

COUNCIL MINUTES

September 7, 1999

The regular City Council Meeting was held on Tuesday, September 7, 1999 at 7 PM in the Euclid City Hall Council Chamber. President Cervenik presided.

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

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

Liquor Permit

Councilman Korosec moved to postpone the request for the transfer of a C1, C2 liquor permit from Lawson Milk Co., to Lawson Milk Company DBA Dairy Mart at the northeast corner of Babbitt and Lakeland Blvd. President Cervenik seconded.

Councilman Korosec -- Due to the fact that this hasn't even gone in front of our Planning and Zoning Board, I would request that a letter be sent to postpone any action on this to Dairy Mart.

President Cervenik -- We will make sure that happens, we can get a 60 day extension? We are requesting a 60 day extension.

Communications

Council has received the following communications:

A letter from ODNR regarding the 1999 Nature Works Grant Application.

A letter from State Representative Dale Miller upon receipt of our Resolution regarding Homestead Exemption reform.

A letter from the merchants of East 200th Street concerned about the proposed project.

Detail plans from the Ohio EPA regarding the proposed waterline extension for Walnut Drive, Birch Avenue and Maple Drive improvements.

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

Council Minutes

Councilwoman Miller moved to approve the Special Council Minutes of August 16, 1999.

Councilwoman McGarry seconded. Yeas: Unanimous.

Administration Reports & Communications

Mayor Oyaski -- Good evening ladies and gentlemen. I would like to welcome the Council back also from their recess. We have only a few brief remarks and a couple of presentations. I would like to invite the Council and all members of the public to a memorial program in honor of Florence Humphrey who died over the summer. It is hosted by the Euclid Historical Society and it will take place at the last Sunday this month, that's September 26th from 1-4 at the Historical Museum up on North Street. Florence, as you know, is one of our greatest citizens in terms of her involvement in the community. She did great things for the library, for the museum, for the American Field Service and for her neighborhood with the recent dedication of the Evans Playground. I would hope that the Council could join with the administration to honor her memory and her accomplishments on Sunday, September 26th from 1-4 at the North Street School Museum.

Mr. Chairman, I have given the Clerk a copy of the study that the Mayor's office requested in connection with the Euclid city jail. We just received this. The Chief and I are reviewing it. It is related somewhat to one item on the agenda tonight. But, anyone that would like to receive a copy including members of the public, you can obtain a copy from the Clerk. It is prepared by Mr. James Armetz, thanks to a grant from the United States Department of Justice. It is quite thorough and interesting to read regarding the needs that we face at the Euclid City jail.

Mayor Oyaski presented Holy Cross Parish with Resolution No. 180-1999.

Mayor Oyaski presented Euclid Kiwanis with Resolution No. 179-1999.

Mayor Oyaski presented B&B Appliance with Resolution No.181-1999.

Councilman Dallos introduced his daughter who currently lives in Japan.

Mayor Oyaski – I do want to thank the Council for permitting us to have a very successful and charitable golf outing last Thursday. We raised over \$7000 at the most successful golf outing yet for the benefit of the maternity home, the Rosemary Home and also the Euclid Family Y. I do want to thank Councilwoman Miller, Councilman Gallagher, and Council President Cervenik for actively participating. But, I do want to thank the entire council for permitting us to engage in that very worthwhile event.

Reports & Committee Minutes

Councilwoman Miller moved to receive the Planning & Zoning Minutes of 7/20/99; Fire Report – July, 1999; Euclid Community Concerns Report of June & July; Board of Health six month report. Councilman Vadnal seconded. Yeas: Unanimous.

Committee of the Whole

President Cervenik – Before we get started, I know a lot of you are here from the East 200th Street Merchants Association concerned about the construction project. So that you understand, and some of you may not want to stay through the whole meeting because you can address this at the second Committee of the Whole, the project for the north end of East 200th Street, that is from the marginal to Lake Shore Boulevard, will not begin until sometime in the spring. Mr. DiNero is attending a meeting I believe next week with the representatives, the state, the contractors and they will be formulating a plan and giving Mr. DiNero the specific dates when things will be done and how they will be done. After that meeting, we will hold a meeting. We will notify the owners on East 200th Street that we will have a meeting, I will assume in this building here and we will go over the specifics with you. We will find out ways we can help your businesses survive the construction period. But, again, no work will be done north of the marginal until sometime in spring. They are going to in October working underneath the bridge from the Marginal up to St. Clair. But, that will effect very few of you. You have my word that we will hold a meeting, an owners participating meeting. We will do what we can do to help you. I'm sure you will have some suggestions that will help us solve it. You are welcome to stay for the whole meeting if you would like. But, for those of you who may have something else to do, I wanted to let you know what is happening. For those of you that may have something else to do, I wanted to inform you of what's happening. I know I thought a few people here this evening weren't aware that they wouldn't be starting until spring.

Councilwoman Holzheimer Gail moved to go into committee of the whole. Councilman Gallagher seconded.

Dorothy Fike – 20271 Delaware Rd. I have several questions. #3, about Magnolia Drive, vacating it, I want to know it really starts at Euclid Avenue, is it going to be vacated from Euclid Avenue all the way up? What about going up to the medical and office building that's up there? Is that going to be closed also? Because, the ordinance says the entire length. It really starts at Euclid Avenue, not up the hill. Although, today when I was there just looking, I see there are barricades about ¾'s of the way up already across because I followed two cars that could've had to turn around and come back down. I'm sure that's a concern to a lot of people.

#4, on the retail gas station I think I've noticed that they seem to be tearing down the old building. I want to know how big the building, is there going to be a new building put up there now big? Tying it into #5, about the sale of City property. This was unusual that we didn't get a description of the property or even the size of it. I would like to know just where the property is and the dimensions and that kind of thing that is involved in the sale of Euclid real estate to a private person.

#6, the software, it seems like an awful lot of money I would like to know what you are getting for it. It seems that every time we turn around they are getting more software or hardware. So, I would like to know what this is all involved. #8, on the with the City of Cleveland agreement, is that going to be a complete underpass.

Mrs. Fike - I couldn't quite understand the wording of it. Do I understand it correctly that there is going to be no cost to Euclid even though part of it is in Euclid? And, is it an underpass? #9, on the hydrant replacement, is that all of the hydrants on Euclid Avenue and 266th or just some of them? It doesn't say. #12, a loader for the Waste Water Treatment Plant, I want to know why that is coming out of capital improvement and not out of Waste Water Treatment funds, since it is for the treatment plant? #15, another what is the property that is being destroyed, I mean demolished, on 266th. Why is that also coming out of permanent improvement, capital improvement?

President Cervenik – That is being pulled.

Mrs. Fike – That's all and I will receive the answers when you come to them on the agenda. Thank you.

Madeline Scarniench – 1511 E. 221. Dorothy touched on both of the questions I have. On #8, will this go to committee? On #9 if all of these hydrants are done on Euclid Avenue, are they going to be in the way when they redo Euclid Avenue? Are we going to be wasting money replacing these now? Or should we be waiting until after they are done? Thank you.

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

Legislation

Ord. (480a-99) UDE/Innvoy Inn

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)

Second Reading.
Public Hearing 9/20/99.

Ord. (499-99) UDE/East 264/Tungsten

An ordinance rezoning P.P. # 648-25-064, located at E. 264 St. & Tungsten Rd., from U-2 to U-1 use district and further amending Ord. No. 2812. (Sponsored by Councilman Korosec by request of CS&ED Director)

First Reading.
Public Hearing 10/4/99.

Ord. 182-1999 (512-99) Vacate/Magnolia Dr.

An ordinance vacating Magnolia Drive in its entirety. (Sponsored by Mayor Oyaski)
(Recommended for passage by the P&Z Commission)

Councilman Korosec moved for passage. Councilman Dallos seconded.

Director Murphy – This matter was heard and recommended for passage by the Planning & Zoning Commission and is now referred back to you with its recommendation for passage. The vacation of Magnolia Drive is a necessary step in preparation of that area for hopefully sale to a private developer. It is a statute of a vacation of a dedicated highway is a statutory procedure which is required by law. Magnolia Drive, I am informed by the Service Director and the Building Commissioner begins at Euclid Avenue and wraps through the Parklawn Apartment area. The driveway up to the office building and medical building on the hill is a private driveway I am told.

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

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

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

Passed.

Ord. 183-1999 (569-99) Gas station/Lakeland/reopening

A resolution granting a variance permitting the reopening of a retail gas station located at 24310 Lakeland Blvd., P.P. No. 648-01-001 with beer and wine sales in a U-4 (Retail/Wholesale) use district. (Sponsored by P&Z Commission)

Councilman Korosec moved for passage. Councilman Farrell seconded.

Commissioner Hayes – This ordinance was brought to the Planning & Zoning Commission and this proposal was brought to Planning & Zoning Commission to reopen the old Sohio gas station on the southeast corner of Babbitt and Lakeland. As you all know it has stood vacant for a number of years. Mr. Atwood Jr. has proposed to put a new gas station back in to that location. Under the U-4 zoning district it will require that the Planning & Zoning Commission grant a variance to allow a gas station to go back in there. That was done prior to the summer recess of Council. Under the gas station ordinance, which is Chapter 1391 that approval also has to be confirmed by council. Therefore, it is here tonight.

To answer your question Dorothy, the building there will be approximately 2000 square feet and there will be a canopy over there also, so cars can pull under it when they are pumping gas.

President Cervenik – A member of council has a question concerning the beer and wine sale being included in this piece of legislation. Is there any, does Planning & Zoning normally act on beer and wine sales?

Commissioner Hayes – As a general rule or at least in the past we have not done that mainly because any application for beer and wine sales has to come directly to Council anyway. So, Planning & Zoning would not normally do that. Being though that it is in chapter 1391 that is part of the ordinance they acted on both measures.

Councilman Farrell – Assuming everything goes through, when are they planning on opening?

Commissioner Hayes – Mr. Farrell, I am not positive exactly when they intend to open. I know they would like to get started building this as quickly as possible. There are a couple of things still in front of the Building Commissioner now for the final approval to get their permits.

Councilman Farrell – Just out of curiosity, is this going to be a BP, Shell, Sunoco?

Commissioner Hayes – It is my understanding that it is going to be a BP.

Councilwoman Miller – Are they putting, I've seen that they've been digging over there. Are they putting in all new underground tanks and such?

Commissioner Hayes – yes, all of the old tanks were removed, everything is brand new.

Councilwoman Miller – That was a concern. Thank you.

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

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

Passed.

Ord. (552-99) Sale/city property/Lakeland

An ordinance approving the sale of a parcel of City property located at 20500 Lakeland Blvd. (P.P. # 641-32-1) to John Atwood, Jr. d/b/a Marginal Enterprises, for an amount of Two Thousand Dollars (\$2,000.00). (Sponsored by Mayor Oyaski)

Councilman Vadnal moved for passage. Councilwoman Holzheimer Gail seconded.

Director Murphy – This is a very small sliver of land adjacent to Mr. Atwood's current business, the Aquasonic Auto Wash on Lakeland Blvd. With the recent completion of the sale of the Orthotics Out parcel to Suburban Auto Body this adjacent piece of land is no longer necessary or needed by the city. In fact, it has been leased to Mr. Atwood and his business for the past 15 years and has not been utilized by the city. With the sale of the adjacent parcel which culminated last week and the sale of this property, the city will no longer own any real estate in that area.

Councilman Dallos – How do we determine the price?

Director Murphy – I believe the \$2000 is based on the tax valuation.

Councilman Dallos – And, no appraisal is needed? I mean the city doesn't need an appraisal?

Director Murphy – I think Councilman Dallos for the limited value that the County has assessed that property at, it probably would cost us more to retain any independent appraiser then we would be able to get for selling the property.

Councilman Dallos – Well at the same time, the county may not necessarily be correct on their appraisal for the tax value.

Councilman Vadnal – Someone asked for a description of the property.

Director Murphy – We can provide that to you.

Councilman Vadnal – I think we should wait unless there is some urgency in this. I know this is \$2,000 but on the other hand, Councilman Dallos brings up a good point. Without a description of what this is, why don't we put this off until next meeting.

Mayor Oyaski – We'll be happy to pull the legislation until we can answer those questions.

PULLED.

Ord. 184-1999 (554-99) New World System

An emergency ordinance authorizing the Administrative Director of the City of Euclid to enter into a contract for software support with New World Systems for a three-year period from July 29, 1999 to July 28, 2002, for an amount not to exceed \$87,750.00. (Sponsored by Mayor Oyaski)

Councilman Vadnal moved for passage, Councilwoman McGarry seconded.

Director Johnson – What we are requesting tonight is the renewal for another 3 years of a software agreement with New World Systems. This is basically software support. It supports 13 financial modules and 4 human resource modules. It is all the software that is used by the Finance Dept. to process all of the accounts payable as well as process all the payroll and human resource functions that are performed. This amount, \$87,750 is for a 3 year period. To purchase this software, absent this agreement, would cost \$168,000. Included in this software support is updates to the software as well as re-releases. We have recently re-released both human resource funds as well as the financial system modules in order to be Y2K compliant. These have to be purchased. In the absence of entering into this agreement for a 3 year period, the purchase of the software would be \$168,000. The previous 3 year period was in 1996 to 1999. In that 3 year period the cost was \$66,360. I'd be happy to answer any other questions.

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

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

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

Res. (571-99) Fiber Optic Cables

A resolution in support for Level 3 Communications, LLC, to install fiber optic cables along the Norfolk Southern Railroad right-of-way, crossing the City's right-of-way at the bridges at East 222 St., Babbitt Rd., and E. 260 St., to be trenched across roadways at Chardon Rd. and Dille Rd. (Sponsored by Councilman Dallos)

Councilman Dallos moved for passage, Councilman Gallagher seconded.

Councilman Dallos – I would like to move this to the Service Committee and I'd like to set a meeting for Wednesday, September 15.

Councilman Dallos moved Res. (571-99) to the Service Committee. Councilman Gallagher seconded.

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

Ord. 185-1999 (551-99) Underpass Dille/Agree. Cleve.

An emergency ordinance enacted by the City of Euclid, Cuyahoga County, Ohio, authorizing the Mayor of the City of Euclid, or his designee, to enter into an agreement with the City of Cleveland in the matter of the hereinafter described improvement. (Sponsored by Mayor Oyaski by request of the Service Director)

Councilman Dallos moved for passage, Councilman Vadnal seconded.

Director DiNero – I've been in contact with the City of Cleveland and had a few telephone conversations with their representatives. We attended a meeting two weeks ago. The only thing I can tell you at this point, this is a \$15,300,000 project. This is tied in with Dille and London Road, both with underpasses. The railroads are contributing \$1,500,000. The federal government is contributing \$11,500,000 to this project. The balance, \$3,800,000 is needed from NOACA. We sent a letter to NOACA requesting that they take part in approving this money. At this time, the City of Cleveland, from what I understand, took proposals for engineering on this project. This is a project that you are hearing about today, and we are going to enter into an agreement with the City of Cleveland. Chances are, this is like a 2-3 year project for engineering alone. We are looking at 5-6 years before you see any construction. Everything is right in the early process. They did take proposals to hire an engineer. I would think it would take a couple of years to complete the engineering. I'm sure there is going to have to be some land acquired in both areas, London Road and Dille Road. This will be a great project for the City of Euclid to have an underpass at Dille Road. The amount of traffic that goes on that road in the morning, if you travel that and a train is coming by and you are sitting up on Euclid Ave. It will be a great project for this city and I'll keep the Council up-to-date as much as I know, whenever I receive information. That's all I can tell you at this time.

President Cervenik – To answer the question from the audience, it should cost us virtually nothing?

Director DiNero – The City of Euclid will contribute nothing, which is the best part of it.

Mayor Oyaski – I think the Council does deserve to be commended because you may recall the Resolution that was passed not that long ago that got the ball rolling here. We do want to thank the City of Cleveland and NOACA. It is fair to mention that Congressman LaTourette got a specific line item appropriation to get this project moving. We haven't had a new underpass built in Euclid since 1981. This legislation doesn't make it all the way home yet, but if and when we complete this within the next few years, we'll only have one more grade crossing in the City. The Council did identify this need to get the ball rolling. Less than 2 years ago Congressman LaTourette deserves our thanks and Mr. DiNero has really taken the bull by the horns and run with it as well. I would ask the Council's unanimous consent. Thank you.

Councilman Farrell – Mr. DiNero, is our contribution of zero dollars now or is that included for the life of the project?

Director DiNero – As far as I understand, the City of Euclid has to contribute no money for the complete project.

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

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

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

Ord. 186-1999 Bids Hydrant Replace Euclid & 260

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract after advertising for bids for the labor and materials necessary for Hydrant Replacement on Euclid Ave. and E. 260 St. (Sponsored by Councilman Dallos by request of Service Director)

Councilman Dallos moved for passage, Councilman Korosec seconded.

Director DiNero – There's 25 hydrants that are supposed to be replaced. We are going to replace 4" hydrants and increase them to 6" hydrants. There are various locations on Euclid Ave. and also on E. 260 St. This is part of Mike Benza's report that he did on our water lines. Also the Fire Chief is aware of these hydrants that we are going to replace from 4" to 6". As far as Euclid Ave., we are doing them first to make sure they are done. So, when they start on Euclid Ave. in the spring, the hydrants will be done.

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

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

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

Res. 187-1999 (570-99) Issue 2 for 2000

A resolution authorizing the Mayor of the City of Euclid to seek financial assistance for the year 2000 from the State Issue 2 Infrastructure Bond Program for funding of various capital infrastructure improvement projects. (Sponsored by Councilman Dallos by request of the Service Director)

Councilman Dallos moved for passage, Councilwoman McGarry seconded.

Director DiNero – This is our normal procedure to get the authority from Council to submit our projects to Issue 2. If you notice there are only 3 projects this year. Beverly Hills, I know Councilman Dallos has been after me about redoing Beverly Hills for a number of years.

Councilman Dallos – The Mayor lives there so we have to take care of it.

Director DiNero – Lake Edge Drive, the residents on that particular street have been after the city for a long time. We submitted this project on couple of occasions and we hope we will be successful this time. Also E. 222 Street, as most of you know, it seems like from Miller to Tracy Ave., where all the businesses are at, the waterline has been breaking frequently. The last time we had it repaired, one of the fellas from the Water Dept. cut out a piece for us and there's practically nothing there. Hopefully we can receive these 3 projects from Issue 2 in 2000.

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

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

Ord. 188-1999 (555-99) Bids

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a series of contracts after advertising for bids for the City's requirements of asphalt, tires and tubes, washing of City-owned cars/vans, and liquid calcium chloride for the years 2000 and 2001. (Sponsored by Councilman Dallos by request of the Service Director)

Councilwoman Miller moved for passage, Councilman Vadnal seconded.

Director DiNero – This is our normal procedure to go out for bids for these different items so we can have our vendors in place come January 1.

Councilman Farrell – I was just curious, is it possible for the city to work out a barter agreement with the people that own the car wash there for the washing of our city owned cars and vans for that \$2,000?

Director DiNero – Maybe we can, I don't know. They'll have to wash a lot of cars.

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

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

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

Ord. 189-1999 (560-99) Bids Loader WWT

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract after advertising for bids for the purchase and installation of a Loader/Lugger on a new 2000 International Cab and Chassis for use by the Waste Water Treatment Plant. (Sponsored by Councilman Dallos by request of the Service Director)

Councilman Korosec moved for passage, Councilwoman Miller seconded.

Director DiNero – That should be lugger. This is part of the Waste Water Capital Budget. The truck we already received, now we have to go out for the back-end which is called a lugger, which is hauling the stuff from the Waste Water Treatment plant up to the sludge plant on Lakeland Blvd. Answering Dorothy's question, it's not coming out of the capital budget, it's Waste Water capital budget.

President Cervenik – On the ordinance it does state, 1999 Capital budget. We should have an amendment for that.

Councilwoman McGarry moved to amend. Councilman Korosec seconded.

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

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

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

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

Ord. 190-1999 (572-99) Adler's 23780 Lakeland

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 Domo Group L.L.C. doing business as Adler's Team Sports and Lettering which is in the process of purchasing the property located at 23780 Lakeland Blvd., for the provision of a grant in the amount of \$30,000 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, Councilman Vadnal seconded.

Director Koran – This is potentially a very exciting project. This building is hopefully going to be purchased by Adler's Team Sports doing business as Domo Group LLC. This is a large building on Lakeland Blvd., sandwiched between Zagar and Web Supply. It used to be a boat shop and then it was a tire store. It has been vacant for about 3 years. Several months ago, Rich Domo called our office looking for incentives to move to the City of Euclid. He had found a building that he was interested in purchasing. Many employees in the department have worked with Mr. Domo over the past 3-4 months including Bob Apanasewicz, John Hayes, Paul Dietrich, myself and Gary DeWine, convincing this business and this gentleman in working with the Architectural Review Board and Jack Fay architects that this is an exciting and good project.

What we have before you tonight is a reimbursement out of our storefront grant of \$30,000 to help pay for the renovation of this building, plus an additional \$1,500 architectural design services. This building is currently vacant and it is an eye sore, there are weeds growing 3 feet tall. The plans have already been reviewed by the Architectural Review Board and have been approved. Jack Fay architects did a very nice job coming up with a solution to several problems that the business had, specifically parking and access. I'm personally very excited about this coming moving to Euclid. Bob DeMinico and the Recreation Department purchases quite a bit of equipment from this company. They are currently on Alpha Park and we are very excited to have this company move into the City of Euclid. Mr. Domo is in the audience if you have any specific questions about his business, but we are all excited about them renovating this building with minor city assistance.

Councilman Gallagher – Do you know approximately how many jobs will be brought with this business?

Director Koran – Yes, Mr. Domo is here and I'm sure he'd like to step up to the podium.

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

Mr. Domo – Our present address is 222 Alpha Park. My home address is 8411 Dalebrook in Independence. The answer to the question is approximately 20-25. We have approximately 8 road salesmen that go all the way to Pennsylvania to Vermilion to north Canton. We sell to cities, schools, and leagues. We handle probably over 600 schools that we work with and we produce team uniforms for the athletic departments. Also for teams such as Euclid Little League, which we did for quite a few years. We have seamstresses that do sewing. We brought a letter jacket to show you in case you would like to see something we do. We are proud of what we do, it is a family owned operation. My wife, my son and myself run it. We are looking forward to coming to the City of Euclid.

President Cervenik – Let's see the jacket.

Mr. Domo – We do this type of thing that you've all seen young children wear. We do the high school in Euclid as well. We didn't have a Euclid jacket, but we did have an Aurora.

Councilman Gallagher – Not to pry into your business, but, the \$30,000 that the city is contributing is quite a significant amount. I'm trying to gauge what kind of benefit this is going to bring. Obviously you are going to take over a vacant building, which is a great, great thing. What is the average range of salaries of these jobs?

Mr. Domo – My top salesman makes about \$60,000 a year. It goes down to about \$35,000. Our problem we ran into is that it is in bankruptcy. We had to buy it from the bankruptcy court in California, we incurred some expenses that we didn't project at all. We came to Mr. DeWine and members of the Administration asking for assistance to try to accomplish the purchase. That's where we ran into the problem, we just didn't have enough funding to accomplish some of the needs that the City would like us to do.

Director Koran – The company is planning on spending over \$100,000 just on the exterior of the building. Plus approximately another \$100,000 on the interior of the building.

Councilwoman Holzheimer Gail – I believe it is a typo, but in the third Whereas, it says Action Auto Body. Do we have to amend that?

Councilwoman Holzheimer moved to amend. Councilman Gallagher seconded.

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

Mayor Oyaski – We've had a storefront renovation program for 19 years this fall. This is one of the most notable projects we've done because of its conspicuous location. I do strongly support and I thank the development department, but most of all I thank the investors which involve the Domo family. This is a superb project for a property that is very, very conspicuous and has been vacant for sometime. It is a quite a nice project out of the two hundred or so we've done, this is one of the better ones.

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

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

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

Ord. 191-1999 (567-99) Demolition

An ordinance authorizing the Commissioner of Buildings of the City of Euclid to enter into a contract after advertising for bids for the demolition of the condemned structure located at 22501 Shore Center Dr., Euclid, OH (former Prostyle Building), pursuant to the provisions of Sections 1703.50-56 of the Euclid Codified Ordinances and Sections 715.26(b) and 715.261 of the Ohio Revised Code. (Sponsored by Councilman Cervenik)

Councilman Dallos moved for passage, Councilwoman McGarry seconded.

Commissioner Apanasewicz – This legislation is in anticipation of non-compliance with a court agreement that we have with the owner of this property. We had the owner in Court in January. His plea to us was to give him time to find a buyer for the building. His time is quickly running out. The deadline for him to demolish the building, sell the building to someone who will fix it up or demolish it, or to repair the building, is October 7th. On that date, it is my plan to initiate demolition procedures against the building and institute prosecution of the owner. As part of the agreement, the owner of the building was required to post a deposit with the city and the funds would be used in anticipation of his non-compliance to be used to compensate the city to demolish the building. The majority of the funds will be out of the owners pocket already. Any funds in excess of that would be assessed to the property. Any questions, I'll be happy to answer them.

President Cervenik – It's about time. I appreciate your help. The only thing the Judge would have been able to do would be to make the owner of this building comply with codes, when in fact most of us agree that something much better can happen on that site if it was just demolished. Mr. Apanasewicz said, \$45,000 of the cost, we have the cash for it from the present owner and we will assess the property for the rest.

Councilman Gallagher – I'm assuming there's going to be, the city's going to have to pay something in excess of \$45,000 for the demolition. That balance would be assessed to this property. Is that a priority position on that property ahead of any mortgages?

Director Murphy - I believe, Councilman Gallagher, that the assessment is a priority to everything except real estate taxes.

President Cervenik – Does anyone know if the present owner is current on those taxes?

Director Koran – We believe he is. From our discussions we know he is trying to sell the building, but his comments to us last week is that he will tear the building down before we do because of the higher cost that the City of Euclid has to tear the building down. As far as we know, he is current with his property taxes. This will be the first lien on the property.

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

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

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

Ord. (568-99) Pulled

An ordinance authorizing the Commissioner of Buildings of the City of Euclid to enter into a contract after advertising for bids for the demolition of the condemned structure located at 355 E. 266 St., Euclid, OH, P.P. #645-18-040, pursuant to the provisions of Sections 1703.50-56 of the Euclid Codified Ordinances and Sections 715.26(B) and 715.261 of the Ohio Revised Code. (Sponsored by Councilwoman McGarry by request of the Building Commissioner)
Pulled.

Ord. 192-1999 (562-99) Calendar Rec Dept.

An ordinance authorizing the Director of Parks & Recreation of the City of Euclid to enter into a contract after advertising for bids for the printing and binding of the Recreation Department's year 2000 calendar, for an amount not to exceed \$15,000.00. (Sponsored by Councilwoman McGarry by request of the Parks & Recreation Director)

Councilwoman McGarry moved for passage, Councilman Dallos seconded.

Director DeMinico – The Recreation Department would like the permission from City Council to print a year 2000 calendar. This calendar would have all of our activities listed on it from group sign up lessons, adult volleyball sign ups, city council meetings, recreation commission meetings. Each month we would be promoting a different event through the department, whether it be through the golf course, perhaps senior activities, volunteer week, earth month during the month of April. I have a blue print that I would like to pass around to Council right now. It is a very tiresome project. We've been collecting photographs, gathering up information, documenting, projecting when next year's events will be taking place. What we hope to do is every household in the City of Euclid have a calendar with all of the Parks & Recreation Department's activities listed on it. It will be a very useful resource guide for the year 2000, which we hope will boost activities and sign-ups for the various programs.

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

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

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

Ord. 193-1999 (564-99) Schools Exempt Rent @ Shore

An ordinance amending Ord. No. 8-1998, and authorizing the Director of Parks & Recreation of the City of Euclid to exempt the Euclid Public Schools from paying the per day room rental rate for the three classrooms that the Euclid Public Schools will utilize for their English as a Second Language Program at the Shore Cultural Centre. (Sponsored by Councilwoman McGarry by request of the Parks & Recreation Director)

Councilwoman McGarry moved for passage, Councilwoman Holzheimer Gail seconded.

Director DeMinico – Ord. #8 requires room rental rates to be paid by all participants at the Cultural Centre. This is a yearly maintenance item here that we address through Council to waive those room rental rates. The fall, winter and spring school sessions, three rooms are rented two times a week. During the summer months, it is 3 rooms twice a week but only for 5 weeks. The rental amount being waived by City Council is \$6,330.

Councilman Gallagher – Do you know whether this program is supposed to be self-sufficient or designed to be self-sufficient? Or, does it depend, my question is, does these people who attend the English as a Second Language program, pay a fee, correct?

Director DeMinico – That I'm unaware of if there are fees involved. I know there is grant money used to subsidize this course in payments of the teachers and classroom supplies. There is not enough money in the grant to afford the rental amount.

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

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

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

Res. 194-1999 (558-99) Leave of Absence Sotka

A resolution granting approval of a special leave of absence for one (1) year, without pay, for Police Officer Michael Sotka. (Sponsor Mayor Oyaski)

Councilwoman Miller moved for passage, Councilman Korosec seconded.

Chief Baumgart – Michael Sotka is one of our younger officers. This is a testament to the quality and caliber of the men and women that work in the Police Department. He took a test for the FBI and came in #1 on the test. He thought long and hard because he really loves being a Euclid Police Officer. It was a difficult decision and it was a family decision to make. He certainly didn't want to burn any bridges. He wants to have the opportunity, should it not work out at the FBI to come back to Euclid. I think it is a worthwhile thing to have in our back pocket if it doesn't work out at the FBI. His wife is also a professor which is another reason why they made this change because of location differences for professors is better for them too. It was personal but it was also something he did begrudgingly. He didn't really want to leave and it was a last minute decision. It came up to the last wire before he made the decision to leave.

Councilman Korosec – You gave my name as moving for passage, but I am dead set against this. I was against it the first time. This type of legislation was brought up prior to our recess in the summer time. I stated this the last time, it is opening up Pandora's box of every time someone feels that they have a better opportunity to come to one of the Directors and say I'd like to have the chance to come back. As it says here, doesn't work out to his liking. That's very disturbing to me. When we put into a Resolution that it is not to my liking so let me come back. I'm sure this officer is one of Euclid's finest. It's a matter of coming to something and say, are you dedicated to this job, or are you going to close the door and move on and move ahead. You can't have it both ways. I can see if this is 30 days, but we are giving him 1 year to see if he likes a job or not. If he says, I don't like it, my wife didn't get the professorship where she thought she was going to, give me my job back. That just doesn't sit well with many of the residents that have seen this that I have spoken to about this.

Councilman Korosec - If you could give me any other municipality in the State of Ohio that's done this twice in one year, I don't think there is. Done this twice in one year. I don't think there is.

Chief Baumgart – My I rebuttal. One was a correction officer that left to be a police officer. In this particular case, this gentleman didn't want to leave here. He really loved being a Euclid police officer. The opportunity did arise and looking over the procedures to receive this kind of consideration, it says for the good of the city. I believe this gentleman is a fine officer who I have many accolades in his file on. I hated to see him go. If we can have a chance to get him back, I'll take him. I'd love to take him back. I hope it works out for him at the FBI. I know a lot of agents and I went to the FBI National Academy, but I hated to see him go. That's why I asked the Mayor to put this on the agenda.

Councilman Korosec – I have no doubt that you appreciate this officer as well as all of us do. The whole issue is not whether or not he was a good officer or not, or whether he will make a fine agent or not. The hole crux of this is, if an employee of the city decides to say I want to try a new line of work, or a new company, or a new branch of government, to say I have a fall-back net, well he made his decision. I'm sure it was going to be a good decision. I know you hate to see him go, but I wouldn't expect, if I decided to say I wanted to try a new job, but if it doesn't work out, let me keep my city council job. I know there's an election and other people want this position, but if something else doesn't work out, bring me back, no questions asked. That doesn't sit well with me and it doesn't sit well with a number of constituents that I've talked to. No other municipality has done this as often as we have. This is coming up out of no where and I don't think this would have happened, especially this Resolution, if the corrections officer wouldn't have brought it up. I think this was piggy-backed from the last time that he found out it was passed. I don't think he would have asked for this.

Chief Baumgart – No sir, he would have.

President Cervenik – How much do we spend training our police officers to get to the position that this officer is in now.

Chief Baumgart – The minimum amount for the academy is \$2,000. Also we are paying his salary and room and board, his uniforms. We've invested a lot with this gentleman and he has been with us approximately 5 years. This is an opportunity. You are taking a federal law enforcement. He is dedicated to law enforcement, whether at the federal level or the local level. I prefer the local level. I had a chance to go federal at one time myself. I prefer staying here in Euclid. He made that decision, he may not like it. It is a different world. That's why he wanted to keep his options open and I hope he has that option open. I hope you decide to vote in his favor because I'd love to have him back.

President Cervenik – If Council turns this down, the Mayor has the authority, I believe, to grant a leave of absence of 6 months? Three months, okay.

Councilwoman McGarry – Chief, are we down an officer for a year in this spot?

Chief Baumgart – Currently we are down an officer right now. We will be giving a test soon. The fact of the matter is we have some turn over. We do see windows of opportunity in the future. This window of opportunity would come up again in about a year's time. We don't always stay at 105 officers. We go to 103 to 105 depending on what's happening.

Councilman Gallagher – I can understand Councilman Korosec's point, however, I think there is a distinction between the safety forces and the level of training that we have to provide to them. In addition to the extensive training this officer is going to get while attending Quantico and all his additional training through the FBI. If he does come back, he would be a valuable asset to the city.

Chief Dworning – In support of Chief Baumgart, I speak from an administrator who has to hire firefighters regularly. I can tell you this, it is very, very difficult to hire good quality people these days. Not all of them, but when we have difficult times and the things that we have to go through to get the people in here to this community that we need for these safety forces is a difficult task.

Chief Dworning - We've been very successful so far, sometimes I say we are luckier than we are smart. But we have proven that putting these individuals through these processes that we've put in place, we do get good people. I have to agree with you Councilman Korosec, if you strictly look at it from the individual standpoint, yes, I would say that. I, looking at it from Chief Baumgart's standpoint, if you have a proven commodity and you know what you have, there's no guaranty that these individuals, I don't care whether it is police or fire, are going to take another job with another fire department or another police department in another community. It hasn't happened yet in the fire department. I foresee it happening, I hope not, but it is a fact. I think what the Chief is trying to tell you is he has a proven commodity. If this individual is successful in the FBI, he's going to go anyway. But, given the chance, the Chief would take him back. I think that's what he's asking you to entertain this evening.

Councilman Korosec - I don't think that you are really understanding this whole point. You are brining up training and how much it costs. We hire officers and firemen that already have experience. We don't send them to the police academy any more because it costs the city to much money. We don't send them to the fire schools because it costs to much money. You have to have a paramedic, 400 hours, all these things, these prerequisites to even really score well on the exam.

Chief Dworning - That's not true. The only prerequisite the firefighter has is that they have to be paramedic certified or enrolled in a paramedic program at the time.

Councilman Korosec - Why is that?

Chief Dworning - It was a prerequisite and established many years ago when Chief Slattery was the Fire Chief to bolster our numbers of paramedics in the fire department. We didn't have enough paramedics.

Councilman Korosec - Is it also true that it is cheaper for the city to already hire fire officers that have that training?

Chief Dworning - I won't argue that issue with you. There is a cost savings in that in itself, yes there is. But, that was not the impetus for the prerequisite.

Councilman Korosec - I'm not trying to banter back here. I'm just trying to say when you bring up economics and say we are spending so much on an officer, the majority of that money is already spent prior to hire by the officer and previous cities and themselves in many cases, prior to hire. We may be losing an officer, but I'm sure there are hundreds of other officers with 5 years experience or more, that would be willing to come into a city like Euclid that has a low crime rate, that has excellent benefits, as all of us can attest during budget hearing time. I really feel from having a person in my own family move from another municipality to Euclid to work in the fire department services, yes, it is a quality city, it is a city which attracts quality candidates. I don't see while holding a position while someone wants to go and better themselves, does a disservice to the city.

President Cervenik - Point well taken.

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

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

Passed.

Ord. (559-99) Jail Modifications/Tabled

An emergency ordinance authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid to enter into a contract with Jerald Baker & Associates, Inc. to design and oversee the modifications to the Euclid City Jail for an amount not to exceed \$12,000.00. (Sponsored by Councilwoman Miller by request of the Police Chief)

Councilwoman Miller moved for passage, Councilman Farrell seconded.

Chief Baumgart – Thank you for the last Resolution. Jerald Baker is the gentleman that we've gotten a hold of to look over our jail and do the architectural and engineering to help us put on the walls that are needed, the roof. We have taken his plans and showed them to the Sheriff from South Carolina and he has approved and told us some different ways of doing it. This \$12,000 is definitely not to exceed. It would probably be a lot less because they gave us better ways of doing it that may cost us a lot less. We are anxious to go forward with this project, because it will help to deter any possible break outs from the jail.

President Cervenik – Chief, are you on a time table here?

Chief Baumgart – Yesterday.

President Cervenik – Council was notified tonight that the report is in. We haven't had an opportunity to review it. I feel a little uncomfortable to vote on this tonight, because it is quite a departure from our discussions shortly after the jail break.

Chief Baumgart – Let me explain. This is just the architect and the engineer. It is not necessarily, we'll be using his plan, possibly. But, we are not going forward with this until we talk further. This is merely to have him on hand to help us with these plans. He is the one that was suggested we use. Secondly, the report you are going to see doesn't talk a whole lot about the physical structure. It is more about the operational efforts of the jail. What we got as far as physical structure came from the State itself, we've been working with them, and also Mr. Metz when he was here because we picked his brain while he was here. He wasn't here for that particular purpose. That's why we'd like to work on this as quickly as possible. I want to see something happen to that jail that we can show that we are in support of our correction officers who feel we haven't done anything. We need to move fast. That is why I feel it is a time table worth moving on quickly. Nothing is going to happen as far as building until we can talk again.

Councilman Gallagher – You may have explained this but who exactly is Gerald Aker and how did his name come about?

Chief Baumgart – He was recommended to us from other architects who felt that he was also not only an architect but an engineering architect who could devise better ways to hold whatever is necessary in those walls and discover what those walls can hold.

Councilman Gallagher – Does he have any peculiar expertise in jail houses or is it more just a structural engineering of it?

Chief Baumgart – It is the structural engineering. We needed someone to let us know about those walls and we have done tests on those walls and discovered they can hold up the amount of weight necessary for the structure developed.

Councilwoman Holzheimer Gail – As to Councilman Cervenik's concern about not looking at the report, how much time will the architect, does he have a timeframe in line for how long he would be working with it? Will we be able to get feedback based on we get that report from Regina and then can make suggestions or comments?

Chief Baumgart – Without going through the entire plan, I think I showed you a structure at one of our meetings when we met and I showed you on the slides. A suggestion has been made that we take that structure and put it over the female outdoor recreational area. It was suggested by the Sheriff that we not do that on the men's outdoor area but instead we use what is called McDougal fence which restrains anyone from being able to get out of there. You can't climb out of it. It is less costly to do that rather than cover the whole area.

This engineer was necessary to make sure that we could in fact build this structure. We have talked with not only Ohio has okayed us already but we have the expertise of Mr. Metz coming in and telling us which way to go on this as well. His report, however, as I said it is not really on the structural issues. He talks about them briefly but this report is about the way we do things in the jail, our operational issues and what he would like to see changed. Now, he does recommend inside structural changes in this report, like where bathrooms should be in order to have less movement of prisoners and what have you. That is something we also have to look at and we will have to.

Chief Baumgart - The reason why we are looking at saving some money on some of the structures so that we can use it also inside to change some of the inside structure that we got some word on from Mr. Metz.

Mayor Oyaski - I've had a similar conversation with the Chief and I know that the Chief firmly believes that this study, this contract for professional services can stand separate and apart from the study that you just received tonight. But, because of Council's great interest in the results of the study as a result of the escape, the administration would have no objection if this was tabled for two weeks so that you could familiarize yourself with this study because it involves a lot of other potential cost. We have no objection of your request for time to review the study and then bring back item #19 in two weeks.

Councilman Dallos moved to table. Councilwoman Holzheimer Gail seconded.

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

Tabled until 9/20/99.

CEREMONIAL RESOLUTIONS

Res. 179-1999 (561-99) Iodine Deficiency Week

A resolution declaring October 25-31st, 1999 Iodine Deficiency Disorder Week in the City of Euclid, Ohio. (Sponsor Mayor Oyaski and Council)

Res. 180-1999 (565-99) Holy Cross Parish

A resolution congratulating Holy Cross Parish on its 75th Anniversary of serving its parishioners, and the surrounding community. (Sponsored by Mayor Oyaski and the entire Council)

Res. 181-1999 (566-99) B&B Appliance

A resolution congratulating B&B Appliance Company on its 75th Anniversary of serving customers in the City of Euclid. (Sponsored by Mayor Oyaski and the entire Council)

Councilman Dallos moved for passage. Councilwoman Miller seconded.

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

Committee of the Whole

Dorothy Fike -- 20271 Delaware Rd. I have a few items again. First of all, that English as a second language is not a, it's free to the person who is taking it because it is something that is not required but is for the good of someone trying, especially trying to become a citizen that they have the English language. That's what it means, English is a second is for those that do not speak English until they learn.

First of all I am going to start backwards, Magnolia Drive, the vacating. How if that top portion is a private drive, how are the people supposed to get to it? If you can't, if it is going to be vacated from Euclid Avenue up to the other part?

Director DiNero - That drive that is going up on the road that is going up, that will not be vacated. It's only going to be vacated from Euclid Avenue to where it hits that point where that road goes up to the top.

Mrs. Fike - I understand that. But, I am talking about like people, how are they going to get up to that driveway? That means they are going to have to go up Richmond Road to Brush Road to the driveway going up there. There will be no way...

Director DiNero - Excuse me, Magnolia Drive comes into Euclid Avenue approximately about 500 feet east of where that road that goes up. That's what they are talking about.

Mrs. Fike - I know that but you said that Magnolia Drive is going to be vacated from Euclid Avenue on up.

Director DiNero - Right to the point of where it goes to that driveway that goes up to the top of that hill.

Mrs. Fike - That's my point. Because, how are they going to get to that private drive if Magnolia Drive is vacated?

Director DiNero – They will come up from Euclid Avenue. If you just visualize the drive that goes up to the medical building from Euclid Avenue that is not Magnolia. Okay?

Mrs. Fike – I beg to differ. I was just down there.

Director DiNero – It's Magnolia but that part is not going to be vacated at this time. It's what they are talking about is from Euclid Avenue from where it comes approximately 500 feet from the existing Euclid Avenue, Magnolia Drive. That's what they are talking about. Where it comes to the driveway at this point is not going to be vacated at this time.

Mrs. Fike – That's very confusing because I was checking there tonight and at the street sign right at the corner of Euclid says Magnolia Drive.

Director DiNero – Actually what they should have done was put in a map showing exactly from Euclid Avenue to approximately 500 feet from the existing Magnolia Drive to where we are talking about where it stops at the road at this time.

Mrs. Fike – I asked that earlier and they said Magnolia Drive is going to be vacated from Euclid Avenue up to where it goes around where Parklawn was before the apartments.

President Cervenik – Why don't you speak with her one day this week, we are using up all of your time Dorothy and you did say you had other questions.

Director Murphy – Maybe I can clarify this quickly. Magnolia Drive ends at the point where it intersects with that driveway. Does that clarify it for you Dorothy?

Mrs. Fike – No because there is a street sign at Euclid Ave. that says Magnolia Drive and Euclid Ave. and where you are talking about that says Magnolia Drive. There's a street sign there.

Director Murphy – We'll remove the street sign. The street sign will be gone when Magnolia Drive is vacated.

Mrs. Fike – Euclid Ave., Beverly Hills Dr., that phone construction that I asked about many, many months ago and you said that the phone company was working on it, it was damaged by an accident. It looks worse now than it did before because it is plywood which is weather-stained. Please, if they are not working on it, light a fire under them.

Rockwell International and Reliance, right there, there's a big pile of earth, what is going on there?

Director Koran – I'm pleased to answer that question. Rockwell is spending \$9.5 million renovating the entire Euclid complex. They are converting much of their warehousing space to office and moving about 275 jobs from various communities around Euclid and they are consolidating them into their Euclid plant. Great project. It is happening right now. It is about a 2 year project and we are in the midst of it right now.

Mrs. Fike – If you go up there, there's many piles of dirt up there. I'll just do one other thing, the shades that are down tonight are very, very depressing to me and to other people too. Why do they have to pull all the shades down? If it is for the TV, it was taped fine before because I've seen, not on television, but I've had copies of the tape and I don't know why all the shades have to be down because it is very depressing.

President Cervenik – Kelly, I'm sure you hear Dorothy's question, we'll ask about that when the meeting is over. We'll find out for you Mrs. Fike.

Mr. Jack Fraier – 235 Greenbriar Court. Back on April 27, 1998, this City Council made history when it passed Ord. 83-1998. That authorized the establishment of a Tree Planting Fund, something long overdue in this city. It takes a long time to get great things done, from these authorization to the establishment of something. It took 600 years to build the great cathedral of Colon. We got the fund going in 16 months which is a lot better. The formal announcement of the fund appeared in this booklet which everyone should have received. The fall/winter activity guide for the Parks & Recreation Department. Look on page 2.

Mr. Fraier - There's a brief summary of the tree planting program and on page 16, there is also an application form and a summary of what the tree planting program does for the city and our environment.

Also, a flyer has been prepared and will be available at the Library. I assume at City Hall and the Golf Course where may make donations to the Tree Planting fund. Anybody making a donation to the fund will have some form of acknowledgement. The acknowledgement will appear on a plaque which will be in the City Hall lobby. As you enter, it will be on your left.

This fund and the program that has been developed took a long time to prepare. I'm the Chair of the Euclid Shade Tree Commission and I would like to acknowledge the work done by the other Shade Tree Commission members, Lori Pejac, Phyliss Miller, Tom Berardinelli, Councilman Kevin Farrell, our city arborist Tom Springer. Work was also done by Lisa Mayernik, who isn't on the Shade Tree Commission, but I wish she were. Above all, I would like to give special accommodation to Bob DeMinico for the work he did in getting this set up. He was the perfect mid-wife on the birth of this tree planting fund.

I look at my calendar and I notice Sweetest Day coming up in October. For heaven sakes, don't buy candy. It has calories and cholesterol. Make a donation to the Tree Planting Fund instead. Give your loved one the knowledge that they will have their name inscribed on a plaque and perhaps we can even plant some sugar maples around the city instead of having candy all over the place. I do want you to be aware of this fund, it is now functioning and I hope that this calendar that is going to be produced by the Parks & Recreation Department somewhere on that calendar there will be a reminder about the Tree Planting fund. Thank you.

President Cervenik - We appreciate your efforts, Mr. Fraier. Thank you.

Director DeMinico - Since that inception and the mailing of our fall/winter program guide, we've had a donation of \$500 by Mr. Fraier. Another donation of \$250, various donations and that fund us up over \$1,000 in a period of less than six weeks. I would like to thank everybody who put that together and those trees will be planted this fall.

Mr. Dennis Berzinskas - 20890 S. Lake Shore Blvd. #14 on the agenda. I hope it is taken care of by the owner of the property, the demolition. Has a study been done on the hazmat that would be at that property? I know years ago when we first moved to the city it was Milt Miller Pontiac, they used lead paints. If you demolish a building like anything else, you put everybody at hazard. Are they going to do a comprehensive study on what is contained in that building?

Commissioner Apanasewicz - Yes, we'll have a study done on asbestos and lead paint and it will be part of the demolition specifications to control dust and also dispose of any waste properly.

Mr. Berzinskas - #16, the calendar. Since it is a city calendar with sports and everything, it would be nice if we could have all the community committee meetings listed also. It is hard trying to make all the different meetings and you get kind of confused sometimes of when the meetings are. It would be a good point to have one calendar cover all points. I'd appreciate it.

One of the other things since living in Euclid since 1956, I've seen a lot of things go on in this City. I lot of things I don't agree with and a lot of things I see that don't make sense at times. When we had the Wells property come up, we voiced our concern about having the property changed over. They voted that night not to touch that property. People left, and then again the Mayor got up and said he was notified by the Law Director that we couldn't touch this property for a year, which we had already asked for. They changed their vote the next day they started tearing trees down at the property.

I think we have two newspapers that do a blot for the City that care about our city, the Sun Journal and the News Herald. I think for the betterment of the community it would be nice that they could put a tip line in that anybody could call in with information, but it would have to be written, recorded or taped. What is going on in the city that somebody gets news of something of what is not right in the city? Because, too many things get passed on in this city that I can't really understand with everybody paying attention what goes on in the city as far as what came from the Wells Property, all of the problems we have had since then or everything that went down because of that. We have too many people here that were wasting too much money on a lot of proposals, plans before they do the ground work. It would be nice if anybody that knows anything that works for the city and sees something wrong could report it to a secure line and it would be acted upon. Thank you.

Director Johnson – For those individuals that have internet access and if you don't have internet access, it is available at the public library for free, we do post the calendar of events of all the city meetings on the website. There is also a separate recreation home page and most of the events will hopefully be able to coordinate with Bob's calendar. The same events that will be in his calendar will be posted on the website. We also post on the seniors home page, all the activities that are hosted by senior programs. If you have internet access and you go to the city's website, you would be able to find most of the dates and most of the activities.

Mr. John Cozzarin - 24691 Hawthorne. First of all I want to say good evening to everybody. My wife and I moved here approximately 7 years ago to the City of Euclid. We have been very happy with what we've seen by the Council and by the Committees as well. We live in a very diverse community, we like to call it our own little United Nations because we are all here for the common good. We live in a great city and we want to keep it that way.

I wanted to say that it is wonderful to see the renovation of the building that the Domo Group is taking over. It is great to see some influx and new businesses. Speaking of new businesses, I'm not sure if I'm talking to the right people, but Euclid Square Mall. I'm not sure what's going on there. My wife and I took a recent walk through there and we are sitting at a 30% vacancy in the mall. I'm not sure how you feel about having a report card that says its 70%, but I know there are a lot of fine local stores in there. We try to shop there because we want to support our Euclid businesses. I think it is lacking a little bit of the big name companies. Some of the big name stores would be an extra draw for our community.

Also, a question, maybe I missed this again, what we are doing with the property at Ramada Inn, where that used to be right next to the freeway. I had some relatives come in from New York recently that stayed over at the hotel across the freeway and they are asking me what is going on over there, what's going down the way where the apartments used to be and I don't know what to tell them. I haven't read anything recently in the Euclid Sun Journal, again, maybe I missed it.

I'm not sure if we are trying to get something in like a DIY or Home Depot which I think would do very well in the City. The closest ones to us are at Severance, Willowick and Mentor. A long drive for a lot of Euclid residents. Let's keep the money here.

The other thing, maybe I missed it with the term limits for the Mayor. Has that been decided whether we would be continuing on with that?

President Cervenik – That's on the ballot. The voters will decide that in November. Kory, do you want to update us a little bit on Euclid Ave.?

Director Koran – Just a few updates on the property in question from the resident. We'll start with the Ramada Inn site. City Council approved selling the Innvoy Inn site to Steve Calabrese who now owns the Ramada Inn site and the vacant KFC at Euclid Ave. We have not transferred that property to Mr. Calabrese. We are still working with the County on the Brownfield application. It is our understanding that this month, September, the County Commissioners are to approve the County Brownfield grant. We cannot sell that property officially, at least transfer title until the County Commissioners approve of that. I have been in contact with Mr. Calabrese, once he has title to the property, he is going to aggressively market the property. He is already behind the scenes marketing the property to a variety of different users. We are in the process of rezoning that office as city council knows.

Parklawn Gardens, I believe it is the President of Council's plan at the next meeting we will introduce legislation giving Council input on a comprehensive plan for that development. We currently have a roadway plan for Euclid Ave. to cut all the way up to the Metro City property and link up to Bishop Road. I've been busy over the summer trying to get grants and loans to help pay for this industrial park. We have been successful and that will come up in discussions probably at the next meeting, when City Council can review and hopefully approve our plan for light industrial park connecting Euclid Ave. to Bishop Road.

Euclid Square Mall we have nothing positive to report. Since Kaufmann's closed, the 70% occupancy is correct. Councilman Korosec was sent a package last week, updating the Councilman on Euclid Square Mall, the owners. The Mayor and I have taken turns getting in contact with the owners, with very little success. We are still working with them. There may or may not be a buyer at the mall in the future. I am afraid we are going to have to be patient with the mall. It is just such a large dollar value. It is very difficult for the city to impact that. But, we are trying as hard as we can.

Mark Malken – Owner Euclid Video, 419 E. 200th St. I realize that there is going to be a meeting about East 200th Street that is going to be brought up at a later date. But, what my question is, is there going to be flexibility at that meeting or is what is going to happen at the pre-construction meeting? Are we just going to be told this is what's going to happen? Or is there going to be flexibility at that meeting to make changes?

President Cervenik – Mark, we will be as flexible as the contractors and the physical attributes of the construction process allows. There will be an open meeting and it's always been my experience in the last ten years of being on Council at meetings like that will help especially if we all come in with a very positive attitudes and we all try to work together and make the best out of a rather trying situation that you are going to be going through on East 200th Street.

Mr. Malken – Well, I don't think that there are any of us that really object to the road being redone. What we obviously object to is the proposal to turn it into a one-way street for nine months. That is just will not allow us to stay in business. Not only us, but many other businesses on the street. If there is any way that at this pre-construction meeting that it could be discussed if there is any way to keep north and southbound traffic on that road. It is an extremely well traveled road, I don't have to tell you that. There's probably at least 100 businesses on the street. The impact is going to be enormous to the people that have businesses on the street. We all have families to feed. You can't live without a paycheck for nine months, and neither can anybody else on that street.

President Cervenik – I agree with you 100% and I think all of us give you our words, we will do everything we can within our responsibility to alleviate as much as we can. We will notify you and the rest of the merchants when that meeting will be, right Mr. DiNero?

Director DiNero – Yes.

Mr. Ed Ostrander – 160 E. 197. I just took a trip over to the ice arena and I'm going to be doing quite a bit of that because I have 3 kids in hockey. The access was something else down Babbitt Road. I work at B&B, so I've routed myself a new way. This is just a suggestion, Milton access from 222 might be a little bit better and you might get a little bit extra business at the arena if that's open. The gates that go in front of the pool, it might make sense to open them up and let people get over there and park in front of the arena. They have to carry gear, it just makes sense to get cars parked over there and not have to come down Babbitt Road to do it.

President Cervenik – We'll look into it. I work on Babbitt Road so I know what you are talking about. Thank you.

Mr. Louis Nagy – 1483 E. 250 St. For future I'm against the gas stations getting liquor or beer permits. I think that gas stations should sell gas and stores should sell the beer. This building on Shore Center Drive, I think it is about time we stopped cuddling these business people. We are now setting a precedent that they are telling us that they don't care, they are going to abandon their buildings and we are going to buy them out. We have done that three times already. When is this going to stop?

I have something, Mayor I watched your head get real red and your veins pop out every time you say something about the tax credit. I think what's wrong with that is that's a word that people understand. If you were to use some law word, they would probably not understand it but they would complain less because they don't want to admit it.

Chief Baumgart, last year you mentioned something about feeling hollow inside like an old oak tree. I am an old oak tree. I have a well-rounded trunk that stands very tall and very solid. There's nothing hollow about this one.

I would like to welcome the Council back to work. I can say that you better get some good, new running shoes. You are going to need them in the next couple of months. Thank you.

Mr. Harvey Mlachak – 23831 Lake Shore Blvd., Euclid, Ohio. I'm back. I didn't go away. Like Yogi Bear said, "déjà vu all over again."

Instead of leaving you with a thought when I leave, I'd like to open up with one. It is from the Book of Contemporary Quotations, "under every stone lurks a politician." This is by T. Zuess in 410 bc. You guys had a reputation before Christ was born.

Tonight, can anyone tell me what the people capacity of the Henn House is at any one function?

President Cervenik – You've never asked that before?

Mr. Mlachak – Let me go on. Maybe I'll get my answer at the end of the meeting. Now, if nobody knows that one, maybe somebody can tell me what the alcohol capacity the Friends of the Henn House permit at these functions?

On Sunday, September 5, 1999, there was a function at the Henn House where there was widespread, open and flagrant consumption of alcoholic beverages by the guests of the people who rented the Henn House. Alcohol as observed by me was consumed inside and outside of the house. How do I know this? I approached two men standing on the porch that I observed from a distance. One had what appeared to be a brown bottle, the other one a nice shiny gold can. One was a bottle of Budweiser Light, the other was a can of Miller. I said gentlemen, is this a nice day for a picnic? I said what's the function? He said family reunion. I said how many people in attendance? He said about 200, we came from all over. He said the big bus came from Alliance.

I have here some, shall we call it hard evidence, that I retrieved from the trash can that people were using and this is only the tip of the iceberg. I'll either rattle it or open it up and show it to you. Would you like to see it?

President Cervenik – It probably smells by now. You can keep it in the bag.

Mr. Mlachak – And an empty 12 pack of Budweiser. Who shall we hold responsible for this gross misuse and abuse of the Henn House and surrounding grounds? I hold the Friends of the Henn House solely responsible. Did they notify the people that leased this Henn House and did they tell them emphatically that there was to be no use of alcoholic beverages? At the June 3rd Council Meeting, I implored you, I quote, at the expense of somebody accusing me of quoting me out of context, "the park, the children and alcohol don't mix. I beg of you no alcohol of any kind at anytime be permitted to be served or consumed in the Henn House or the park. Don't put our children in jeopardy."

Under Section 12 of the lease, Use of the Premises, again at being accused of quoting things out of context, under Section 12 lease, Use of the Premises, amongst other things, the tenant shall not permit the use or consumption of alcohol at any time in the leased premise. If you choose not to hold the Friends of the Henn House responsible for the consumption of alcohol in the park, by their guest, you then must require them to require their guests to the Henn House. In spite of the fact that last Sunday they were drinking in the Henn House.

Another observation, I recognized an automobile by one of the higher officials of the Henn House. You didn't have to see this, all you had to do was smell it. I'm running out of time. Why didn't she put a stop to it? I was going to call the police. In addition to this, I saw a gentleman loading a cigar. Chief I think they call that a blunt, don't they?

How are you going to stop this and other violations? You know it is your duty. May I suggest that rather than doing nothing and continue giving these irresponsible people carte blanc, you should revoke the lease for the good of the community and the safety in the park. Send these irresponsible people on their way.

President Cervenik – Harvey, your time is up. Thank you. Director DeMinico, I'm sure you will look into that?

Director DeMinico – Yes, I will certainly look into that. That date was Sunday, September 5th, Mr. Mlachak?

Mr. Mlachak – Yes. One gentleman told me there were 200 people there.

President Cervenik – Director DeMinico is going to look into that. Thank you.

Mr. Kevin Sufka – 20201 Ball Ave. Euclid. I was wondering about 200 and the freeway project, the old condominiums there. There was rumors of a Home Depot, maybe a restaurant going in. We've heard that the developers have bought all the condos back. Do you know what kind of timetable we are looking at to get that started?

Director Koran – We are very excited about the project the resident is mentioning. Home Depot is hopefully coming to the City of Euclid at 200 and the freeway.

Director Koran - The developers have secured options for all 141 units they needed to acquire to build this 125,000 sq. ft. retail store. They are working with John Hayes right now to get submission for this month's Planning & Zoning Commission. It is a large project. There's a lot of parcels that need to be rezoned, streets vacated and maybe a parking variance. It is a large endeavor and we hope to get it on the Planning and Zoning Agenda for this month. If not, it will be on for October. The soonest Council could approve the rezoning would be November 1st. The developers are moving full speed ahead.

Mr. Joe Podnar – 165 E. 225. Along with the Ball Ave. information, what will happen with all the trees that are in that development?

Director Koran – They will all be either cut down or removed.

Mr. Podnar – Bad, bad.

Director Koran – I have seen the landscaping plan, the Mayor and I have seen the landscaping plan and there is going to be significant new landscaping and berming and buffering of the site, especially to the east where the assisted living complex is. It will be a project we all will be proud of. The elevations are superior. Home Depot does do a nice job. Council President also saw the plans. I think we are all going to be very excited about that project.

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

Councilmen's Comments

Councilwoman McGarry – I just wanted to state that the property owners and our storefront program did a superb job on Action Auto on St. Clair. They are designing some new plantings for the area of stones in the front right now, which will be another welcomed addition. Also, I want to commend Parks & Recreation for the additional flowers planted in various public locations and the Herculean job you did in July of keeping them looking so good, especially during that awful drought.

Some of our private property owners, Miles Carter, BP station, Area Temps, and most especially Alexander's, a very special thank you to all of them for their colorful additions and maintenance. Next year, with the BID's, business improvement district in place, we'll be able to be even more dressed up for the downtown along the main arteries. Thank you.

Adjournment

Councilman Gallagher moved to adjourn. Councilman Korosec seconded. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council