr. Mlachak - Thank you very kindly sir. I have one more thing that it really intrigues me. Mrs. Reilley at the Parks & Recreation Committee Meeting as current president of this business, the salary of six figures or more would not be unexpected. I don't think our Mayor makes a salary of six figures.

President Cervenik - He would like to.

Mr. Mlachak – It said but zero is a nice round number and my payment is the experience and enrichment of my soul. If I was capable of holding down a job that pays \$100,000 a year I would be worried about the salvation of my soul but certainly not the enrichment of it. I would sure go after that \$100,000. Thank you very much.

Pat Delaney – 330 East 270th. I am going to speak to the legislation about the Shore Cultural Centre and the Landmark status. #15, we probably as I am a trustee on the board and this is something we can do regardless. However, the three key components we need is grass-roots support from the community which we have, business support from the community, which we have and the City would be the third that is very detrimental to see what is out there. To see who would seriously consider being part of this.

The historical designation is a great source of civic pride. I for one took great pride in driving by Shore before this issue became. There are a great many people throughout the state and around the country who I have heard from that are all for the effort. It also lends stature to our community as far as taking a stake at what could be out for help. I had helped organize the Shore Up group. Some 8 months ago Kirsten Holzheimer Gail had taken over the leadership of that. I would just like to take this Council meeting to thank her. Her leadership was objective and fair. I think Euclid is a better place to live because of where she sits.

Tim McKay – 362 East 232 St. I would like to speak just a bit on two things. One is the Henn Mansion and I believe it serves a valuable purpose within the community. When we started out there were doubters. I think a lot of the people have had their doubts removed. There are a number of things that we have done throughout the time that we have been in existence. Just to help Harvey along here, the \$21,000 is for utilities for the three years. It has nothing to do about the lawsuit that you brought.

The other item that I wanted to kind of question was for the historic designation for Shore. It has been said before that it takes three components. Shore has two out of the three components, so does the Henn. So, when you vote tonight to allow that why not think about the Henn at the same point. It opens up a lot more avenues to be able to get money for restoration. Thank you.

Jeanne Reilley – 24024 Euclid Avenue. I am the current president of the Friends of the Henn Mansion. Of course I am going to speak to you about the renewal of our lease. Since our group leased the Henn two years ago, volunteers have waterproofed, patched, painted, repaired, updated and cleaned the Henn making her to begin to sparkle. An architectural draft was recently completed that will take the Henn to the next level of renovation. The Friends continue to raise funds to make this happen. In fact, many of our fundraising events such as the home and garden tour and holiday party could very well become Euclid traditions. The Friends would like to continue to work with the City of Euclid on this project. Please show your support that you support our efforts and renew our lease.

I would like to say that the \$100,000 that has been raised, \$50,000 of it was raised through fundraising and membership and regular people's dollars. Thank you.

Councilman Dallos moved to rise and report. Councilwoman Holzheimer Gail seconded.

LEGISLATION

President Cervenik – Before we start legislation, I believe there is going to be a motion to reconsider actions taken last week for Ord. No.(518-99). Is this the appropriate time to do that?

Councilman Korosec – Before we do that, I did speak last week with Steve Calabrese. He is willing to work with the City. He believes that the redevelopment of the southeast corner of the City is paramount in Euclid going forward. I expressed my concern that all of the parcels be zoned one way prior to any change in ownership. He understood that. I did tell him that we would go ahead and bring this back to Council at the next meeting. So, for those reasons, I will be voting yes.

Councilman Korosec moved to reconsider. Councilwoman McGarry seconded.

Ord. 176-1999 (518-99) Sale/InnVoy Inn

An Ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a contract with 27981 Euclid Company, LLC, c/o CRM for the sale of real property owned by the City of Euclid, formerly known as the Innvoy Inn, located at 27861 Euclid Ave. (P.P.#648-30-013). (Sponsored by Mayor Oyaski)

Councilwoman McGarry – I also spoke with Mr. Calabrese and asked him a number of questions. I am much more satisfied that he has the best interest of that southeast quadrant and will move forward on that.

Councilwoman Miller – I understand that Planning & Zoning did rezone which was one of my concerns to do it. So, I am in favor of this now too.

President Cervenik – Director of Law, so that we do this correctly, are we voting on the full ordinance this time?

Director Murphy – No, we would vote first on the motion to reconsider.

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

President Cervenik - Mr. Law Director, would I be correct to assume that at this time we will now vote on a motion to pass that same legislation.

Director Murphy – That's correct Mr. Chairman.

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

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

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

Ord. (480a-99) Rezone/27861 Euclid Ave.

An ordinance rezoning P.P. #648-30-13, located at 27861 Euclid Ave., from U-3 to U-8 use district and further amending Ord. No. 2812. (Sponsored by Councilman Korosec by request of the CS&ED Director)

First Reading.
Public Hearing 9/20/99

Res. 144-1999 (528-99) UDE/K.M Quality Management

A resolution granting a Use District Exception, pursuant to Chapter 1375 of the Codified Ordinances of the City of Euclid, to K.M. Quality Management to allow a U-5 (commercial) use in a U-6 (industrial/manufacturing) use district, as well as granting two special permits, pursuant to Chapter 1360 of the Codified Ordinances of the City of Euclid for the property at 20001 Euclid Ave. (Sponsored by Planning & Zoning Commission)

First Reading.

Councilman Dallos moved to waive the three reading rule. Councilwoman Holzheimer Gail seconded.

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

President Cervenik – Since this was the first reading and was moving towards a public hearing, if anyone in the audience has any response to Res. (528-99) you are welcome to come up to the podium now.

Mayor Oyaski – The administration supports action on #2, #3, #4, the Planning & Zoning Commission has recommended all three of them. As you know, Council goes into recess for 2 ½ months and there are improvements to three key properties that are associated with items #2, #3 and #4. I think we join Councilman Dallos in supporting in particular #2. This will allow for a major new investment on the west side of that GM site where Roberts and the company there are trying a number of things to increase economic activity at the site up on Euclid Avenue. I personally support #2 and hope that the Council acts on all three of these matters tonight. Thank you.

Councilman Dallos – I just have one comment. I appreciate and I see that John Hayes is not here this evening, but it has been brought to my attention and I also noticed that the part of the property between the landscaped place the transmission place on Euclid Avenue. There is grass, weeds, whatever you want and it is 18 inches high. They used to cut that last year. Also the grass and weeds along the fence line are also high I would appreciate if someone would get out there and inspect it and also notify the management.

Mr. Gliha – Councilman, it is duly noted. We will make sure that someone is out there first thing in the morning, thank you.

Councilman Dallos moved to close debate. Councilman Gallagher seconded.

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

Passed.

Res. 145-1999 (537-99) UDE/MIA Transportation

A resolution granting a Use District Exception to Chapter 1375 of the Codified Ordinances of the City of Euclid, to MIA Transportation Services, Inc., 604 E. 200 Street, to allow a U-5 (commercial) use district in a U-4 (retail/wholesale) use district. (Sponsor Councilwoman Holzheimer Gail)

First Reading.

Councilwoman Holzheimer Gail moved to waive the three-reading rule. Councilman Dallos seconded.

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

Waived.

Councilwoman Holzheimer Gail – I spoke with Mark Langenfeld who is the president of MIA Transportation today. This is the property that the VFW bought and had done repairs both inside and outside. It was an eyesore of a building, caused problems. They originally repaved the parking lot. MIA Transportation is an ambulate service. There will not be sirens. They are wheel chair vans, they provide sub-acute care there will not be sirens. They do not ambulatory care. They will be using the building both as an office and for light maintenance to their vehicles. They have agreed to limit the number of vehicles on-site to 9. They have also agreed to provide some fencing and screening along the residential area. I would like to amend this to require both a limit of 9 vehicles as well as the fencing and screening along the residential border.

Councilwoman Holzheimer Gail moved to amend to have no more than 9 vehicles. Councilman Dallos seconded.

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

Amended.

Councilwoman Holzheimer Gail moved to amend to require fencing along the residential border. Councilman Dallos seconded.

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

Councilwoman Holzheimer Gail moved to close debate. Councilman Gallagher seconded.

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

Res. 146-1999 (549-99) UDE/Boulevard Presbyterian

A resolution granting a Use District Exception, pursuant to Chapter 1375 of the Codified Ordinances of the City of Euclid, to Boulevard Presbyterian Church, 24600 Lake Shore Blvd., to allow a U-R-1 (school or private playground) use district in a U-R-2 (church) use district. (Sponsored by Councilwoman McGarry)

First Reading.

Councilwoman McGarry moved to waive the three reading rule. Councilwoman Miller seconded.

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

President Cervenik – Again, the Council is suspending the three reading rule because we will be in recess for July and August. All three of these resolutions passed Planning & Zoning (5-0) with no objection by any property owners. We don't want to give hardship to them if they decide to do this over the summer.

Councilwoman McGarry moved to close debate. Councilwoman Miller seconded.

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

Ord. (342b-99) Landmark Commission

An ordinance creating Chapter 1303 in the P&Z Code of the Codified Ordinances of the City of Euclid in order to establish the Euclid Landmark Commission. (Sponsored by Councilwoman McGarry) (Recommended for passage by the Building Standards Commission)

Councilwoman McGarry moved for passage. Councilwoman Holzheimer Gail seconded.

Councilwoman McGarry – We have had a very thorough discussion of this ordinance. However, there were some valid points made tonight. I would like to amend this ordinance on the qualifications of the members, I believe that is spot 1303.03, to add a designee from the Euclid Historical Society. There was also discussion about the, or do we have to act on that first, Mr. President?

Councilwoman McGarry moved to amend to add one designee from the Euclid Historical Society. Councilwoman Miller seconded.

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

Councilwoman McGarry – There was also discussion about the propriety for industrial usage. Perhaps we need to add something concerning exterior of buildings. I am not sure exactly how, if that is necessary at this point or not? I think that was the question that some people have purchased industrial buildings due to the façade. There is an art deco building on one of our main thorough-fairs and that is the reason people buy to begin with. Is it necessary Mr. Law Director?

Director Murphy – I would have to contemplate that if Council wanted to address the ordinance as it is presented tonight and possibly come back with an amendment in the next session. That is a possibility.

Councilwoman McGarry – I would like to hear some of the comments of my colleagues concerning this.

Councilman Vadnal – I held a Building Standards Committee Meeting last week on this ordinance. I am going to vote no on this. While I am sensitive to Euclid's history there is a National Historic Register available for us. We have an Ohio Historical Society, we have the Euclid Historical Society. We received a memorandum from Director Apanasewicz indicating that this function can be preformed by our Architectural Review Board. So, therefore I believe we have enough societies already to do this for our city. I think this legislation is creating another level of bureaucracy that is not needed. Thank you.

Councilwoman Holzheimer Gail – I support this legislation. I think a landmark commission will add a sense of pride and history to our community. When we discussed this building, many of the City properties have come back. But, I think everyone here will see the real benefit of this legislation is in the homes in our community. We have many homes throughout the community that would meet landmark status. I think it adds a renewed sense of value and pride to that home and to that neighborhood surrounding it. I support this. I do have one question just for clarification. We just amended it to add a designee from the Euclid Historical Society, are we adding another person or will that member be one of the 5?

President Cervenik – Councilwoman McGarry what were your intentions?

Councilwoman McGarry – One of the five.

Councilwoman McGarry moved to send to Executive Committee. Councilman Dallos seconded.

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

In Executive Committee.

Ord. 147-1999 (414-99) Rainy Day Fund

An ordinance authorizing the Director of Finance of the City of Euclid to create a "Rainy Day Fund" to further safeguard the financial stability of the City of Euclid, which shall be used only in emergency situations or in certain specifically stated conditions. (Sponsored by Councilmen Cervenik and Dallos)

Councilman Dallos moved for passage. Councilman Gallagher seconded.

Councilman Dallos – We had discussed this in the Finance Committee thoroughly. My initial idea was when they first came up this concept I mentioned that back in the 1980's the City observed a downturn, the City of Euclid observed a downturn, the State of Ohio did. We found out it was very difficult to keep a lot of our City employees employed. I mentioned Japan is at a boom for 40 some years and now they've had a bust for 9 years. I hope I am not predicting that for the City of Euclid, but I think we should safeguard ourselves for a possible downturn and we should have this established.

President Cervenik – There was a question, Mr. Law Director, concerning the name. Would it be more advisable by the State Auditor's that it should be called a Budget Stabilization Fund or is the present fund adequate?

Director Murphy – It is under your discretion to call the fund what you want. I think Rainy Day fits what the type of expenditures are authorized by the ordinance. I also believe the conditions that are spelled out in the ordinance for which these funds may be expended are explicit and would serve the purpose if necessary of stabilizing the budget. I don't see a problem with calling it a rainy day fund. The items that are expressed in the ordinance relate to emergency repairs, emergency services, if the City would happen to be in a situation where it was faced with a bankruptcy or lastly any emergency situation that Council would declare would authorize an expenditure out of this fund. That would provide a means for the Council to appropriate these funds and to maintain stability within a budget.

Councilwoman McGarry – I think the amount of \$500,000 in relationship to our entire budget is appropriate and I would also like to add my name to this legislation.

Councilman Korosec – The question or statement at the earlier portion of the meeting was that whether or not the \$500,000 would be a prudent saving of this money when low debt buys the residents of the City. I think that any saving of tax dollars for an emergency is looked at in the most prudent sense. We are really looked for fiscal sound economies. We are looked at to save the money in the best interest of the residents of the City. I think this is in the best interest of the City. I think when all of the residents look at this, they can see that we are looking at their best interests in uncertain terms in the future. So for that reason I will be voting for it.

Councilman Vadnal – I think this is a good idea. The only concern I have is whether this will prevent us from receiving these funds from either the state or federal government. For example, in 1993 when we had the storm, we were able to get relief from the federal government under FEMA. If we have something like this in effect, will that prevent us from obtaining anything like that.

Mayor Oyaski – As you will recall Councilman Vadnal, we did not meet the criteria for FEMA. We did apply, former Mayor Lynch made every effort to obtain FEMA funding. The only way we received any money at all from the federal government was by the strong action taken by Congressman Stokes who had a line item appropriation. I don't think Council's attempt to set aside funds in a way that will make saving a priority will in any way inhibit the City's ability to attract state or federal funds in an emergency such as we had in 1993. The administration supports this effort to engage in some additional financial preparedness.

I do want to state for the record, Mr. Chairman because I hear it so often, 2.85% when compared to other municipal tax rates is a higher rate. That is true. But, anyone who looks at the charter of the City of Euclid will understand that there is and has been for more than 20 years a 100% credit. A 100% credit for each and every resident who lives in the City of Euclid and pays city income tax. What that means is the most the highest percentage of income tax that any Euclid resident can pay is 2.85%. That is lower than more than a dozen communities in Cuyahoga County which collect employment tax and residence tax. In addition the property tax as the Council knows from the recent report is less than approximately 3 dozen other communities. I am not saying that people should like paying taxes. I am not saying that 2.85% isn't 2.85%. The local newspapers have had this information for several weeks. I think it is a dis-service to misrepresent the actual tax liability that Euclid residents pay. We have a 100% credit in the charter. Most communities don't have it in the charter. If you lived in the city of Bedford Heights, which just raised their local tax and worked in the City of Euclid you would be paying over 4% income tax. I think we can talk about 2.85% but you have to put the number in a context because we have and will always have in my opinion a 100% credit in the Charter. Though, it needs to be stated again, and again and again until we all understand how our tax status compares to other communities. Thank you.

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

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

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

Ord. 148-1999 (535-99) Amend/Appropriations

An emergency ordinance amending Ord. No. 34-1999 which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 1999. (Sponsored by Mayor Oyaski and Councilmen Cervenik, Dallos, Farrell, Miller and Vadnal by request of the Finance Director)

Councilman Dallos moved for passage. Councilman Vadnal seconded.

President Cervenik – We had our Finance Committee last week. You have had the list in front of you. Does anyone have specific questions for the Finance Director on any of these items?

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

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

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

Ord. 149-1999 (536-99)

Year 2000 Budget Request

Councilman Vadnal moved for passage. Councilman Gallagher seconded.

Director Balazs – Starting off with the budget request for the year 2000 and as the Council members know that this is not the budget that controls the city level of spending or the appropriations. We do that in the January, February budget hearings where Councilman Cervenik and the administration conclude the appropriations for the year. This is just a budget request. Basically what it is saying is that the City needs millage that they are entitled to. If you recall the 1999 millage for the city is 96.20 mills. The mills of the City for Euclid itself is 15.6. Just a reminder that City Council when you pass the millage renewal last December you reduced the City's portion of the millage from 15.8 down to 15.6. This budget merely testifies that we do need this millage. We haven't had any problems in the past about this budget. It does give you some information concerning our figures. The budget presented here kind of mirrors the budget of level spending for 1999. It is a requirement that we have to go to, we have to send it to the budget commission. I recommend that it be passed this evening. Thank you.

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

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

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

Ord. 150-1999 (540-99) Bonds/Computer Equipment

An ordinance to provide for the issuance of \$106,719 bond anticipation notes of the City of Euclid, Ohio in anticipation of the issuance of bonds for the purpose of acquiring computer equipment and appurtenances thereto. (Sponsored by Councilman Cervenik by request of the Finance Director)

Councilwoman Miller moved for passage. Councilwoman McGarry seconded.

Director Balazs – The next 4 or 5 pieces of legislation are items that we have to borrow to make the expenses in the capital project budget, which by the way, has already been approved by the City of Euclid. I just want to run down some of the items here. The first one is borrowing for the computer equipment that has been already approved in the permanent improvement fund. The Vac-All is #10, #11 is for a resurfacing project, #12 is the jail portion of expenditures that were approved in the permanent improvement fund, #13 is the amount of money to repair the service garage at \$600,000 and #14, \$2,810,000 is the balance dollar amount that we need for the Parklawn job. Parklawn was borrowed last December. We have this up for legislation to be passed and it is the amount of money that we need to borrow to pay for these projects.

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

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

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

Ord. 151-1999 (541-99) Bonds/Vac All

An ordinance to provide for the issuance of \$221,500 bond anticipation notes of the City of Euclid, Ohio in anticipation of the issuance of bonds for the purpose of acquiring motorized equipment and appurtenances thereto. (Sponsored by Councilman Cervenik by request of the Finance Director)

Councilwoman Holzheimer Gail moved for passage. Councilman Dallos seconded.

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

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

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

Ord. 152-1999 (542-99) Bonds/Street resurfacing

An ordinance to provide for the issuance of \$303,781 bond anticipation notes of the City of Euclid, Ohio in anticipation of the issuance of bonds for the purpose of resurfacing streets. (Sponsored by Councilman Cervenik by request of the Finance Director)

Councilwoman Miller moved for passage. Councilman Vadnal seconded.

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

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

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

Passed.

Ord. 153-1999 (543-99) Bonds/Jail

An ordinance to provide the issuance of \$68,000 bond anticipation notes of the City of Euclid, Ohio in anticipation of the issuance of bonds for the purpose of renovating municipal jail facilities. (Sponsored by Councilman Cervenik by request of the Finance Director)

Councilwoman Miller moved for passage. Councilman Vadnal seconded.

President Cervenik – Chief, I believe there was a question from the audience concerning the improvements.

Chief Baumgart – Yes there was and I also talked to Madeline in the audience. We are doing some studies right now, we've had some done already that determined the wall we are planning to put the structure on would not hold that structure. We are looking at other possibilities of pouring concrete into that wall to cause it to be able to hold that structure. I will let you know more as we find out more.

Councilman Dallos – I guess my question is this going to be enough money?

Chief Baumgart – I hope so. Obviously, we won't do it if we can't enough money to do it.

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

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

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

Passed.

Ord. 154-1999 (544-99) Bonds/Service Garage

An ordinance to provide for the issuance of \$600,000 bond anticipation notes of the City of Euclid, Ohio in anticipation of the issuance of bonds for the purpose of renovating the service garage. (Sponsored by Councilman Cervenik by request of the Finance Director)

Councilman Gallagher moved for passage. Councilman Dallos seconded.

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

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

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

Passed.

Ord. 155-1999 (545-99) Bonds/Village of Euclid

An ordinance to provide for the issuance of \$2,810,000 bond anticipation notes of the City of Euclid, Ohio in anticipation of the issuance of bonds for the purpose of paying the costs of the acquisition, and any necessary clearance and preparation, of blighted real property for redevelopment. (Sponsored by Councilman Cervenik by request of the Finance Director)

Councilman Gallagher moved for passage. Councilman Dallos seconded.

Director Balazs – If I may, these five pieces of ordinances total \$1.3 million which is going to be applied to our permanent improvement fund which is \$3.2 million. As you recall, we also transferred money from the general fund into the permanent improvement fund and the balance of it is our cash that we conserved to add to this program. The permanent improvement fund of \$3.2 million is quite a healthy program for 1999. The next item is not from the permanent improvement fund but is the Parklawn Issue that Councilman Cervenik had indicated.

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

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

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

Passed.

Res. (533-99) Shore Committee/seek funds

A resolution authorizing the Shore Cultural Centre Board of Trustees and Shore Up volunteers to seek grants, raise funds, and expend such funds for needed improvements at Shore Cultural Centre. (Sponsor Councilwomen Holzheimer Gail, McGarry, Miller and Councilman Korosec)

Councilwoman Holzheimer Gail moved for passage. Councilwoman McGarry seconded.

Councilwoman Holzheimer Gail – Tonight's legislation has a bit of a history I would like to share a little bit. Shore Up and the Shore Cultural Centre Board of Trustees has been working together for the last seven or eight months to come up with another plan for Shore. These are residents, these are people who have expertise and everything relating to all different variety of circles. We have someone who has done historical preservation we have somebody that renovates buildings. We have people interested in community programs, we have the whole gamut. They have spent a lot of time, they have put in a lot of effort researching different possibilities, talking with the community, visiting other facilities. We are not here tonight to provide a formal plan yet. We are working on that still over the summer. But, we wanted to let Council know what we are thinking about and would like to get an idea of support so that we can proceed.

The legislation tonight is not approval of our plan, it will allow us to continue researching and developing a viable plan. The legislation authorizes the Shore Cultural Centre Board of Trustees to begin raising money, researching and seeking grants for the improvements at Shore. Our plan really is that the building is structurally sound. It certainly needs work. The building can be renovated or restored we think over a longer period of time and without the necessity of going to the ballot. The building can be self sufficient, meaning it will not always need a subsidy from the city.

I think key to our plan is that the building should run by the Shore Cultural Centre Board of Trustees. The Board of Trustees is in place. It has been there since Shore started, I believe as a community cultural center. They have by-laws and they are incorporated with the State. It is interesting to note also that when this board was first formed it was the intention of the city to turn the operations of the center over to the board once they became more self sufficient.

What we hear from that board is that their hands have been tied. They have come up with ideas, they have their own separate budget and tried to spend some money but were not able to do that.

Again, we are still working, we are still very much in the working phase. We are in the process of developing a budget. We are in the process of coming up with renovation plans and researching other important issues such as liability. We hope to be back before Council in the fall with a formal plan. But, before spending all of that time, we would like some indication that Council will consider this option. I would like to ask Council to pass this resolution tonight. There are three co-sponsors to this legislation, Councilwoman McGarry, Councilwoman Miller, and Councilman Korosec. I would ask them to share their thoughts if they would.

Councilman Korosec – I think as Councilwoman Holzheimer Gail has stated, this is not a piece, an ordinance. This is a resolution showing support. I think that we have shown support for a number of other issues over the last several years in which not only we can call controversial, but also call marginal. I think that something as strong in the fiber of the residents as this specific building deserves at least the recognition to their efforts. I believe that Council should at least support them over the course of the summer to evaluate their plans, to see what they have out there. It does nothing to vote no on this because we have not looked at any plans. It just shows that City Council and the administration will be supportive of this measure until they receive the plan in the fall. For that reason I will be voting yes.

Councilwoman Miller – I too believe that the Shore Cultural Board of Trustees as well as the Shore Up volunteers ought to be given an opportunity to seek grants and raise funds and see what they can do for the Shore building and give them a chance to do it. They can come back with the plans in the fall. This is just giving them an opportunity to go out and raise some funds for this building. I am in total favor of that.

Councilwoman McGarry – As you well know and my colleagues, I am totally in support of this resolution. You know we are always faced with it's almost like a chicken and egg situation with some of these buildings. As expressed to you by my colleagues, it is necessary to have support from this body in order for people to go out and say yes, this is a viable way to support the community, to provide services to the community. And, for that reason I am voting for this resolution. I would like to hear from the rest of my colleagues this evening.

Councilman Gallagher – I have not hidden my feelings about this building since day 1. I believe a city can maintain, renovate, restore and preserve only so many buildings. We have had the Henn Mansion, we have the old City Hall, the Euclid Historical Society is housed in the very first school in existence in Euclid, second school. I think the City is doing its part to preserve history. For me to vote yes on this resolution would give false hopes that I would change my vote. For that reason, I will be voting no.

Councilman Dallos – I agree with the concept but I disagree with this resolution. Before I would want to vote on this resolution I would like to know what the actual plan is. You know we had 4 plans presented by the Parks Department. Apparently none of those 4 was happy with. So, if we are going to have a 5th plan, I would sure like to know exactly what it would entail.

President Cervenik – I tend to agree with Councilman Dallos also. I don't want to hinder this group from moving forward, we all know what I still feel about the building. I am not about to propose tearing down the building and going out for a tax levy at this time anyhow. But, you are asking me to approve to seek grants, raise funds and expend such funds for needed improvements when your group really hasn't prioritized them. I guess I will be voting against this tonight. I would encourage you and I do mean that, I would encourage you if you really feel you could come up with a concrete plan to continue your work over the summertime. I can't as a legislator pass this.

Councilman Vadnal – Just so you know, I am voting no for the reasons that I have been stated by yourself, Councilman Dallos and Councilman Gallagher.

Councilwoman Holzheimer Gail – Mr. Chairman, I don't want to have this turned down, the residents have worked so hard. I don't want to do that to them. I think if we will continue to work rather than vote on this tonight, then I would suggest that we place this in Executive Committee. We will continue to work on the priorities and give Council more of the plan.

President Cervenik – I promise you a fair and open hearing whenever you so desire.

Councilwoman Holzheimer Gail moved to place in Executive Committee.
Councilwoman McGarry seconded.

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

In Executive Committee.

Res. (534-99) Shore/Historic Designation

A resolution authorizing the Shore Cultural Centre Board of Trustees to hire a consultant to research facts relating to the eligibility of historic designation for Shore Cultural Centre at a cost of One Thousand Dollars (\$1,000.00). Funds will come from the fund-raising efforts of the Shore Cultural Centre Board of Trustees. (Sponsored by Councilwomen Holzheimer Gail, McGarry, Miller and Councilman Korosec)

Councilwoman Holzheimer Gail moved for passage. Councilman Korosec seconded.

Councilwoman McGarry – In light of the previous discussion, Mr. President, I would like to move this piece of legislation also into the Executive Committee.

Councilwoman McGarry moved to place in Executive Committee. Councilman Korosec seconded.

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

In Executive Committee.

Res. 156-1999 (488-99) Contract/Streets

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 & Sewers Department, Public Buildings and Lands Department, and Traffic Signs and Signals Department. (Sponsored by Mayor Oyaski)

Councilman Vadnal moved for passage. Councilman Dallos seconded.

Director Murphy – We have previously discussed this contract both as presented to Council and in the Executive Committee last week. I think you are well aware of the details and conditions and terms of this contract. We are presenting it to your authority to execute. If you have any questions I will respond to them.

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

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

Nays: Dallos.

Passed.

Res. 157-1999 (509-99) Contract/Police Dispatchers

A resolution authorizing the Mayor of the City of Euclid to execute an Agreement by and between the City of Euclid and the Civilian Uniform Police Personnel Organization (C.U.P.P.O.), as exclusive bargaining agent for all Police Dispatchers. (Sponsored by Mayor Oyaski)

Councilman Vadnal moved for passage. Councilwoman Miller seconded.

Director Murphy – Again, the same comments. You had the details of this agreement also previously. We encourage your acceptance of this contract.

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

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

Nays: Dallos.

Passed.

Res. 158-1999 (510-99) Contract/WWTP

A resolution authorizing the Mayor of the City of Euclid to execute an Agreement by and between the City of Euclid and the City, County and Waste Paper Drivers Union, Local 244, as exclusive bargaining agent for all Waste Water Treatment Department employees. (Sponsored by Mayor Oyaski)

Councilman Vadnal moved for passage. Councilman Gallagher seconded.

President Cervenik – Mr. Murphy, was the one change made in the residency on this contract?

Director Murphy – Yes it was.

President Cervenik – All of the other comments are the same.

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

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

Nays: Dallos.

Passed.

Ord. 159-1999 (527-99) Courts/Clerk/Computerization

An ordinance authorizing the Clerk of Court of the Municipal Court of the City of Euclid to sign an addendum to the existing contract with Conley, Canitano & Assoc., Inc. to update the computerization of the Clerk of Court's office. (Sponsor Councilman Cervenik by request of Law Director)

Councilman Vadnal moved for passage. Councilwoman Holzheimer Gail seconded.

Director Murphy – The clerk's office currently has a contract in place for computerization of the office. This legislation would authorize an addendum to that existing contract to provide continued computerization services and update in the clerk's office.

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

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

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

Passed.

Res. 160-1999 (524-99) Courts/Grant/Security

A resolution requesting authorization for the Euclid Municipal Court to spend grant money received from the Ohio Judicial Conference on various Court security improvements. (Sponsored by Councilman Cervenik by request of the Law Director)

Councilwoman McGarry moved for passage. Councilman Gallagher seconded.

Director Murphy – Judge LeBarron was able to secure a grant from the Ohio Judicial Conference for purposes of providing some security improvements to the courtroom and the surrounding facilities. The funds have been received are in the City treasury. This legislation is necessary for you to appropriate those funds and to allow her to expend them for the necessary security improvements.

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

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

Ord. 161-1999 (539-99) Amend Code/Council/Records

An ordinance amending Section 121.15(d) of the Administration Code of the Codified Ordinances of the City of Euclid with reference to the record keeping system of the Council Office. (Sponsored by Councilman Cervenik by request of the Law Director)

Councilwoman Holzheimer Gail moved for passage. Councilman Gallagher seconded.

Director Murphy – Ms. Cahill has requested that the Law Department work with her to amend this ordinance to allow her to perform her responsibility of maintaining the records of Council. Obviously, with today's new technology and so on there are easier and more efficient ways of record keeping. The current ordinance requires her to maintain the Council records in a book. We are suggesting that such things as computer discs, microfilm and micro-fiche are available now as means for maintaining and retaining and making available those public records in the clerk's office. This legislation will amend that existing ordinance and allow Mrs. Cahill the ability to chose another method other than book form for maintaining the records of the Council. We should be assured she will continue to do the fine job she does of maintaining those records and making them available, they may just be maintained in another form.

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

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

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

Ord. 162-1999 (531-99) Codification

An ordinance authorizing the Director of Law of the City of Euclid to enter into an agreement, after obtaining informal quotes, for the reviewing, codifying, editing and publishing, in electronic and book form, of the Codified Ordinances of the City of Euclid pursuant to Article I, Section 5 of the Charter of the City of Euclid. (Sponsored by Mayor Oyaski by request of the Law Director)

Councilwoman Miller moved for passage. Councilwoman Holzheimer Gail seconded.

Director Murphy – This is the book we are talking about. I have had to take weight training classes since I've been here in order to carry this back and forth to each council meeting, but so far we are getting there. This ordinance will be a renewal of a ten year agreement. The previous contract expires this year. It's a 10 year contract that will authorize the eventual editor to come in and go through our current ordinance book, edit, revise, put in things, perhaps that aren't in there. Then they publish it, part of the 10 year contract as we have done historically in the City would be to update the book on a two year basis. We will be purchasing the initial codification and then five updates each two years during the 10 years of the contract.

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

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

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

Passed.

Ord. 163-1999(550-99) Charter/Ballot/Term limits

An ordinance providing for the submission to the electorate of the City of Euclid the question of whether Article II, Section 1 of the Euclid Charter shall be amended so as to delete the language which limits the service of Council members to a total of five (5) consecutive or ten (10) consecutive years, whichever is less, regardless of the position held, provided that such person must wait for one (1) term or two (2) years before again serving as a Council member. (Sponsored by the Charter Review Commission)

Councilwoman McGarry moved for passage. Councilman Vadnal seconded.

Director Murphy – This is a matter that you essentially have no discretion on, the Charter Review Commission which has been duly appointed has a majority of the commission has voted and suggested that this provision be submitted to the electorate. The Commission is very interested in making Council and the citizens aware that it is performing its function, doing its job and is highly motivated to place something on the ballot at this November election. This was one of the first items that the Commission addressed. They had, as most of you are aware from attending their meetings, very lengthy discussion both on the issue of term limits and slot elections. The majority of the commission has selected this item as one to be presented to the electorate in the City of Euclid at the November 2nd General Election.

Councilman Vadnal – Is there a cost to the City for putting this on the ballot?

Director Murphy – I believe there would not be an additional cost since the polls will be open and the City will be voting on a multitude of issues anyway.

Councilman Dallos – As a member of 2 Charter Review Commission's I'd hate to say the years, but I know Council has to put this on the ballot, but there is nothing that says that I have to vote for it.

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

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

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

Passed.

Res. 164-1999 (504a-99) Community Reinv. Area E

A resolution amending Res. No. 108-1992, which designated "Community Reinvestment Area E" passed by Council on April 20, 1992 pursuant to Sections 3735.66 and 2725.67 of the Ohio Revised Code and amending the real property improvements eligible for tax abatement. (Sponsored by Councilwoman McGarry and Councilman Gallagher) (Recommended for passage by the City Growth Committee)

Councilwoman McGarry moved for passage. Councilman Gallagher seconded.

Councilwoman McGarry – We've had thorough discussions on this resolution, Mr. President and I feel that after having amended it in committee that with 7 years now with the remodeling, this will be a creative tool which will increase the tax evaluation in our city. I urge my colleagues to vote for passage.

Councilman Dallos – Just so I understand, this is for the entire City?

Mr. Gliha – As you are aware, we have CRA areas A-D which are separate identities in their own. If you would punch those out of a City map the remaining part of the map would be CRA-E which this would take care of.

Councilman Dallos – So anybody who would build a subdivision, or new homes, this would apply to?

Mr. Gliha – Yes, but it must be understood that CRA A-D also include new construction similar to this. Basically if you take all of the various CRA's into effect, the whole city is eligible now for new construction.

Councilman Gallagher – This piece along with the piece that follows is the sign to spur investment and development in the City. I think anything we can do that curbs that purpose is a worthwhile act.

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

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

Passed.

Res. 165-1999 (505a-99) HIP/Demolition costs

A resolution accepting and approving the proposed expansion of the Housing Improvement Program (HIP) to include partial reimbursement of the purchase price and demolition costs incurred as incentives to eliminate undesirable housing structures, to construct new single family homes, and to consolidate real estate lots within the City of Euclid. (Sponsored by Councilman Gallagher) (Recommended by the City Growth Committee)

Councilman Gallagher moved for passage. Councilwoman Miller seconded.

Councilman Gallagher – As I stated previously, this piece is designed to spur investment and development in the city. It also has a second purpose in that it will help to eliminate undesirable structures. Again, it provides financial incentives to encourage development in the City. With the construction of each new home, single family, owner occupied home, the homes in the surrounding area are erratically increased in value. So, for each home that goes up we are all benefited.

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

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

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

Passed.

Ord. 166-1999 (532-99) Action Auto/Storefront Ren.

An emergency ordinance authorizing, empowering and directing the Mayor of the City of Euclid and the CS&ED Director to enter into a Special Storefront Renovation Agreement with Action Auto Body tenant of the property located at 21200 St. Clair Ave. for the provision of a grant in the amount of \$15,000 as reimbursement for comprehensive improvements to be made to the property and reimbursement for \$1,500 of needed architectural design services. (Sponsored by Councilman Korosec)

Councilman Korosec moved for passage. Councilwoman Holzheimer Gail seconded.

Mr. Gliha – This is a typical block grant façade improvement project. The private sector investment would be approximately \$75,000 with a reimbursement from the grant not to exceed \$15,000. As stated in the ordinance \$1500 for architectural services.

Councilwoman McGarry – I have some questions. Mr. Gliha would you please explain to us, I understand that this is a storefront renovation. This would include this particular area, is this not an industrial piece of property?

Mr. Gliha – The program is called storefront renovation, but we have also in the past included small industrial complexes. This is probably zoned commercial type of facility. We have done some small industrial façades. Basically, the program probably should be referred to in the future as a façade improvement program instead of the storefront program.

Councilwoman McGarry – Also when I was looking at the area there is an area I don't know if it is adjacent to it, there is a great many truck trailers parked there. Also, there is an area with a great deal of stones, which really doesn't add to the aesthetics of the building. Is there something that we can include in there about aesthetics concerning that stone area and the parking of the trailers?

Mr. Gliha – I am sure part of the plans will include cleaning up the whole area. There is going to be quite a bit of tuck pointing, façade improvements, screening and so on. Hopefully when the project is done it will be a very pleasing and aesthetic project.

Councilwoman McGarry – To make sure that with your permission, Mr. President, I would like to add then an amendment that the stone area and the visibility of the trucks will be addressed with some type of screening.

President Cervenik – Mr. Gliha is that possible for this area?

Mr. Gliha – To be honest with you without going out there right now and taking a look and seeing exactly what the situation is, I cannot answer that. I do believe we may have a representative from the business here in the audience if he hasn't already left, maybe they can address that issue for us.

Councilwoman McGarry moved to suspend the rules. Councilman Korosec seconded.

Bill Rudolph – 25200 Richards Ave.

Councilwoman McGarry – Mr. Rudolph, concerning the stone area that is in the front area is not very pleasing to the eye. I am concerned about that being aesthetically with some type of greenery just soften the area. And, also there are a number, I'm not sure if they are your truck trailers or the adjacent properties that are very much, you know...

Mr. Rudolph – Those trailers belong to the adjacent property.

Councilwoman McGarry – So that the stone area, if you are willing to work with that to make it much more pleasing as far as planting and greenery.

Mr. Rudolph- He has made provisions to landscape all of that.

Councilman Korosec – I feel that by having this gentleman here answering the questions that Councilwoman McGarry had, I move for passage.

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

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

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

Res. 167-1999 (516-99) Channel 50

A resolution authorizing the Administrative Director of the City of Euclid to take action necessary to initiate the broadcasting of all public access programming (non-governmental) on Channel 50 as permitted in the City's franchise agreement with Cablevision. (Sponsored by Councilman Cervenik) (Recommended for passage by the Finance Committee)

Councilwoman Miller moved for passage. Councilwoman Holzheimer Gail seconded.

Director Johnson – We discussed this decision in the Finance Committee. I think it has been thoroughly hatched out. If there are any questions, I would be glad to answer them.

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

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

Ord. 168-1999 (526-99) TV/Bulletin Board

An ordinance authorizing the Director of Administration of the City of Euclid to enter into a contract, after obtaining informal quotes, to purchase a new video bulletin board system. (Sponsored by Councilman Cervenik by request of the Administrative Director)

Councilman Vadnal moved for passage. Councilwoman Miller seconded.

Director Johnson – We also discussed, at least brought this subject in the Finance Committee with regards to the video bulleting board system. The reason why we are asking to dispense with the bidding process is because there is a single vendor in the State of Ohio that provides the particular system that we have identified as one we would like. The next vendor would either be in the state of Pennsylvania or in the state of Michigan or Indiana. We feel that the farther we get away from the City of Cleveland and this area the support becomes an issue. That's the reason why we are asking for the ability to just get around the bid process.

Councilman Vadnal – Do you know what the cost will be? I agree that we should have someone from Ohio, but how do we know what the cost may be in Pennsylvania?

Director Johnson – That is why we are going to seek informal quotes. I would tend to think that at most the most we would get is three different prices. We have received one price from the local vendor and do we intend to contact Pennsylvania and Michigan. But, going farther away than that I think we should avoid.

Councilwoman Holzheimer Gail – This bulleting board system, will it be used on both stations?

Director Johnson- Yes, definitely.

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

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

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

Ord. 169-1999 (546-99) AFSCME/Healthcare

An ordinance amending Ord. No. 207-1994 approving additional guidelines specifically for Ohio Council 8 and Local 2509 of the American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME) bargaining unit members for the Euclid Employee Health Care Incentive Program. (Sponsor Mayor Oyaski by request of Administrative Director)

Councilman Gallagher moved for passage. Councilman Vadnal seconded.

Mayor Oyaski – Mr. Johnson will answer comments on #30.

Director Johnson – In 1996 Council passed an ordinance authorizing this cooperative incentive plan to employees that are currently enrolled in our health care program. What we do is if an employee provides a proof of coverage from another location we offer them a financial incentive of a monthly payment. What has happened is and this is the first time it has happened, a member of the AFSCME collective bargaining unit has requested to opt-out of the plan. AFSCME has a different program in that a part of the collective bargaining agreement provides certain medical benefits which we've talked to the union representative and that is a part of the collective bargaining agreement. So, we cannot remove that person from that program. What we are offering is a reduced benefit to that particular employee. We currently pay employees \$125 a month. What we are proposing is that members of the AFSCME bargaining unit are paid \$95 a month to opt out of the medical care program.

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

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

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

Ord. (538-99) Credit Union/Lease

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a lease agreement with the Eaton Family Credit Union for space located in Old City Hall at 585 E. 222 Street for six (6) years with options to renew. (Sponsored by Mayor Oyaski)

Councilman Gallagher moved for passage. Councilman Vadnal seconded.

Mayor Oyaski – The lease that the credit union has enjoyed in the basement of the new building will be expiring in September. We have had negotiations for several months. We have not yet reached a meeting of the minds on all of the various terms. But, for a variety of reasons the administration cannot recommend a one-year extension. I would ask that this be pulled so that the credit union can continue to negotiate with the Service Director and the Law Director. The City has imperative needs to acquire that space at this time. One year is too long of a period. Unless the Council has any objection, we would like to continue negotiating until the end of the calendar year.

Sponsor pulled the legislation.

Councilman Dallos – Just so I understand, you will allow them to stay there until the end of this year?

Mayor Oyaski – Unless Council has any objection we will continue the terms and conditions until the end of the year.

Councilman Dallos – I don't have an objection, I just wanted to make it clear. With the amount of City employees and businesses in the City of Euclid that are there, I think that is very fair.

Mayor Oyaski – I think it is very fair too. Thank you.

Ord. 170-1999 (521-99) Senior Snow Removal

An ordinance authorizing, empowering and directing the Director of Public Service of the City of Euclid to institute a snow removal program for not more than 600 residents who are age 65 or older or disabled for the winter season of 1999-2000. (Sponsor Councilman Dallos request Service Director)

Councilman Dallos moved for passage. Councilman Korosec seconded.

Director DiNero – This is our normal snow removal for seniors. The reason we are asking for this ordinance tonight is so that we could get an advanced start. We will probably advertise for bids sometime in the month of August. It sounds crazy to do that but we need at least 2 to 3 months to send out applications or request applications to come in to the Community Development Office to be reviewed as far as their financial part of the requirements. At this time we would like this ordinance passed and Mr. Gliha maybe can add something to that.

Mr. Gliha – As Director DiNero stated, our senior program social service staff is in charge of taking the applications from the various seniors and disabled people who apply for this program. Last year our staff told me that we had approximately 325+ people participating in the program. With the latest uppage of the Homestead Exemption dollar figures by approximately \$2200 they expect that we will have maybe 100 to 200 more. We should still fall within the 600 limit that has been set.

Councilwoman Miller – I do hope that you check the bids thorough. Because this is the first year that I have had many phone calls in regard to the type of job that was done this past year. Whatever the reasons I hope that both parties the seniors as well as the person or the company that is going to do this snowplowing will also be aware of what the rules are too so we wont have any problems this year. I received a lot of phone calls.

President Cervenik – You may want to put in their contract that somebody needs to be able to be contacted at these companies. They have a fax machine and no answering machine, they don't return your messages. It gets pretty frustrating. Luckily we hadn't had that much snow. I think that should be a requirement that somebody can be contacted.

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

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

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

Ord. 171-1999 (522-99) Bids/Road Salt

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract after advertising for bids for the City's requirements for road salt for the 1999/2000 winter season for the period of 11/1/99 to 10/31/00. (Sponsor Dallos by request of Service Director)

Councilman Dallos moved for passage. Councilwoman Holzheimer Gail seconded.

Director DiNero – This is our normal procedure. Our contract ends October 31st of this year with the company that we are contracted with now. What I would like to do is once we will advertise for bids sometime in the month of August for salt. We will check the bids according to what we are paying now. If it's cheaper, we will load up on salt prior to the next year contract. This is our normal procedure for the past 10 to 15 years that we have been doing this. So far we have always had our road salt whatever the weather.

Director DiNero - This past year a lot of cities were out without salt and we did have salt the whole time that we didn't have to worry about it.

President Cervenik – It is pretty ironic on the first day of summer we are voting on salt.

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

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

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

Res. 172-1999 (456-99) Henn Lease

A resolution authorizing the Mayor of the City of Euclid to extend the Lease Agreement with the Friends of the Henn Mansion, Inc., for the use of the Henn mansion located at Sims Park at 23131 Lake Shore Blvd. in Euclid for a period of three (3) years with an option to renew. (Sponsored by Mayor Oyaski) (Recommended for passage by the Golf Course, Parks & Recreation Capital Committee)

Councilwoman Miller moved for passage. Councilwoman McGarry seconded.

Director DeMinico – As you may recall we had a Parks & Recreation Committee Meeting. The Committee left it up to the administration to hammer out some of the final details of the lease agreement for the Friends of the Henn Mansion. The key issues that were addressed that were not addressed in our first lease agreement, a basic change is our new lease is for a three-year term and a three-year extension. In our previous lease it was two and two.

The Friends of the Henn have requested that the City pay up to \$7000 in utilities for all six years of the lease agreement. The administration's proposal and has been accepted by the Friends of the Henn is that we will not pay any of the utilities for any of the years of the existing lease agreement, however if the Friends of the Henn expense the first \$20,000 for the renovations and improvements to the restrooms to make them ADA accessible so that the OCRC complaints are addressed and repaired the City of Euclid will then match that \$20,00 with up to \$21,000 monies for those improvements. Those numbers were not pulled out of the air. The Friends of the Henn have a where with all for that first \$20,000 and \$41,000 is a projected figure by their architect for those needed repairs that we are mandated to complete. So, that issue has been addressed.

Another issue that was discussed the Friends were proposing that the City of Euclid maintain the responsibility for the mechanical, electrical, plumbing systems. The existing agreement calls for the Friends to maintain those and the proposed new lease still has the Friends maintaining those apparatuses. If there is an emergency it can be addressed by the City Council at that point in time. So, the door is open for any type of an emergency that may exist where perhaps the Friends may not have the monies needed and do have to realize that the City of Euclid still maintains ownership of that building.

Another issue that was brought up was an audited financial report that the Friends have no problem giving to us every year. Those are our basic amendments that were originally proposed. There was a question brought up regarding some of the repairs that took place on the property. Section 8.2 addresses those issues. It is clear that the City of Euclid as owner of the building as the landlord shall keep all sidewalks, parking areas, drives on or about the premises in a clean and sightly and sanitary condition. We felt that the steps were our responsibility to repair. They were in dire need of repair they had become unsafe and unsightly. The administration took that upon ourselves to make those needed repairs. If there are any other questions, I would be happy to answer them.

President Cervenik – Director Murphy – There was a question concerning the language in the lease as charitable, rental versus leasing the property out for private weddings and showers? You are our legal counsel, what do you suggest?

Director Murphy – In response to that question the function of the Friends group is to perform and to exist as a charitable organization. One of the functions of a charitable organization is to raise funds. That is what the Friends do when they rent the property out with the authorization of this City Council. Those funds are raised by the Friends group which is a charitable organization. So, irrespective of the purpose of which the facility may be rented whether it is a retirement party, a shower, a wedding reception, what have you it is still the Friends group that is doing the fundraising that the contribution is made to. The Friends group is a charitable organization and therefore those funds are raised in my opinion for a charitable purpose.

President Cervenik – Not only raising funds, but they are providing for our citizens to have these functions where otherwise they would have to have them in their house. As long as you don't think there is any change in the wording.

Mayor Oyaski – I had indicated earlier this year that I thought it was only right and proper that we renew the lease with the Friends of the Henn so that they can continue their substantial efforts to raise the funds to renovate the building. I do want to thank Director DeMinico as well as the members of the Board of Trustees at the Friends of the Henn for working out what I think is a very reasonable lease extension.

I do have to tell you with the utmost sincerity that I do not, I am not convinced that the model that we have established at the Friends of the Henn with a residential building can be transferred as is to the renovation needs and operation needs of the Shore Cultural Centre. First of all there is only so much money that can be raised in the community. Whether it is by the Kiwanis, by the Heritage Park Association, by the Friends of the Henn, by the Shore Trustees, by the various Bingo operations. There is only so much money that can be raised through charitable donations. I am concerned that the effort to raise money at Shore will undermine the efforts to raise money at the Henn House. There is only so much money to go around. I am not convinced that the model that exists at the Friends of the Henn can be just transferred and impressed upon the Shore Centre operation. I am willing to work with the Shore Up committee and the Shore Board of Trustees and the entire Council. But, I just don't think you can take this model established by these three hundred people for what is a residential building and apply it to a building that is several times larger and older. Thank you.

Councilwoman McGarry – I would like to address what the Mayor has said. I concur with him that you cannot take a residential building and completely transfer it just as it is. However, looking at Shore, I think you are talking much more about a regional draw. I just wanted to clarify that issue.

Mayor Oyaski – The Henn House does not have a regional draw? Is that your point Councilwoman?

Councilwoman McGarry – No, Mr. Mayor concerning there is an auditorium there is a theater.

President Cervenik – We are talking about the Henn.

Councilwoman McGarry – Going back to this resolution (456-99) I believe as has been stated earlier the building has been more than stabilized. The work has gone beyond that and I concur with my colleagues. I wholeheartedly ask for their support this evening to renew this lease as outlined.

Councilwoman Holzheimer Gail – I just wanted to take a minute to commend the Friends of the Henn Mansion. They have done a wonderful job. Projects like this do the best under a partnership. I think we have developed a good partnership with the City and the Friends of the Henn. I think the \$21,000 is a very appropriate expense. I support this resolution.

President Cervenik – I tend to agree also. As many of you know when this was the first time out and the Mayor sponsored legislation to tear it down I at the time, thought it was the most appropriate thing to do. I was proven wrong. The Friends of the Henn have come a long way.

President Cervenik - I have had a number of discussions with June Daugherty and other members explaining to me that it is not competition with other businesses. I am a card carrying member of the Friends of the Henn, believe it or not. I am concerned we have a long way to go. As we talk about there is only so much donatable money to go around, as you are well aware from our City garage problems and other problems there is only so much tax dollars to go around. We still all have to work very hard. All in all I am very happy as to what is going to happen at the Henn.

Councilman Vadnal – Mr. Murphy, Section 12 instructs us to exhibit “A” as those activities that are allowed to take place on the premises and we don’t have exhibit “A”.

Director Murphy – I believe that is the same exhibit that was attached to the original lease. Perhaps Mr. DeMinico has that.

Councilman Vadnal – If it is the same one, then I don’t need to see it. The other question I have is since we lease this to the Friends of the Henn, how much have we spent by way of City funds? Can anyone tell me that? For video, repairing of steps and anything else that we’ve spent.

Director DeMinico – The utilities have averaged about, we paid utilities for the first two years of the lease and I would say they averaged about \$5500, maybe as much as \$6000 per year. That would have been two years at that expense and the Friends pick up those expenses in the renewal. The step repair is about \$700-\$800. We are looking at some additional expenses, in particular some landscaping. If you recall the waterproofing stripped all of the landscaping around the Mansion. It is about \$1500-\$2000 for irrigation. We figured before we are going to landscape anything, you better clean up your irrigation otherwise we will be doing what we are doing now watering by hand in a lot of areas, in particular Shore. The landscaping is probably a 2-3 year plan that is going to be another \$6000-\$7000. Above and beyond that, there were some boiler repairs that were put in, they were dispensed by the Friends. I am not sure if Mr. DiNero’s department had any type of emergency.

As far as the lease, the Friends have been upright from the beginning. We have had requests for us to pay for things, but we have gone back to the lease agreement and it was clearly covered by the Friends responsibility to pay them.

Councilman Vadnal – There was a video that was produced. Did the City pay for that?

Mayor Oyaski – That was part of our promotional budget of various local community activities. I believe the cost was approximately \$3000. But, I can verify that from the records.

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

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

Ord. 173-1999 (520-99) Street Tree Inventory

An ordinance authorizing the Director of Parks & Recreation of the City of Euclid to enter into a contract after advertising for bids to conduct a Street Tree Inventory for over ten thousand trees planted on tree lawns throughout the City. (Sponsored by Councilwoman McGarry by request of Parks & Recreation Director)

Councilwoman Holzheimer Gail moved for passage. Councilman Gallagher seconded.

Director DeMinico – I believe this piece of legislation has been confused with the Tree Impact Study. That last committee meeting that ordinance has been reduced down to a resolution. It really has become and has been and will continue to be a cooperative relationship with Mr. DiNero and the Service Department and ourselves and the Parks and Recreation Department. I firmly believe that we made every effort available to save any type of tree that we possibly can.

Director DeMinico - This ordinance is completely different from our tree impact study. I wanted to clarify that from the beginning.

The City of Euclid did conduct a thorough street tree inventory in the year 1991. The International Society of arborists along with our state forest service strongly urge that every five years cities update their street tree inventory. With over 10,000 trees we just do not have the where with all to do this in-house. We talked about this tonight a couple of times, the year 1993 and 1994 the City of Euclid suffered some severe storms and severe tree damage that we are still feeling the effects of in 1999. It is imperative that we enter into a contract with a vendor that will re-evaluate our street trees and give us our priority removals, trims, etc. It is a very extensive report that if conducted I believe in 1991, members of Council at that time received this report. I can make sure again that they will receive it. It doesn't have very much interest to sit and read. It is quite lengthy and again, it is quite detailed.

Councilman Korosec - What was the cost of the last report. I would think that on something like this we might want to put some type of dollar perimeters.

Director DeMinico - I do not have the dollar amount from 1991. We have budgeted out of the general permanent improvement an amount of \$12,000. We have seeked some informal bids already. It is above that \$10,000 range. We budgeted \$12,000 because there were some other issues we wanted to address, in particular software. There is new software that is out. Currently, we have \$12,000 budgeted. I am not 100% sure that is enough to get it done. We are going to work very hard to put it in under that budget amount.

Councilwoman Miller - At our meeting that we had the other night, I thought Mr. Springer stated that he had it in his computers every tree that is in the City of Euclid? What would be the difference now if you already have it in the computer?

Director DeMinico - Councilwoman Miller, 9 years have gone through and any time work is done on a tree, whether it be trimmed for suckers, or a removal or an inspection it gets logged in and it gets updated on our computer inventory. However, since 1991 I would imagine that we would probably be half way through working on some of those trees. There are literally thousands of trees that have not been inspected, trimmed, requested for any type of tree maintenance work. This request of legislation came from our certified arborist, Tom Springer. He wanted it last year and I put him off and he wanted it again this year and it took \$12,000 out of our whole street tree planting. I would much rather go ahead and put them on the streets. Mr. Springer's comment was if we don't get our house in order, we could be in trouble.

Councilwoman Miller - So what you are saying that the trees that are in the computers are the ones that you have worked with.

Director DeMinico - They are all inventoried, Councilwoman. Some of them have not been updated. To the tune of literally thousands are recorded. In 1991 this may have a six inch tree on the tree lawn and it hasn't had any calls for service, it has been in good shape. Now 9 years later it is time for a reinventory of our street trees.

Councilwoman Holzheimer Gail - Will we be receiving in computer format, the inventory, or will that have to be entered in?

Director DeMinico - We have an existing computer inventory. We are putting in the bid specifications with an alternate that would allow the company to adjust it to our computerized inventory our software. Or they can bid with their own specific software. The bottom line when it comes out it will be user friendly for our secretary and our foreman.

Mayor Oyaski - I would just like to second something the Parks Director indicated. There seems to be some question about the Service Director's responsibility visa vie trees. We have planted several hundred trees both before and after the 1993 storm. The Parks Department has a budget as you know and the Community Development Department has a budget, as you know in municipal beautification.

Mayor Oyaski - I have worked very hard with all of the parties involved to make sure they coordinate with one another. Please understand, the Service Director's responsibility is to protect the right of way and to maintain the right of way. What trees do, unfortunately, is they raise sidewalks, they damage curbs and occasionally they will clog up sewers. So, the Service Director's number one responsibility is to maintain the right of way and maintain the integrity of the sewer system. So, he has a job that has very clear responsibilities. I know Mr. DiNero appreciates breathing oxygen and likes a pretty shaded neighborhood as much as anybody else. But, there is a difference of responsibility between what the Service Director does and what Mr. DeWine and Community Development and what Mr. DeMinico and Mr. Springer do. Mr. DiNero is not the tree devil, but he has a responsibility to maintain the 200 truck, fix up the trees, fix up the sidewalks when the sidewalks are out of level, improve the various property in the right of way which can be unfortunately harmed by uncontrolled trees, particularly willows and maples. I think there is kind of a misconception there. Mr. DiNero is a lover of natural beauty, but he does have a different responsibility here than Mr. DeMinico or the Community Development Department.

Director DiNero -- I would just like to make one comment. We started our project on Miller today. All of those trees before, they looked awful healthy. I wish you could take a look at some of those trees that have been cut down today. They are hollow on the inside. A lot of them were old silver maples. In fact, we took pictures of them today in case this comes up again. Just by looking at a tree sometimes is not the full value of a tree, especially when it gets to the age of 40 years old, 50 years old. Sometimes you can't see on the inside. Some of the trees that they took down today you could understand they were actual hollow on the inside.

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

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

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

Ord. (529-99) Lighthouse

An ordinance authorizing the Director of Parks & Recreation of the City of Euclid to enter into a contract with A Practical Solution, 1156 E. 72 St., Cleve., OH 44103, to design and construct a lighthouse. (Sponsored by Mayor Oyaski by request of Parks & Recreation Director)

Councilman Vadnal moved for passage. President Cervenik seconded.

Mayor Oyaski - As Council may know, this is the last year of the century as it is commonly understood. The administration has been working with interested members of the public. I think the Council was apprised of those efforts to develop a suitable way to recognize the end of the century. We are looking at Surveyor's Triangle. One of the proposals by the citizens group was to construct a lighthouse in conjunction with the Shore High Admirals Concept. Mr. DeMinico has done a great deal of work. We would like to consider this at the convenience of Chairperson McGarry to discuss it further. We do have a lot of citizen interest in this improvement to the Surveyor's Triangle and I would ask that it be put in to the appropriate Committee.

Councilwoman McGarry moved to place in Recreation Committee. Councilwoman Miller seconded.

Roll Call: Yeas: Dallos, Holzheimer Gail, Gallagher, Korosec, McGarry, Miller, Vadnal, Cervenik.
In Parks & Rec. Committee.

Res. 174-1999 (519-99) DARE Grant

A resolution authorizing the Mayor of the City of Euclid to apply for funding from the DARE Grant program through the office of the Attorney General of Ohio. (Sponsor Councilwoman Miller by request Police Chief)

Councilman Dallos moved for passage. Councilman Gallagher seconded.

Chief Baumgart – May I digress for a moment, Mr. DiNero since I am over 50 I feel hollow inside. I really appreciate the work he has done inside our Police Station and his people. To Mr. DeMinico I appreciate the work that he did outside the Police Station. You will notice outside now it looks very nice. They have put new bushes in and new flowers. I just wanted to say that in public.

On this DARE issue, this grant we have asked for, for the last 4 years. It comes through the Attorney General's Office. It is a grant we merely apply for and we have received each time. It helps pay the salary of the police officer who works the DARE, at least half of the salary, the time he is in the classes. This goes directly back into the general fund. When we receive that check it goes directly over to Mr. Balazs and he puts it right back in the general fund. It is reimbursement. It is approximately \$15,000.

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

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

Res. 175-1999 (525-99) Bishop Road/State Rt. 84

A resolution by the Administration and City Council of the City of Euclid to support and endorse the widening of State Route 84 (Bishop Road) including the replacement of the State Route 84 bridge over Interstate 90. (Sponsored by Mayor Oyaski and the entire Council)

Councilman Dallos moved for passage. Councilman Gallagher seconded.

Mayor Oyaski – Res. #38 I think has great potential. What it represents is a regional approach involving 4 cities and 2 counties to bring about the development of property in Euclid as well as Willoughby Hills and Wickliffe on the southeast side of town. Specifically the Parklawn site and the land behind it. The concept that we have discussed, the Service Director, the Law Director and the Community Development Director with representatives of those other cities, is to work together through NOACA and the State of Ohio on a joint regional project that would benefit all of the various entities involved. This resolution is important at this time. This is not final approval. What it basically indicates is the cities willingness to work with Lake County, Cuyahoga County, Richmond Heights, Willoughby Hills and Wickliffe in a common cooperative regional approach to bring about the joint improvement to the Parklawn site and the rear portion. The Community Development Department can follow up with the Council. We will be working on this very hard over the summer. I do ask specifically for Council's support of this resolution. The other City Councils are simultaneously considering this type of legislation. What we are trying to do is work with Wickliffe and Willoughby Hills up on the Bishop Road exit to coordinate that with the Route 90 Euclid Avenue exit in a way that will enhance the development potential of the Parklawn site which is in the process of demolition as well as the rear property. This resolution is important to indicate to the State NOACA and the counties that the various cities are willing to work together. I think we have a lot that we can benefit together by this joint approach. I think a common consensus at this point is in our interest. I would strongly support issue #38.

President Cervenik – I think you summed it up fairly well. It looks good.

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

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

Passed.

CEREMONIAL RESOLUTIONS

Res. 140-1999 (513-99) Junior ROTC/Euclid

A resolution of congratulations to Euclid High School's Navy Junior ROTC Unit for its recent designation as an Honor Unit. (Sponsored by Mayor Oyaski and the entire Council)

Res. 141-1999 (530-99) Hilltop Employees

A resolution of commendation to Barbara Carter and Shirley Lewis, employees of the Hilltop Village Retirement Community, for exhibiting outstanding heroism. (Sponsored by Mayor Oyaski and the entire Council)

Res. 142-1999 (547-99) Megan Ballinger/Valedictorian

A resolution of congratulations to Megan Ballinger, Euclid High School's Class of 1999 Valedictorian. (Sponsored by Mayor Oyaski and the entire Council)

Res. 143-1999 (548-99) Mike Miklavcic/Salutatorian

A resolution of congratulations to Mike Miklavcic, Euclid High School's 1999 Salutatorian. (Sponsored by Mayor Oyaski and the entire Council)

Councilwoman Holzheimer Gail moved for passage. Councilwoman Miller seconded.

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

Passed.

Committee of the Whole

Janet Churnokey – 24040 Puritan Avenue. I am here representing the Inter-Faith Suburban Action Conference. We were on the task force section. We have delivered to Mayor Oyaski, City Council members and to the Police Chief Baumgart a great folder. The Great represents Gang Resistant Education and training. These folders were distributed in the last week. After consultation with the above mentioned officials, a public presentation on the GREAT program will be scheduled at a mutually convened date, later time. If any of you that have received the pamphlets or the booklets have any questions, or if you have not received a booklet we ask that you contact our office. We want to thank you now in advance for any assistance and your cooperation thank you.

Jim Wallace – 427 Lloyd Rd. Item #5, I was really pleased to see the amendment including the Euclid Historical Society as being an appointed member of the board. In order to make that an even better piece of legislation I think an incentive program/penalty should be also considered while it is in committee. A consideration of a 10% property tax break for a historical preservation and again a penalty should they make alterations to that property and change its historical characteristics. I think that would make it a solid piece of legislation.

The rainy day fund, Council demonstrated fiscal responsibility by establishing the fund. The Mayor and his comments demonstrated the administration's resolve to address any possible public criticisms. As Councilman Korosec mentioned, saving money for a future use is in the best interest of the public. I do think that is a good fund to establish.

Final point, on the Charter Review Commission, the members of the Charter Review Commission felt that it was very important to have this piece of legislation put on the ballot. There are other pending resolutions based on the outcome of that vote and how we will proceed on other issues. It is important to have it on this current ballot.

One other point, this tree impact study that was brought up, there was concern in the committee when it was being discussed as possibly changing the name of it. It was brought up that this possibly should be policy not necessarily legislation. In order to clear things up, maybe we should just drop the word study because we are already doing the study elsewhere.

Mr. Wallace - This is more of a policy of how the administration or the City is going to notify the people as to what trees are going to be coming down or possible trees that are going to be coming down. Just change it to tree impact notification would be a simple way to solve that problem. Thank you.

Penny Riha – 1515 E. 195 St. I am here tonight to publicly thank our city officials, Chief Baumgart, Dworning, DeMinico, the Mayor, Jack Johnson, Mr. Cervenik. I think you did an outstanding display of sportsmanship and public support. I want to thank you we have a very good start for the firefighter's monument. Also, Mr. DeMinico put on an outstanding festival. It is just a shame that more people aren't aware or bother to attend it. I thought it was excellent. Thank you.

President Cervenik – Thank you for your fundraising efforts.

David Dorsch – 22590 Edgecliff Dr. To all of you people watching TV you are probably getting ready to pray for a commercial at this point for a break. I would just like to address Mr. Wallace and the rest of Council. I believe there is a federal law, federal mandate that you get a 10% tax break from historic districts and historic structures. We have been talking about historic districts, structures, the first historic survey that was done in Euclid, I believe was in '77. I wish this Council could get it together, go into Cleveland, go into Willoughby, go and find why people want historic districts and historic buildings and come back whenever you are coming back in September and be a little bit more educated than what you have been in the past. Obviously this has not been the comeback administration we had all hoped for in Euclid. We have now the fastest growing poverty rate in Cuyahoga County according to David Rusk, the writer of cities without suburbs. We have far too many rental and apartment buildings and I am very disappointed that we haven't moved faster and further ahead with the marina and the conversion of the Americana into apartment buildings. On Saturday and on Sunday we were at the Euclid Festival. We had people lined up down the causeway waiting to sign the petitions for the conversion of the Americana and condominium development. We have petitions now at the Drawbridge Bar and Restaurant on Babbitt and John Herak's Convenience Store. You people watching TV if you could get out from your living rooms and go to these places, sign these petitions. It would be a great thing for Euclid. I wish you guys would stick around for the summer while we all do the work for Shore Cultural Centre and for the Henn and for the marina, you guys will all be on break. With such a large percentage of the population considering moving and going to different places with lower taxes and more opportunities, I really think you guys should hold a couple of meetings during the summer and pull this marina project together. Get something going with Shore. This Landmark Commission has got to happen. Willoughby has pulled itself back up, I wish you guys would all get on a bus and go down and see why. Bratenahl has pulled itself back up and certain sections of Cleveland have been able to do it. I think we in Euclid have to discover how to bring back urban areas and change this disinvestment that we see on Lakeshore Blvd. Turn that into a plus and get people to move back and to operate businesses once again in Euclid. Thank you.

Madeline Scarniench – 1511 East 221. Two questions I asked weren't addressed. On the HIP program, intent to demolish is that before or after will they be receiving the money?

Mr. Tollerup – It is our intent that the money will come after acquisition and demolition. We hope to have the money available so when most of the building is down, people will have their money.

Mrs. Scarniench – Thank you. The other one is, is Mr. DeMinico the owner of the Henn House?

President Cervenik – No, he is not. Is that the legal way, what is on the contract Director Murphy?

Director Murphy – The prefaced by Mr. DeMinico is landlord. If you look at the first paragraph of the lease, landlord is defined term, which is the City of Euclid. The paragraph you referred to relates to the sending out of any notice effecting this lease.

Director Murphy - So, therefore, if you read the lease in its entirety, any notice required to be sent to the landlord, which is the City of Euclid, shall be sent to Mr. DeMinico.

Mrs. Scarniench – Thank you. Another thing, I was very glad to see everyone on Council vote down the liquor permit. After that particular establishment was closed there was an article in the newspaper, and most of you have already heard this before. It was about how the State has come up with some new rules as to how you can close an establishment one place at a time. I investigated that with the Police Department and everything and found that unfortunately at that time it didn't qualify. Well, I guess someone in the legislature I wrote to Senator Jerse and Senator Prentiss and they both responded to me. In that same period of time someone else discovered the error. It was corrected in March. So, if there is anybody out there that lives in Ward 3, whatever that precinct is, and they would like to close that facility down forever, they can contact me. I would be more than welcome to help them get it on the ballot this and we wouldn't have that problem anymore in this City.

I too wanted to iterate the same thing that Mrs. Riha said. I thank everyone. It was a very humbling experience for anyone that had to sit out there. Some of you like Council President Cervenik, the Fire Chief and Asst. Fire Chief, Pat O'Connell, came back for seconds. It was wonderful watching the Mayor's daughter dunking him quite a few times, the Chief's daughter, I hear, dunked him quite a few times. The kids had a ball. Your help and generosity in this whole weekend event, it was just heartwarming. It was a lot of fun. All of the firemen that showed up and helped, it was a ball. The kids had fun. We started a good start to raising the money. Hopefully, there will be more to come soon. I wanted to say, in addition, WELW gave us airtime that was unbelievable. We couldn't have paid for it. I would publicly like to thank them. They interviewed us everyday they talked to us. Whether it was me or the chief or one of the boys who went up there to remind them of who was going to be dunked when. They even used the Mayor's time as a trivia question and gave a prize away. So, we wanted to thank them publicly.

Vince Riha – 1515 East 195 St. I address the Landmark Commission historical district and ask that whatever you do, you tread lightly. My blood runs cold to think that I might have to come before a committee and have to spend 25% more because I have to put in a 9 light custom made window when I can't afford it. Now, if this community is on a downturn with poverty, it is only in the hearts of people that feel that way. Whether we live in a cardboard box or we live in 25,000 square foot mansions, the spirit of the city comes from the heart. I know most of the people in the city have a good spirit. Be careful on this historic district. Thank you.

Dennis Berzinskas – 20890 S. Lakeshore Blvd. Chief, we are behind you even though you feel a little hollow, we really appreciate you. Talking about trees in this morning's paper in Ohio, they have been cultivating an elm tree. I think when it becomes available that Euclid should try to get their share of elm trees for specific places in the City where it won't get in sewers and where we can really be proud of it. It is an American tree, we are an American city. I am proud to see all of the people tonight. I really appreciate it. I hope we build up more fires in people here, that they take an active interest in what's going on in their city. It is really needed. As I feel as we move to the year 2000 we really start working on a building by building assessment of what is wrong with our buildings, our public buildings so that we know where we stand. For our waterlines, for our sewers, because we have to know where our money is going to go. I know it was damage control what the Mayor tried at the last meeting. It just emphasizes what I said about the millions of dollars that we poured into our sewers and the millions more will have to pour in.

The Charter Review Commission meets July 8th. Their audiences have been very sparse. I would appreciate more people going and expressing interest in the Charter. The specific point I am going for is for the Law Director, it is an appointed position, in the '40's it wasn't, it was a voted position. The real point here is the person appointed to that would have to be working for the citizens that voted him in. I do appreciate our law director and if it does come to a vote, I would appreciate him running. I think he is doing a fine job. But, I don't want you beholdng to anybody except for the citizens that would vote you in. Thank you.

Jack Fraier – 235 Greenbriar. I couldn't leave the meeting without comments on trees obviously. The tree study that has been approved is essential. Urban forests are quite different from the forests that we find elsewhere. A tree out in the middle of nowhere is automatically watered and fertilized. The leaves fall, decompose there is the nourishment. A tree on Lakeshore Blvd or on the shopping center, has concrete all around it. Studies have proved that most of those trees in the urban areas last about 40 to 50 years. As Mr. DiNero has said when they are cut down, they are often hollow inside. These trees in the city must be carefully watched. It would be a real tragedy if one of those trees topple. Concerning the landmark commission. The City of Seattle has a landmark commission. There was a big article in the Wall Street Journal several years ago about it. The headaches that commission has caused obstacles anyone who was wishing to improve a neighborhood. I know some people like to live in older neighborhoods. Some people like to live in newer neighborhoods. Fortunately, I live midway between the two of them. I generally shop in the newer stores and I always meet people from Euclid there. Occasionally I go down to Lakeshore Blvd to shop at 222nd. Not too many people are there. New buildings do attract people. So do older ones, but let's get something in between the two. I hope this, I am in favor of landmarks. They should be designated. We have a lot in this city. I mean just think, going down Euclid Avenue the old quarry railroad site. What a fantastic site it was. The Rosemary Home, it is on Mount Baldy. Of course the famous grave in Euclid Creek Park, the famous dog that died. There is a story behind that dog and it will tear your heart out when you hear about it. These are landmarks and we should have a book prepared. My feeling about the landmark commission is let's make it an ad-hoc committee. We have got a centennial coming up, let's find 100 landmarks in this city. See what happens and then proceed to form some type of form of a landmark commission. Remember back in the 1930's they jumped ahead and planted a lot of silver maples in this city because people wanted trees. Too bad they didn't plant the right kind of tree. Again, let's do something right by starting the landmark commission first as an ad-hoc committee and then go into a commission. Thank you.

Nick Yuhas – 19850 Newton Ave. I want to thank the Council and the Mayor and the President of Council and all of the members of Council on this beautiful job they have done on Newton Ave. The street is great. The only thing I am getting is lot of calls and I happen to be a precinct committee man for the last 30 years, and I have received 30 calls now that Newton has become #1 a speedway in the morning and the evening. We have got motorcycles coming from 185th all the way through there speeding. We have almost lost 2 young people. I thought I would probably bring this up to the Chief of Police and maybe we can do something on Newton Avenue by curbing that speeding problem. I think it is getting out of control. It is more prevalent on Fridays and Saturdays. I am talking about mornings, people rushing to the hospital at 7:00, 8:00, 9:00 in the morning.

The other thing I want to cover is the Councilwoman Gail, the lawns that are now being watered or are supposed to be watered, they are all drying up and looking like a vegetable garden. I was wondering if there was something that could be done about those tree lawns before they really get to look like they are right now.

The other thing is on Locherie we have complaints, people have been calling me, people have been falling down, the curbs are really out of line. That should be sited. A lot of the garages now there are two garages that don't have any roofs covering at all on Locherie and people are calling about that. They are wondering whether people on the City Council are concerned about the properties in our great city here.

The other last thing I will cover tonight is I have been complaining now for the last year. There is a house next door to me that hasn't had any gutters on it for the last 20 years. It has undermined my driveway. Water is now getting into my basement. I have gone to many sources already. I wanted to see the Mayor, the Mayor was busy this morning. I was quite perturbed. I want to see something done. I understand now the person instead of keeping the house, it is up for sale and vacant. There is nothing being done. I don't even think he pulled a permit on the roof. I think there are 4 roofs on that house. I think it should be looked into. It should be investigated, that house. Somebody should really look into it. I thank everyone and happy holiday.

Harvey Mlachak – 23831 Lakeshore Blvd. I would like to echo the sentiments of the remarks of the two young ladies that proceeded me on their comments to Mr. DeMinico on his job on the festival.

Mr. Mlachak - Mr. DeMinico, I think you and your gang done one hell of a bang up job. It was a great festival. I think the people that were there that attended it, appreciate the job that you did. In addition to that, the two chiefs that we have here, if people walked around the grounds there, the crowd control, the EM services and everything else, I think everybody should have felt safe and happy in that park. It was just a great crowd and a great festival. Thanks fellas.

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

Councilmen's Comments

Councilwoman Holzheimer Gail – I would like to ask Mr. Gulich to address the tree lawns on Newton. I have gotten calls and I know that they are working on it. But, just for those who haven't called me yet. For those who are watching, would you explain what is happening with them.

Mr. Gulich – To answer one of your questions Mr. Yuhas, we've been in touch with the contractor from Newton. We will address the tree lawns.

Councilwoman Holzheimer Gail – I would also like to, I think I neglected to thank all of the many people that have worked with us through the Shore process. I did want to thank them. I would like to wish everyone on Council and the administration as well as all of our residents, a safe and enjoyable summer. Take some time to enjoy some of the wonderful amenities we have, walk along the lake, visit the pools, visit the playgrounds, concerts in the park, go see a baseball game. We have a lot of wonderful things going on here and we need to appreciate them.

Councilwoman McGarry – I would also like to concur with Councilwoman Gail's comments. We have seen just a wonderful outburst of activity by our constituents, our citizens. It is most heartwarming and encouraging. I would also like to say that during summer recess work will continue on our school levy, marina, Shore, Henn, the BID for the downtown and the new proposed lighthouse. I wish everyone a wonderful summer.

Councilwoman Miller – I would like to wish everyone a wonderful summer too. I intend to be around this summer, I'm not going any place. I will be available to work and also answer calls and help citizens. I know it is 10:00 but I hope you will stay for refreshments.

Mayor Oyaski – Just two things, I have a report here in the absence of a landmark commission or a historic designation, the Council might be interested to know that we have nearly achieved \$800,000 of improvements financed by homeowners in their residential property in 1999 through the incentives offered by the HIP program. There have been a great deal of investments made by homeowners for home improvements, sewer improvements, erosion control. The number through the first five plus months is almost \$800,000 in private investments. That is something to be noted. Mr. DiNero told me today that we have some preliminary news that the Council's request for the underpass on Dille Road can in fact be accomplished in the relatively near future. We are working with the City of Cleveland. Obviously it is a major project that involves a great deal of money. The Congress has done their part. Mr. DiNero will be working over the summer with the other parties. But, we may, Mr. Chairman, need to have a special Council Meeting. I will be in touch with you. We have received encouraging news to this point about the possibility of improvements as to the Dille Road crossing. Thank you and have a wonderful summer.

President Cervenik – I will join you for a quick piece of cake and some punch, but I need to get home to my wife for the past 25 years. We can only stick it out for 25 years because since I'm here you have to understand, she is a very understanding woman. I love her dearly. First we need to adjourn this meeting and then we need to make a motion to recess.

Adjournment

Councilman Vadnal moved to adjourn. Councilwoman McGarry seconded.

Councilman Dallos moved to recess for the summer. Councilman Gallagher seconded.

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

Meeting adjourned.

Attest:

Clerk of Council

Council President