

**COUNCIL MINUTES
OCTOBER 18, 1999**

The regular City Council Meeting was held on Monday, October 18, 1999 at 7 PM in the Euclid City Hall Council Chamber. President Cervenik presided.

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

Councilwoman McGarry moved to excuse Councilman Vadnal. Councilman Korosec seconded.

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

Liquor Permit

Councilman Korosec – Due to the fact Mr. President there has been no movement by Planning & Zoning. The hearing has not happened yet. I move to deny this and I urge all of my Council Members to vote no.

Councilman Korosec moved to deny a transfer of a C1, C2 liquor permit to Lawson Milk Co., DBA Dairy Mart at the northeast corner of Babbitt Road and Lakeland Boulevard. Councilman Gallagher seconded.

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

Communications

Council has received the following communications:

A public notice from First Energy detailing how they will transition from a regulated environment to a market-driven environment.

A memo from Judge LeBarron regarding a court security grant.

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

Council Minutes

Councilwoman Miller moved to approve the Council Minutes of October 4, 1999.

Councilwoman Holzheimer Gail seconded. Yeas: Unanimous.

Administration Reports & Communications

Mayor Oyaski – For Council's information this Council Meeting is being broadcast live on Channel 51 as was the performance by the All Euclid Chorus out in the lobby before the meeting. I want to thank Mr. Johnson and his staff for making this possible. As you know, Candidates Night will be here in the chambers on Wednesday night and this is a trial to see that we can broadcast live the League of Women's Voters Candidates Night this Wednesday at 7:00. Mr. Chairman, I would ask Chief Baumgart for a brief report.

Chief Baumgart – I wanted you to know that we just received this AAA award for 4 years of pedestrian safety. I want to say the good and the bad about that. The good is there are a lot of people involved in making the City's streets safe. Not just the police department, we are talking about the people who put up all of the signs and do all of the striping on the roads. We are talking about the school system, safety town, all of those things that help keep pedestrians safe on the street. The other good part about this is we as a city of over 50,000 received this award 4 years in a row. That is more years than any other city of 50,000 has ever received. Lakewood has 3 years in a row now, they might beat us next year with another 4 years. The bad news is we did have a pedestrian accident this last year, which means we will not see this award next year. It was a motorcycle swiped a pedestrian, so we won't see this award next year I'm sorry to say. Thank you.

Mayor Oyaski – I want to remind the public that Halloween will be celebrated Sunday, October 31st in the City of Euclid from 6:00 PM to 8:00 PM and I hope all of the children will get out and will be well rewarded for their efforts. I would ask the Law Director to issue a consumer advisory, I think this is something important that the public should be aware of that is going on in the community at this time.

Director Murphy – We've had inquiry and complaints from a number of citizens, in particular one that Councilwoman Miller has referred to the law department regarding a mailing that apparently a number of residents in the city have received. This is relating to the purchase of waterline repair insurance. Several residents that have contacted us have gotten a notice like this in the mail. It looks very much like a bill or an invoice that you are responsible to pay. Perhaps the only thing that might really grab your eye initially besides the word invoice at the top is the amount that is used as an example in this invoice, which is \$1495.

The invoice and the correspondence comes from a company by the name of East Ohio Energy. There is an article in the Plain Dealer today that gives an explanation of this practice and this mailing that is going on in the area. We don't know yet if its restricted to the Euclid area or if this is going on in a more extensive basis than the City of Euclid. But, at any rate, a number of Euclid residents have been solicited for this purchase. We want to assure the residents this is not a bill that you are responsible to pay. It is not an invoice. This is an offer to you to make a purchase that this company makes available to you. East Ohio Energy is apparently at least according to the Plain Dealer article today, a sister company of the East Ohio Gas Company. We are attempting to confirm exactly what their relationship is and we have not been able to so yet. The Plain Dealer article refers to them as a sister company of East Ohio Gas.

What this program offers is the ability to a resident to purchase what is called waterline repair insurance. The way this works is you tell the company what the distance of your waterline is, that is the distance from your home to the connection at the street and then for a nominal fee of anywhere from \$3.25 to \$6.50 a month, depending on the length of your waterline, that would be added to your East Ohio Gas bill every month. Then if your waterline would happen to break, you call the company and they will come out and do the repair for you. I'm told by the Service Director that this is a program that is available for your gas line. I don't know if any residents currently make use of that. But, apparently, I was not aware of this myself, but you can buy this type of insurance for your gas line. The program is legitimate in that regard. You can buy this insurance and have the fee added to your gas bill and come out in the event that you have a waterline break between your house and the street, which is the homeowners responsibility, this company would come out and do the repair for you. Just so residents are not alarmed, concerned when you get, if you get such a mailing, again we don't know exactly what the target area is. Several residents have brought it to our attention. This is not a bill, this is not something you are responsible for. This is a solicitation, much like any insurance solicitation. I am sure you get solicitations from insurance companies all of the time to change your car insurance, solicitations from life insurance. That's what this is.

Mayor Oyaski and Chief Dworning swore in new firefighter paramedic Amy Bobinski.

Reports & Committee Minutes

Councilwoman Miller moved to receive and approve the Fire Report of September, 1999; Humane Officer's Report of September, 1999; Recreation Commission Minutes of 5/25/99, 6/22/99 and 8/24/99; Shade Tree Commission Minutes of 4/30/99, 6/21/99 and Board of Control Minutes of 9/13/99, 9/20/99, 9/27/99 and 10/4/99. Councilman Dallos seconded. Yeas: Unanimous.

Committee of the Whole

Councilman Dallos moved to go into the Whole for Legislative Matters Only. Councilman Farrell seconded. Yeas: Unanimous.

Mr. Jim Wallace – 427 Lloyd Road. Point of clarification from what was in the newspaper on #6. Have the computer needs been met? It wasn't exactly clear on that in the newspaper.

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

LEGISLATION

Ord. (602-99) Rezone/Home Depot/E. 200 St.

An ordinance rezoning P.P. # 641-32-005, the consolidated area on E. 200 St., Home Depot Site, from U-3 to U-4 use district and further amending Ord. No. 2812. (Sponsor Councilman Korosec)

Second Reading. Public Hearing November 1, 1999.

Ord. (603-99) Rezone Home Depot

An ordinance rezoning P.P. #641-32-005, southerly side of Shawnee Ave., from U-3 to U-4 use district and further amending Ord. No. 2812. (Sponsored by Councilman Korosec)

Second Reading. Public Hearing November 1, 1999.

Res. (587-99) UDE/Day care Center/Euclid Ave.

A resolution granting a Use District Exception pursuant to Chapter 1375 of the Euclid Codified Ordinances to Annette Allen to allow a UR-1 (daycare) use in a U-4 (retail/wholesale) use district at 21877 Euclid Ave., P.P. #646-32-031. (Sponsored by Planning & Zoning Commission)

Second Reading. Public Hearing November 1, 1999.

Ord. 219-1999 (606-99) Cuyahoga Housing Consortium

An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a new three-year agreement with the City of Cleveland Heights, the City of Lakewood, the City of Parma and the County of Cuyahoga, Ohio, for continued membership in the Cuyahoga Housing Consortium, created to make joint application for and administer federal funds available under the HOME Program, said funding authorized by the Cranston-Gonzales National Affordable Housing Act of 1990. (Sponsored by Mayor Oyaski by request of the CS&ED Director)

Councilman Farrell moved for passage. Councilman Korosec seconded.

Director Koran – Several years ago the City of Euclid, the City of Cleveland Heights, the City of Lakewood and the Cuyahoga Urban County banded together to create what is now called the Cuyahoga County Housing Consortium. This entitles the City of Euclid to HOME dollars, housing rehabilitation dollars, which the City and the City Council has approved for projects such as Summerwood Commons, Euclid Babbitt Gardens, two years ago and over the last two years we have appropriated money for the Euclid Development Corporation's revolving loan fund. Before us tonight is the housekeeping measure to extend the agreement another three years. Back on June 7 of 1999 this City council passed this agreement to extend it three years. The federal government has asked all of these communities in the urban county to follow their federal fiscal year, which ends September 30th. This amendment, if passed tonight will coincide with the closing of the federal fiscal year and keep us in compliance with HUD and the federal government.

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, Farrell, Holzheimer Gail, Gallagher, Korosec, McGarry, Miller Cervenik.

Passed.

Ord. 220-1999 (605-99) Juvenile Diversion staff

An emergency ordinance authorizing the Director of Law of the City of Euclid to continue to staff the City of Euclid's Juvenile Diversion Program. (Sponsored by Mayor Oyaski)

Councilwoman Holzheimer Gail moved for passage. Councilman Farrell seconded.

Director Murphy – Your passage of this ordinance will allow us to enter into contracts with the hearing officer and with the community service supervisor for the juveniles who are referred to the juvenile diversion program. The hearings are held once a week. When community service is delegated to the juvenile that work is overseen by the community service supervisor. The contracts will be for another one year period and paid for by the Weed and Seed grant.

Councilman Gallagher – This is another program that is funded through the Weed and Seed grant. What is, this may be a better question for Chief Baumgart, what is the status of our application to become a permanent weed and seed site?

Chief Baumgart – The application has been made and it looks promising. We are doing so well as a training site I believe that's what is going to have to be able to continue our grant as a training site. That is not for certain yet. We will have to wait and see what they have to say.

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

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

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

Passed.

Res. 221-1999 (610-99) Police training room

A resolution amending Resolution No. 35-1999 to use funds allocated for "community care" computer needs in the 1999 Euclid Capital budget to renovate the training room and improve security access for exterior doors of the Euclid Police Department. (Sponsor Mayor Oyaski)

Councilwoman Miller moved for passage. Councilman Dallos seconded.

Chief Baumgart – As you know we are always constantly looking for grants. We had one with the COPPS More grant in which we were going to purchase a CAD system. That did not happen. We had the grant money aside and we were fortunate enough to be able to have it reallocated so that we can use it towards computer purchases, which we have been doing this year with that money. Consequently, the \$43,000 we had set aside for capital improvement budget we didn't have to dig in to as much. However, other problems have arisen since then. We are renovating our training room for instance. We have discovered we have to put in sprinklers, change the sprinklers around and have an engineering firm come in and tell us how to do that and add various things to finish off that room. So, we are asking that some of this money be reallocated in order to finish that project. Also, a second project of starting our computerization of the entrance to the police department, so we can have more secure access in and out of the police department. Since it was over \$10,000 I believe that a total of that is \$19,200 and that is the same bottom line though for our capital improvement. We are not increasing our capital improvement whatsoever with these purchases. Because it is over \$10,000 we put it on tonight's agenda for your approval.

To answer the question from the audience, yes our computer needs were taken care of by the grant and portions of this money as well. We have upgraded almost all of our computers now to pentiums. We had to do this because on the CRIS system they are also upgrading all of their computers down at the county level. We needed to do this to stay online with CRIS.

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

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

Passed.

Committee of the Whole

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

Jim Wallace – 427 Lloyd Rd. As a member of the Charter Review Commission we felt that it was important for the public to have the opportunity to reconsider term limits. A quick look at this year's election could be used as a guide as how to vote on these issues. There will be at least 3 new council members and if the challengers have their way there will be 6 new members. The fact is that term limits from City Council is not necessary and should be repealed. The fact that the Mayor is unchallenged and heads 8 departments with large staffs that are not elected is important to keep Mayoral term limits in place. In order to maintain administrative accountability the fact is that if a good Mayor is going to serve this city, a good mayor will serve 24 out of 28 years, that's a very good career for public service. That's a good way to look at this year's term limits on November 2nd.

Dennis Berzinskas – 20890 S. Lake Shore. During World War II they developed and found a use for teflon. It was kept a secret. But since that time its use is spread all over. It's no more prevalent then here at City Hall. This is a teflon City Hall. Two weeks ago a citizen asked if there is anything they can do, that she was going to be displaced from her home on E. 200th Street. Mr. Cervenik stated that it wasn't a city property and there was nothing they can do. But, in the newspaper it was quoted that the Mayor showed and introduced this land to the developers. Maybe Mr. Mayor if you have friends like that with deep pockets, my house could be for sale at a good price too. But, kidding aside, we have to ask a question, Mr. Mayor who are you working for, developers or for the city or the citizens of this city? We have land set aside where the mall is. This would be a good use for that land. Wooing residents out of their homes when you already have a large space provided for retail use would be more acceptable for everyone. You will hurt the stores in that area. Mom and pop stores are nobody's concern anymore. People make a living that way. You are hurting a lot of people. Thank you.

John Lennon – 22450 Seabrooke. I would like to elaborate a little bit on that. There is already a traffic problem on 200th Street as well as a senior facility on 200th Street that needs to be somewhat quiet around the area rather than trucks. They put up barriers for that reason. When the big money comes to town, the mom and pop shops do close down. There is about four of them in the immediate area. There's other areas in the city that would better facilitate that operation.

Also, I would like to mention I believe this city, if we are going to make ordinances we should enforce them equally. Have people comply with them equally it would be more of a fair place. I think it's a little bit discriminatory to get a fine for grass tall weeds and grass and drive around the city and see worse properties, especially when I had called in advance and said I reseeded my lawn and that it was going to be getting tall. I warned of this problem that I was correcting it. As well as there is another problem I would like to get into.

I support no alcohol at the parks. It's also a codified ordinance that littering is a \$500 fine in Euclid. I'm speaking in particular about the Henn House. I would also like to speak of the problem behind the Henn House. That is, there are rats in the back. I don't know if anyone is aware of it, but it's becoming a big problem. It's a codified ordinance in the City of Euclid to my understanding that we don't use poison. We will have to find an alternative means to correct that problem. I have about an hour and a half worth of things that I want to talk about but I will need a few more meetings. Thank you for the five minutes.

Phillip Karolick – 19040 Newton Ave. I had a garage built back in, well I came to Planning & Zoning to have permission to have an oversized garage built. I had prints and stuff, I handed them in. They were 18 inch footers I was supposed to have. That's what I was told, that's what I told the contractor. This is back in March when I went to get my variance. July, the contractor hands in the permit, nothing was ever said about no 36 inch footers. Here I got nailed with the 36 inch footers. No one said nothing. I called when the contractor called me up I called the building inspectors and I talked to Jim Drobnik. He says 18 inches, 18 inches. I called my contractor up and tell him call the guy up, he's telling me 18 inches, what's going on? The next day you know, I called the guy, came back, Bob I guess he's the guy whose supposed to approve things. And, another thing when I got my variance, I had prints of my footers, how deep they were going to be, the size of the garage and everything. Nothing was ever said to me about the 18 inch footers or the 36 inch footers, excuse me. So, we got past that part, I told them to go ahead and build my garage. Here whoever comes out to inspect the footers comes out, why did you guys dig so deep? What do you mean? They don't know. I'm mad because the inspectors don't know. Inspectors should have plans in their hands and measure. I wanted my garage 3 feet from the fence, it's my fence, I wanted it 3 feet from the fence and they dug the footers. The inspector comes out, I don't know if the guy had plans or not, but it's not even where I wanted it. It's 4 feet off of the fence. I gained wasted space, lost valuable space in my yard. What am I going to do? I called. I complained and complained. I called my Councilwoman told her and she did what she could do but there's nothing. Unless you guys pass the or stuck a code in there between March and July, on the 36" footers. I just wanted to come here and speak my piece because, that was a lot of money to go that extra 18" down. Now I watch Channel 51, on the variances and I see that anybody who wants an oversized garage, high garage, the people tell them, 36" footers. The Committee, never a word to me and I thought the City was supposed to look out for me too. Have plans, measure from the fence. I have the plans here, it says 3 ft. off the fence, it had 36" footers on the plans and the guy who came out to inspect the footers, why did you guys dig so deep, what are you guys building a house? I just don't understand. I would like to hear from him.

Commissioner Apanasewicz – The codified ordinances are very specific on garages the size that you had.

Mr. Karolick – Why wasn't I told that?

Commissioner Apanasewicz – That's why you submit your plans for review, that's why we review them ahead of time.

President Cervenik – You wanted his answer. If you want to debate, you are going to have to do that in the privacy of his office. He's going to respond to your complaint.

Commissioner Apanasewicz – I realize the logistics of the problem that you describe. The Planning & Zoning Commission is a separate body, it's set up that way through the Charter. The Planning & Zoning Commission reviewed your application specifically for your variance. They did not review it for building code requirements. We have undertaken to try to do a cursory review of the plans before hand, so that applicants do understand that there maybe some building requirements beyond what Planning & Zoning requires as far as set backs and size of the project. Plans were reviewed, we discussed the size of the footing. As long as you are building to the plan, you should have no citations from the city.

Mr. Karolick – Another thing, the plans with 3 ft. from the fence, it is 4 ft. off the fence, don't they carry a tape measure? Don't they have plans? That's what I'm wondering about.

President Cervenik – Our time is up. I don't know, this is a difference of opinion and we could sit and argue all night long and I really don't think the city is at fault. There may have been some misunderstanding between a number of people. You may want to talk to Mr. Apanasewicz about it during work hours, but I don't know if this body can do any more at this time.

Mr. Karolick – I just wanted to come here and speak my piece, to say about the inspectors that they should be trained more.

President Cervenik – Thank you.

Mr. Harvey Mlachak – 23831 Lake Shore Blvd., Euclid, Ohio. This is a copy of the Whole Truth. This is a copy of the Observer. We finally have a community paper that will challenge the city and the school board. If you'll take the time to read both papers carefully, I think you'll come to the same conclusion that I did. The Observer totally destroys the propaganda put out by the Whole Truth. The article by the State Auditor says, we found no situations or issues, many districts have some issue which needs to be addressed. Euclid did not which is exceptional.

However, if you read Mr. McPhillips letters on page 8, he assesses the assessment of Euclid School Board on page 8 of the Observer. Auditor's Report Euclid per pupil expenditure is second highest among their peer districts. Euclid allocation toward instruction is the second lowest. In my opinion, this and other statements totally destroy the credibility of the Whole Truth. In spite of the fact that it is signed by the Mayor, Council President, Councilwoman Miller, and Rev. Charles Eduardos.

The thing on this that really challenges, I believe, everybody, in the Observer it says, city officials often cite Cleveland Heights as an example of how things can be done. We'll take a cue from the Mayor of University Heights Beryl Rothschild. Told voters in Cleveland, University Heights School District, to reject the school board's 8.9 mill operating levy coming up this November. I would like them, the school district, to step back, get their house in order and then come back to the voters later. Her idea of getting the house in order in part is to follow the recommendation of State Auditor Jim Petro, let's hope that this election Euclid's Mayor and City Council exhibit the same intentional fortitude required to just say no. Until the School Board implements the Auditors recommendations.

One of the first things that they assess is Euclid spends \$5816 per student per year as compared to the average of \$6600 spent per student in other districts. I got on the telephone with the Auditor's Office this afternoon. I talked with a Mr. Lamm. The facts are from the State Auditor's Office, that the expenditures per student is \$8023 for 1997 and 1998. The top 21 districts in the state, their average expenditure is \$6362. There's almost a \$2,000 disberagement between the facts.

There are several things in here where it says, Mr. Vadnal says the administration has done all it can do to trim the fat off the budget. This is their job. Mrs. McGarry says, they have shown significant improvement on state proficiency test for 3 straight years. With only 3 points out of 18 last year, I wonder what the proficiency test was 2 years before that.

Mr. Mlachak - Mr. Korosec says, not only will it help raise property values, and I say it will also increase your taxes. One of the first things that people do when they come out to buy a house, they say how much are your taxes. I think I'm like the gentleman before me, I have probably 2 more hours.

I would like to say, the other voters just say no. Make our School Board responsible by using your right to vote and your right to say no. Make them responsible. Thank you.

Mrs. Madeline Scarniench – 1511 E. 221 St. I told Harvey I wasn't talking, but I didn't know what he was talking about. The only comment I want to make is when someone sends Heritage Park an anonymous letter, it gets thrown into the trash. I was asked to write an article for the Observer. I know who the editor is, but nowhere in that piece of literature is there a name for anyone. Throw it in the trash. Thank you.

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

COUNCILMEN'S COMMENTS

Councilwoman McGarry – Where are we in the process of taking down the blighted Miller property on Shore Center Drive?

Commissioner Apanasewicz – The building's owner is in violation of the court agreement. We are in the legal process of getting a title search and environmental study of the property. We are also going to resume prosecution of the owner. It should take about 60 days for the city to do the demolition. In response to that, the building owner has hired a contractor who has obtained a permit to demolish the building. We'll continue on our course, but the building may be down as soon as next week. We have received a 7 day notice from the contractor indicating his intent to demolish the building. If we're lucky, we could see it down by next week.

Councilwoman Holzheimer Gail – I continue to hear concerns from the businesses and residents on E. 200 Street and I just wondered if there was any update on, I know the construction is not starting until the spring. I know we will be holding a public hearing, a meeting with them to go over the plans. I guess I wanted an update, but also wanted to assure the business owners and residents on 200 that we will be meeting with them and we are doing everything we could possibly do to make that difficult process easier. We have talked about if it does end up having to be one way, putting signs on 222 and 185 to help identify where businesses are and where the cross-streets are. I have met with Councilman Polensek in Cleveland to make sure we are doing things consistently in terms of streetscaping and beautification. I just wondered if there was an update. I do want to look at planning that meeting earlier enough so we can involve the business owners and residents in some of the decisions that can be made.

President Cervenik – I believe the plan was to have the meeting shortly after the holiday season. I don't think they want it between the Thanksgiving and holiday season. Especially the realtors, that is their busy time.

Director DiNero – I was under the impression that some business people did go down and talk to the County. I don't think they liked what they heard. As far as a meeting, I would think that a meeting would be best after the first of the year when we know exactly what is going to happen and when it is going to start for sure. The County will be coming out with some literature. In talking with one of the engineers, there is no chance of changing their plan. It is going to be one way and it is the best way to get this project done, as soon as possible. I think it would be advisable to have this meeting after the first of the year when we know exact days when they are going to start and try to address some of the problems that we are going to have. Mr. DeWine from Mr. Koran's office, they are already talking about signs, making the signs listing the different businesses and posting them on 185 or 222. I think that will help. I told the Mayor today, some of the businesses forget in 1984 or 1985, we had the same thing when we put a relief sanitary sewer up through there. It was closed. The road was one way for approximately 5-6 months until it was completed. Everybody survived. Everybody cooperated. I think the same thing will happen again. The signs will definitely help if we post them on 222. Gary DeWine is going ahead with making the signs.

Councilwoman Holzheimer Gail – I think waiting until the first of the year is good. I just want to make sure that the business owners and residents do know that we are not forgetting about them and we are moving forward and will do whatever we can do to make it easier.

Councilwoman Holzheimer Gail - The other issue that has been brought to my attention, if you could please look into it, I've heard from several people that it is very dark on the northern side of E. 222. From Fox to where 222 & Babbitt come in. If we could possibly look at whether it is the trees needing to be trimmed or the wattage of the lights being increased. They have talked to some of their neighbors. I had thought originally maybe they wanted it darker because it was a residential area, but they are concerned over the safety and also being able to see street signs, house numbers, things like that.

Director DiNero – It is a funny thing that you did bring that up. I sent the application in to CEI First Energy to change the lights from mercury lights that we have on 222 to 150 watt sodium lights. I stopped at the Kipling Jeweler and he was telling me the same thing. They felt that E. 222 is very dark at night. I had our building department install lights underneath the 222 conrail bridge, which was never lit before. That's going to improve that area. Especially when it is raining, from Tracy down to Lake Shore Blvd. The only problem we are going to have, the next thing that happens is we will get complaints that it is shining in the bedrooms. We'll deal with that. I did send the application in to have those lights changed. Also we are going to change them on Miller Ave. too.

Councilwoman Miller – I totally agree with Councilwoman Gail with the 200 Street Project. I've had a lot of input going door-to-door as to citizens concern about the businesses there. Since we are a community that wants to keep businesses in Euclid, then we should do everything possible to make it as convenient for those businesses, so that people can get there.

Last Council meeting I asked Mr. DiNero about the summer and winter sewer rates. Did you look into it because they are waiting for it?

Director DiNero – I did look into it. It goes back to the old story of, if we reduce rates one way, we have to make it up some other way. If we reduce the rates for residents during the summer, we have to reduce the rates for our commercial and industrial users to which would make a big bite on our fees being paid to the Waste Water Treatment plant. In that case, the fees would have to be made up some other way and I think the residents would suffer in the long run if we did reduce the rates during the sprinkling season. Also, our rates, I know regional sewer does give summer rates, but their rates are \$6-\$7 higher than ours. Evidently they are giving credit one way and they are making it up some other way. The cost of operating the plant doesn't change. It has to be operated by a certain number of people. We have to buy chemicals. We have to do certain things for the EPA. By reducing some of the sprinkling rates in the summer time, it has to be made up somewhere. In the best interest, I know it is hard, I just talked with a lady from Richmond Heights that comes into our sewer district and she was complaining about the same thing. I explained to her that we don't allow extra water meters. I explained to her that regional sewer rates are higher than ours and that's the reason they are able to give extra credit during the summer months. We are trying to keep our rates as low as possible and once we start that, which we do have the Homestead where the elderly people that fit into that program, they do get some relief during the summer months. Overall, we are better off just the way we are. That's my opinion. When you really analyze and look into it, it is the best thing for our residents.

Councilwoman Miller – I had a question with Miller Avenue's rubbish pick-up this last week. They didn't pick up the rubbish. The trucks could not get down. Has anything been done?

Director DiNero – That's news to me.

Councilwoman Miller – I had a lady call me today and she told me that they never picked it up last week because the trucks couldn't get down. That was why I asked.

Director DiNero – Last week they picked it up. Some of the workers on the job were helping the fella carry the garbage from one side of the street to the other. That's the first that I heard it wasn't picked up.

Councilman Dallos – I'm a little bit concerned about one of the local newspapers that's been referring to, that the City is going to be tearing down the homes on 200th and the Marginal. I just want to make sure that we are not tearing down the homes and we are not using any Community Development Block Grant funds or something else that we are not aware of. If someone would just please clarify that up.

Mayor Oyaski – I know you know this, but the media does what the media does. The City does not own Gateway. A developer has an opportunity to buy it, and if he buys it, he's responsible for tearing it down. We do not own it. We have not owned it since 1978. If the project does proceed after November 1st, the developer will be responsible for demolishing it. This was mentioned to the Plain Dealer. It doesn't always get onto the printed page.

President Cervenik – I wasn't going to say anything, but I have no choice. The Observer which is lightly being referred to as a newspaper. One of our speakers this evening mentioned the Observer and then mentioned the Whole Truth. The thing you have to realize is when he mentioned the Whole Truth and he mentioned the statements in the Whole Truth, the statements had a name behind them. Because the people who put their names in the Whole Truth firmly believe in what they say and they want people to know how they feel. This newspaper, as they call it, contains names of no one on the editorial staff. It contains no names of who's paying for it. From one of the addresses and from some previous literature in other years, my guess is there are a number of political candidates who have lost elections rather resoundingly by the citizens of Euclid, have a lot to do with that newspaper, but we don't know for sure. We have two candidates for the School Board that wrote very extensive letters to "the editor". We don't know who the editor is but they did. Those candidates wrote letters taking and twisting things in the Auditor's report. The same day I got the Observer, I read the News Herald. A little bit different. Recommendations. Those two gentlemen are certified public accountants. When a certified public accounting firm or the Auditor's office does an audit of an organization, they give recommendations, they give advise. Those aren't mandates. Because they give advice, because they give recommendations, it doesn't mean we're right and you're wrong.

The School System, the Administration, has put together a committee to review each and every single recommendation that the Auditor's report contained and they will have a written follow up report when they are finished. Those things you don't read in the Observer because the Observer isn't there to tell the Whole Truth. The Observer is there to tell one side of the story. I hope all the residents and you out there this evening support Issue 5 on November 2nd. As you saw from the concert tonight, it is a great product that we are putting out in our schools. They need our help. We've said no long enough. Issue 5 is time. Thank you very much.

ADJOURNMENT

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

Attest:

Clerk of Council

President of Council