

COUNCIL MINUTES
JUNE 16, 2003

The regular Council Meeting was held on Monday, June 16, 2003 at 7 p.m. in the Euclid City Hall Council Chamber. President Gudenas presided.

Members Present: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas

Others Present: Mayor Oyaski, Public Service Director Gulich, Finance Director Balazs, Parks & Recreation Director DeMinico, Acting Law Director Vento de Crespo, Acting CS&ED Director Gliha, Administrative Director Johnson, Fire Chief Dworning, Fire Prevention Captain Wojtila, Police Captain Repicky, Asst. Service Director Driscoll, Building Commissioner Apanasewicz, Asst. Chief Housing Inspector Petkovic, Sgt.-at-Arms Volk, Clerk of Council Cahill

President Gudenas – We started a little late. We had a nice presentation out in the Lobby for the Bill of Rights and the Time Capsule celebrated its 10th Anniversary. Started a little late today, we celebrated the freedom of speech, which we hear plenty of and continue with communications.

COMMUNICATIONS

Council has received the following communications:

A notice from the Liquor Control Commission setting a hearing for June 15th regarding the Euclid Dollar request.

A letter from Parks & Recreation Director DeMinico regarding the Friends of the Henn Mansion fund raising campaign.

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Councilwoman Miller moved to receive and approve the Council Minutes of June 2, 2003; seconded by Councilman Sustarsic. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Oyaski – We have a brief report from first Director Gulich and then Director DeMinico about the activities on July 4th coming up very soon. It's a Friday.

Director Gulich – First of all, my main concern with 4th of July no garbage pickup for anybody that has their garbage pickup scheduled for that Friday, it'll be picked up the following day, that Saturday. And now here's Bob with some fireworks info.

Director DeMinico – Every year the Euclid Jaycees host kids games at Memorial Park on the 4th of July and this year is no different. At 1 o'clock by the Memorial Park pavilion the Jaycees will be out there with a couple of hours' worth of activities for kids from 6 months old up to 12 years old have a lot of fun. So if you get the opportunity, stop out. It's a free event and we want to thank the Euclid Jaycees for their support and sponsorship of those games.

Also on Sunday, June 29th, the Shade Tree Commission is going to be hosting the Second Annual Pond and Garden Tour. Tickets are available in the Recreation Office as well as several other locations including Beach Club Pizza. Come on out and see some of the beautiful sights that some of our Euclid homeowners do to improve their property. Thank you, Mr. Chairman and Mayor.

Mayor Oyaski – As you know from time to time, Darlene Johnson comes representing the First Energy, the Illuminating Company, to join us to participate in our discussions and Ms. Johnson, we're always happy that you join us and give us the benefit of your expertise. I do want to introduce tonight sitting with Mr. Pierkowski, the new community liaison from the Cleveland Water Department, Mrs. Kesha Johnson. Kesha Johnson, welcome aboard, and the Ward Councilmen and I look forward to working with you as well as the At-large Councilmen from time to time whenever we need the assistance of the Cleveland Water Department. So thank you for coming.

Mayor Oyaski, Councilwoman Miller and Toni Lehmann presented a resolution of appreciation to Edna Davis in recognition of Ruth Armstrong's generous bequest to the City of Euclid Animal Shelter.

Mayor Oyaski presented resolutions of appreciation to Hugh Daly and Christopher Frey for their generous donation to keep four Crossing Guards through the end of 2002-2003 school year.

Councilwoman Miller's 70th birthday was celebrated and the cake in the lobby would be cut at the 9 o'clock break.

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President Gudenas – With that, I think the Mayor’s reports are over so we can proceed with the legislation. We are going to add that items 6 and 7 have been requested to be moved up to the beginning because there are people who might say a few words if needed. So 6 and 7 will be moved up to the top. And other than that we can move to the Committee of the Whole.

COMMITTEE OF THE WHOLE

Councilman Langman moved to go into the Committee of the Whole for Legislative Matters Only; seconded by Councilwoman Holzheimer Gail. Yeas: Unanimous.

Mr. Roy Larick – 23745 Lake Shore Blvd. I’d like to speak to Item 4, which is the naming resolution tonight. And I urge that it be reconsidered in light of some historical fact. I applaud the intent of this, but the City does have both a Historical Society and a Landmark Commission that can advise in these matters. And the item is to rename, so to speak, that part of E. 222nd Street, which is north of Lake Shore Blvd., through Euclid Park. I just saw this so I wasn’t able to do detailed research. But I did look at the City’s official street map today and found that there is no street north of Lake Shore Blvd. in that place on the official map. So I can’t tell from the map what it is indeed called. However, that street is on the same trajectory as Babbitt Road. Babbitt Road was laid down on a prehistoric tract, an Indian trail as early as 1797. By 1852 Babbitt Road is recognized as such running in a straight line from Euclid Avenue to the lakeshore. That section of that street follows Babbitt Road. It does not follow E. 222nd Street, which as many of you know, was named Bliss Road until 1926. Babbitt Road is much older and it, once again, takes that trajectory north of Lake Shore Blvd. I like the intent of this resolution, but it is not based in historical fact. I urge you to reframe it in terms of fact.

Ms. Regina Hauck – 116 E. 197 St. I’m here to talk about #23 on the agenda tonight. And I’m sure that we all agree that what happened was a tragedy and our prayers are with this family. I saw the article in the PD on Thursday morning and I have some questions about this ordinance.

I guess the first question is I know pending lawsuits can’t be discussed in public so did Council have an executive session on this?

President Gudenas – No, we didn’t.

Ms. Hauck – Okay, then I’m confused. If the Administration has spending limits of \$15,000 without Council approval how was this settlement reached? Didn’t Council have to have input into the agreement if Council is the only one that can approve anything over \$15,000? Maybe the Law Director can answer this?

Acting Director Vento de Crespo – That’s why this piece is in front of the Council. They have the authority to either approve it or choose to decline this settlement.

Ms. Hauck – Isn’t it kind of hard to decline a settlement after it’s already been in the newspaper? Where’s our leverage, our bargaining leverage?

Acting Director Vento de Crespo – The settlement was contingent on Council authority.

Ms. Hauck – Okay. I just, just a comment. I think that sort of hurts our own negotiating in the process if it’s already been public.

My next question is I’m assuming the Royal American still owns the Willo Arms, who’s their insurance company?

President Gudenas - Do we know who there insurance company is? The Willo Arms, Royal American?

Ms. Hauck – You don’t know that? Okay, the pool is on Willo Arms property, does Royal American own the land the pool is on or does the City own that land?

Acting Director Vento de Crespo – That’s City-owned property.

Ms. Hauck – That’s City-owned property? Okay. And which law firm is representing the estate of the victim?

Acting Director Vento de Crespo – Forbes, Fields & Associates.

Ms. Hauck – Okay and are they getting a contingency fee and if so, how much? And my question is based on, I mean, if we have to borrow this money, I’m wondering how much of this money that we’re borrowing is not really even going to the victim’s family?

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Acting Director Vento de Crespo – I don't have that figure with me, but it is, I'm pretty sure that it's a standard 1/3.

Ms. Hauck – Okay, so 1/3 of the money that we're borrowing would be going to...

President Gudenas – Close to 300,000.

Ms. Hauck – Right, okay. That's almost as much we're going to have to borrow, okay? I guess my last question is, and I don't know if anybody up there can really answer this, I see the Mayor is not there. According to the Special Prosecutor the lifeguards weren't at fault and I'm glad to hear that because I'm sure that their lives are already going to be forever changed because of this tragedy. And we need to keep them in our prayers also. The Special Prosecutor sighted murky water and a broken lifeguard chair as factors in the drowning. And so my last question is and I really don't want any names here, I just want to know procedurally, has anyone from the City been held accountable for these things? And will someone beside the taxpayers be accountable for this because, right now, it looks like it's going to be the taxpayers that are accountable for this whole situation. And finally, what procedures have been put in place besides all the youngsters being accompanied by a parent to ensure that this doesn't happen again. Because this is a great tragedy and we don't want this to happen to anybody else in our City.

Acting Director Vento de Crespo – As far as anyone being accountable, we can't comment on that at this time. There is still potential that a lawsuit would be filed and anything discussed at this hearing could be used in that lawsuit.

And as far as whether new procedures have been put in place, you would have to direct that question to the Parks & Recreation Director.

Ms. Hauck – Can you answer that?

Director DeMinico – Yes, I'd be glad to share that information with you. Those steps were initiated last year and there is a complete file of the procedures.

Ms. Hauck – Okay.

President Gudenas – We have made some significant changes, although, I believe the pool is still very deep.

Director DeMinico – The pool water goes from 3' to 9'.

President Gudenas – Which is, in my point of view, unacceptable, it's too deep.

Ms. Hauck – And again, I just want to reiterate, I mean, this was a tragedy and we should keep all the victims and their families in our prayers. Thank you.

Mrs. Madeline Scarniench – 1511 E. 221. Item #4, Bliss Lane, I guess that's okay; but right now, we've got Dempsey Corner sitting up there. The sign is there. That sign's been there for a few years, why not just make that the legal name of the new street.

Items 6 and 7, these dollar amounts are they included in the budget amendment that's going to be passed before these come up or are these going to be in addition to what's in the budget amendments?

President Gudenas – I believe this is from TIF funds.

Councilman Langman – Bennington Hamlet.

President Gudenas – Bennington Hamlet TIF fund. It's not from the General Fund.

Mrs. Scarniench – Okay, both of those, okay.

Item #11, can you please tell me how these two groups were selected? For years now, it's been done by a lottery. All the non-profit groups in the City were eligible to participate. I haven't talked to anyone who has received anything about that, but already there's two groups that are slated to run this. I'd like to know how these were selected.

Item #17, I would hope that this is going to be explained extensively. Does this mean people are going to be able to burn leaves in their yard again or is this strictly having to do with grills, that type of thing?

President Gudenas – It's those special, chimenea, they're called and things like that.

Mrs. Scarniench – But they're cooking...

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President Gudenas – They're small things. No, some of them are decorative entertainment fire, but small things. Not for leaves.

Mrs. Scarniench – Okay, well, it will be explained right? Thoroughly?

President Gudenas – We'll probably spend an hour on that one.

Mrs. Scarniench – Okay, well, that's fine. Just open burning, period, shouldn't be done in the City.

Item, let's see, 19, let's see, I can't read what I wrote. Okay. Item 19, aren't all vacation days right now they have to take them within the same year or they allowed to carry them over? They're allowed to carry them over?

President Gudenas – Yes, I believe so.

Mrs. Scarniench – Okay, I thought that had been changed a few years back.

President Gudenas – For two years.

Mrs. Scarniench – For two years, okay. My husband doesn't get to carry anything over. You use it; you lose it and that's in Cleveland Heights.

Item 21, I have a problem with, not the concept, we talked about this years ago. But right now when money is so tight, we're going to be spending more money on something. This doesn't even tell you how much money it's going to be. We don't know that?

President Gudenas – No, we talked to the Superintendent very briefly about this and he implied that the students would probably be working at no cost. It's part of their education getting real-world experience.

Mrs. Scarniench – Okay, but who would be training these students?

President Gudenas – We have a fulltime staff here already working. Plus Euclid High School has a fulltime teachers there, too.

Mrs. Scarniench – Okay, so we wouldn't be hiring someone else. It would just be the people who are already here.

President Gudenas – Right.

Mrs. Scarniench – Okay, thank you.

My comments on Item 23, this is a tragedy, absolutely. And I still haven't heard of who's been held accountable for this because I think someone should have. But my question is, we got into the self-insurance fund some years ago so that we would have money. We were spending a lot of money on insurance. How does this work out? If we've been doing this on our own but we're going to have to borrow this money because we don't have it?

President Gudenas – We have...

Mrs. Scarniench – Shouldn't we really be thinking about going back and having an insurance carrier carrying us so we don't have to go spend, borrow money like this? Because in the long run, this is going to cost us more money, I believe, then what it would have cost us before so is anybody thinking about looking into that and going back to getting out of the self-insurance business and going back and using a regular insurance carrier?

President Gudenas – Probably over the years, we have saved, probably, into the millions of dollars over the many years that we've been self-insured. I'm sure someone could provide that information. But the premiums would be, had we had to pay them, although again, we have not agreed to the settlement. Remember, City Council, the first time we heard about it was in the paper on Thursday.

Mrs. Scarniench – Right.

President Gudenas – We had nothing to do with the settlement.

Mrs. Scarniench – Is that, is that available? The costs and what it would have broke down to as far as over the years since we became self-insured?

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President Gudenas – We could probably, have we looked at the premiums would have cost us this past year?

Acting Director Vento de Crespo - \$77,000 per year. Mr. Johnson can give you the exact figure. And on a claim of this size, the excess coverage would have only paid about \$160,000 of the claim.

Mrs. Scarniench – And then we would have had to come up with the rest?

Acting Director Vento de Crespo – That's correct.

Mrs. Scarniench – Oh, okay, thank you.

President Gudenas – We don't, that's from one carrier, we don't know that to be the only option.

Mrs. Scarniench – Thank you.

Mrs. Dorothy Fike – 20271 Delaware Rd. I have a few comments and questions, but please answer them as you go along so I don't take all my time.

Number 2, the proposed tax budget, I do have questions and I will be meeting with Director Balazs; but mostly it's to do with the indebtedness of the City and the debt service is part of the budget I understand. But rather than take your time tonight because if you don't have it in front of you, you probably don't know what I'm talking about.

Number 3, the amending ordinance appropriation, I see there's an additional 1,200,000 for the Golf Clubhouse, where's that coming from? Huh?

President Gudenas - It's the same as before. It's just what we already approved. It's not an additional; it's the same as before.

Mrs. Fike – It says additional in the ordinance, sir. Okay, and also the Bennington Hamlet and the other one, they both say various projects and I'd like to have them. What are the various projects in mind, please, when you get to #3.

Number 4, #4, I agree the speaker before me about we already have it marked for Dempsey Corners and it'd be confusing if you get another name in there to that. Although I do agree because over the years when we have used the Clubhouse, people will say where's the Clubhouse? I say well you just go across Lake Shore Blvd, 222nd, go to the lake and you're there. But it's true, there is no name on it.

Number 5, the, for bids to improve the water system for the Clubhouse, I'd like, there's no cost, there's no cost listed. I would like to know the cost and where's it going to come from?

Okay, #6 and #7, I said, you know, they've been, they're going to be put on first; but I would like to know on #6, why can't they do this in-house? Why do you always have to go out and hire other people to do it? \$30,000 would pay someone's salary probably, almost. Number 7 on hiring Squire, Sanders and Dempsey, I notice in the ordinance, it says as needed; but it's going to be paid on a monthly basis. What if it's not needed? Do you still have to pay them monthly up to the \$70000? But it's only for a year, right? The contract?

President Gudenas – Waiting to answer later.

Mrs. Fike – Okay, answer later, right. Okay, number, sorry about that, #11, again, tying now with Mrs. Scarniench, again, I would like to know how the two non-profits were chosen for the groups for getting the games of chance. I'd like to know how they were chosen this year.

And again, also #17, I would like the Fire Chief explain it because I thought it was very confusing. Just what is meant by open burning? I hope, you don't really mean open burning because I complained years and years back, before you were Chief, about when they burned on construction sites. And I mean, that's one reason why we have no open burning because of the pollution and the land so I'd just like it, you know, like it explained. Thank you.

Ms. Jean Reilly – 24024 Euclid Ave. I'm also President of The Friends of the Henn Mansion and I'm here to speak on #19 or no, oh, I don't know, Ord. 488-03, .03, whatever. And Ord. 489.03, typo, whatever. A resolution to issue a permit for beer and liquor to Friends of the Henn Mansion and the Euclid Hunger Center for a Saturday, excuse me, Sunday, September 14th Wine Tasting Fundraiser. The precedent for extending an event into the Park at the Henn Mansion was last October by a local business who wanted access to the Park while renting the Henn Mansion for their company picnic. The area was roped off in the back of the Mansion and the party went on without any problems. The guests were allowed to enjoy the Park and the Mansion without having to leave their alcoholic beverage inside the Mansion.

The Friends of the Henn Mansion are excited to join with volunteers from the Hunger Center and the Lake-Shore Group to plan an event that will bring people to our City, promote its history and location, while raising needed funds for both non-profit organizations. And the Henn Board is behind this venture.

The next item concerning the Henn Mansion is a resolution to allocate up to \$50,000 in matching funds to The Friends of the Henn Mansion. The original resolution for matching funds was drafted in March of 2000. What it did was to allocate 50 cents for every dollar raised for renovation by the Friends. We've submitted 4 requests to the City over the three-year period and our last request was for the year 2002 and it leaves a balance of \$242 in the fund that would be unclaimed for 2003 or would be claimed for 2003. This was a great program and The Friends of the Henn Mansion would like to continue with this program. It's a great incentive for people to donate toward Henn renovation. It shows the City supports the renovation of their historic building. The estimated renovation costs for the Henn Mansion were 6 years ago \$50,000-750,000 and we've completed close to, I'd say, \$300,000 in renovations so we still have a way to go. Please continue to help the renovation move forward and continue the matching program. Thank you.

Mr. Joe Udovic – 21371 Naumann. First I'd like to address #11. I was sitting on a committee for a while there for the new Euclid Fayre. I don't remember we discussing at the Fayre games of chance. Can somebody, please, or Mr. DeMinico can you explain to me what type of games of chance are we talking about? Card games? Dice games? Roulette wheels or money wheels? Or are these going to be games of chance for children?

Two, what I would like to find out is what location will the games of chance be in? Are we going to convert Henn Mansion into a gambling, gaming parlor or something? Like I said, I sat on this committee for a couple meetings and this is the first time I'm hearing now we're talking about bringing gambling to Sims Park. Also, will the games of chance be occurring during the Renaissance Fayre or will this be only during the night of the Euclid Festival itself and the night of the Renaissance Fayre, we're just going to have a Renaissance-type theme event happening?

Also, I, too, would like to address #23. Yes, this was a tragedy to the family. I did attend the services last year. Maybe Ms. Vento can answer this question, how long have negotiations been going on? The young lady passed away last July. Between January and April, we were having budget hearings. Did we have any inclination that this amount was part of a settlement? Did we plan on anything of this high amount? Like Madeline brought up at the last meeting, Madeline Scarniench, a lot of money, \$880,000, if this accident hadn't occurred, it could have been used as Capital Improvement like to the Fire Department, Police Department. Parks & Recreation Department could have used this money if we could have prevented this incident from occurring. Maybe Mr. DeMinico can answer this question, what are plans to make the pool more shallower, since it is on our property? Is this going to be something that will be done through Recreation Department this year so this accident will not occur some time in the near future. Thank you. Have a good evening.

Mr. Ron Emser – 26501 Farrington Ave. Something a little lighter here. Buckle up and enjoy the ride, soon we'll be referencing these days as the turnaround time. Those of you on Council should be very proud to have been plugged in to the decision making process while much of this is going on. Euclid is awakening from its status quo dormancy, which quite frankly, has not been a popular position for almost a decade now. Euclid will soon be making the news and I trust it'll be contrary to much of the news we have become all too used of hearing. Good stuff is, indeed, happening in Euclid and it's only going to get better. There are, indeed, people here in Euclid that are interested in the City moving forward and I'm very pleased to be among them as part of the Lake-Shore Group. And I encourage others in our community to plug into our group or another like-minded civic group of volunteers. Park cleanups, cooperative efforts with local businesses...

President Gudenas – Ron, is this on any of the items?

Mr. Emser – Yes.

President Gudenas – Okay.

Mr. Emser – Yes, I'm getting, it's the next paragraph. The...

President Gudenas - You can always tie it to the budget.

Mr. Emser – Okay, okay, let me get to the good part then. A grand, we have a grand idea designed to bring both enjoyment and entertainment to hundred and hundreds of residents and non-residents alike some perhaps visiting our City for the first time. Been working with Gary Casterling, the President of the Lake Erie Wine Society, to bring a fall event here to Henn Mansion. Historically, the Society does both a spring and fall tasting in Lake and Erie Counties. With the help of members of the Lake-Shore Group, Friends of the Henn, the Euclid Hunger Center, I propose to make this event to happen in Euclid. All the proceeds will go to the

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Friends of the Henn and the Euclid Hunger Center. The Lake-Shore Group has no fiscal assets nor monies. Both organizations can appreciate thousands of dollars in donations. So I'm just urging Council to positively consider Item #9 carefully and to let us all help the City bring in more people and bring in revenues for these two organizations. Thank you.

Mr. Dennis Glasney – 731 E. 263rd St. I'd like to just comment briefly on Items 18 and 19 on the agenda. I know there's a few of you on Council that are here on your first term so I don't know if you're aware of how some things went years ago in the City. We were in a similar financial situation and we've been in several as long as I've been employed by the City. And we went through a few years without receiving pay raises. And one of the things that the Administration had come up with at that time to try to compensate the employees in lieu of pay raises was to allow us to accumulate more sick time and to have that sick time payment increase toward our retirement. And if I recall correctly also, on one of the years that we were not able to obtain a pay raise, we were given increases in our vacation schedules. And I don't know how many of you are aware of this, but often through the years when we would go in and negotiate contracts the hourly rates of some of the City employees were considerably less than those that did similar jobs in industry. And the Administrations, the past Administrations, always tried to compensate for that by making some of the benefits that we received a little bit more than maybe what some of the other industries received.

So it upsets me when I see a resolution on the agenda here tonight, requesting the Administration to perform a study and design and update the manner in which sick days and I guess the vacation time, on the next one, is accrued. I know that there was a study done by Jefferson Wells and one of these items was on that agenda. I also know that there were several other items that Jefferson Wells suggested to this Council that they have yet to act on. And I just find it a little ironic that once again when we come to a numbers crunch with the budget, the first thing that everyone expects the employees do is give up their benefits, give up their pay, lay employees off. Employees are always the first one that everybody turns to when these time of financial hardships come upon the City.

I think the employees of this City have made several, several sacrifices to help this financial condition out. A lot of them are no longer even employed by this City. So I'm going to urge all the employees that might be in attendance here tonight and those that might be listening at home and their families, especially those that are members of bargaining units to oppose anything that might come of these two resolutions. These were benefits that we worked long and hard to earn. And I don't think until we see some other answers to a lot of other questions with the financial situation here in our City that we should once again be asked to be the ones to bare the brunt of this.

I would hope that all of the employees and the members of their families will pay attention to how the vote goes here tonight on this and also to pay attention to the people that sponsor these resolutions and I hope you'll remember them in November. Thank you.

Mr. Tim McKay – 362 E. 232nd St. I'll keep it short so that after the second item tonight we can go out and cut Fay's cake.

I would like to speak on behalf of Items 9 and 10. I stood here before and let you know that other cities look at us and they look at us a lot differently now. They look at us because we have a kinship with the people in the City. There's a volunteerism that's there and I think both Items 9 and 10 tend to foster that. They see that the City's behind it. They see that the City is trying to do something and that means a great deal. So again, I would like to urge for the passage of 9 and 10. And Happy 21st Birthday, Fay.

Mrs. Sally Hufnagle – 615 Birch Dr. I also would like to speak on Items 18 and 19 on tonight's agenda. It seems like every couple of months Council comes at us with something that affects the employees. You cannot try to meet your budget woes through your employees. Your employees are your greatest asset. You meet your budget woes through curbing your own spending.

Jefferson Wells suggested in Item 14 in their report that you reduce Council size. Council rejected that. Jefferson Wells in Item 30 suggested that you reduce Council salaries by 11%. Council rejected that. There was a resolution or legislation a couple of months ago on the agenda to cut Council health benefits. Council rejected that. You cannot ask your employees to do what you yourself are not willing to do. A true leader sets the example for his employees.

The June 12th article in The Sun Journal, I'm quoting a Councilman, the employees are our first line of contact with our residents and businesses. My goal is for us to improve the morale by reducing, while reducing the expenditures. If every couple of months the employees of this City have to sit on the edge of their seat and wait and see what Council's going to do with their benefits, how does that affect the morale?

Last Council meeting Mrs. Scarniench got here and she was talking about the Dog Pound and she held up a piece of paper so that you could read the phone number for the Dog Pound. I have a piece of paper for you this evening, Councilman Gudenas. Right here. Do you know what this number is? No. It's the amount that Council spent on health care benefits according to a Plain Dealer article for 29 months. This is what you spent. Don't ask your employees to do something that you're not willing to do yourself.

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Mr. Dale Vernon – 1497 E. 196 St. Reference Item #23, I have much to say about the issuance of an \$880,000 bond in this instance. Out of deference to the tragic circumstances I will simply say this is another example of a bungled financial dealings of the City. Why this City maintains swimming pools is highly questionable. That the Administration would maintain swimming pools without adequate liability insurance is stunning financial thinking. Euclid is too small a community to offer such an amenity if it can't carry adequate insurance. Now a tragedy has occurred and Euclid's taxpayers are going to foot the bill to bail out another one of the City's short-sightednesses. Don't think, folks, this isn't going to happen again. Thank you.

President Gudenas – Okay, I see no one else.

Councilman McTighe moved to rise and report; seconded by Councilman Lisy. Yeas: Unanimous.

LEGISLATION

President Gudenas – We'll do the public hearings first, Items 1 and 2, and then we'll jump to #6 and 7.

Ord. (467-03) Rezoning Edgecliff

An ordinance rezoning property at 20521 Edgecliff Dr., P.P. #642-01-005, from U-3 (apartment) use districts to ASF (Attached Single Family) use district and further amending Ord. No. 2812. (Sponsored by Councilwoman Holzheimer Gail)

Second Reading. Public Hearing Special Council Meeting July 7, 2003.

Ord. 127-2003 (497-03) Proposed 2004 Tax Budget

Proposed Tax Budget for the year 2004. (Sponsored by Mayor Oyaski and entire Council)

Councilman Lisy moved for passage; seconded by Councilman Langman.

President Gudenas – This is something we are required to do at this time. We are setting the final expenditures for next year. The Cuyahoga County requires this.

Director Balazs – That's correct, Mr. Chairman.

President Gudenas – So we're just doing something for the County that we will come back again and work on the budget as soon as we finish doing 2003.

Councilwoman Holzheimer Gail moved to suspend the rules; seconded by Councilman Gruber. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Director Balazs – If I may, I did have one question on the 2004 budget request by Dorothy Fike. And I did get her some information on the debt that was also included in the Capital Budget that we did back in February-March and I will meet with her on any additional questions she may have. Thank you.

President Gudenas – Okay and we should go back, I guess. It was technically a public hearing's part of the official County requirements. So if there's anyone else who would like to talk about Item 2, which we just passed. I guess it doesn't matter at this time. I see no one else. We can proceed with Item 3 I'm sorry Item 6.

Ord. 128-2003 (483-03) Prism Financial – Lakefront Project

An ordinance authorizing the Mayor of the city of Euclid, or his designee, to enter into a professional service contract with Prism Financial Solutions for the purpose of providing financial advice and to act as a legal negotiator for the Lakefront Development Project, in an amount not to exceed Thirty Thousand Dollars (\$30,000.00) (Sponsored by Councilman Langman)

Councilman Langman moved for passage; seconded by Councilwoman Holzheimer Gail.

Councilman Langman – This legislation and its companion legislation represents the next step in the Lakefront Development Project. There's been a lot of activity behind the scenes over various months since this Council passed the vacation order of 242. At that time, Mr. Price completed purchases of the various homes for approximately \$3 million. And in about another month he'll be investing another \$1.3 million for construction of the common entrance way at 242.

These two items before us tonight allows the City to negotiate with the developer to hammer out all the technical and financial arrangements that are required to make the project possible. So in essence, we would

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be hiring this individual and Squires, Sanders and Dempsey to serve as the City's team to move the project forward.

Now the question was raised as why can't we do this in-house, which is a very valid question. Well, the way the project is going to be financed through Tax Increment Financing is a very legalistic and technical way to finance a project of this type. It's not like 205 where we simply sell off the property to the best developer. In fact, it's a very convoluted and complicated legal issue. So, therefore, without denigrating the talents of our staff, it is clear that we do not have the expertise to go toe to toe with the developer to hammer out the very best deal for the City. Hence, we need expert advice to sit down with the developer to tackle the complicated issues, such as, the schedule of construction; such as, who assumes the majority of the risk. Obviously, it's in the City's best interest for the developer to undertake that risk. Another critical component of this service is that they can help identify additional sources of revenue to make the project possible.

So once again, Prism Financial Solutions, as the biographical information, indicates has worked on many of these Tax Increment backed projects in the past. We have not; we have not done a project of this magnitude in the City probably ever. So to make sure that the City receives the very best deal, it is incumbent upon us to hire a qualified professional. And Mr. Sprague is that the professional. So with that I'll turn it over to Mr. Gliha for his comments.

Acting Director Gliha – This project, many people say, has been in the discussion mode for the last 20 years. I've been here going on 29 years and I can recall Mayor Sims somewhat speaking, even though I wasn't working for the City at that time, I can recall Mayor Sims had an interest in putting a marina along shores of Euclid and Lake Erie.

This is not, these two ordinances do not represent studies. They represent the final move towards concrete and construction, towards townhouses getting developed and the marina being developed. It's been a long time coming. It's taken a lot of Councils, a lot of Mayors and a lot of hard work on a lot of people's part to get to this point.

The funds, the Bennington Hamlet funds and the Clay Matthews TIF funds were established, oh approximately 12 years ago, I believe, under Mayor Dave Lynch. And one of the main purposes for establishing those two TIF funds were to further development within the City and in specific development to hopefully further the development of a marina. Well, we are at that point and tonight we are proposing to use the funds that have been collected over the years and deposited into the Bennington Hamlet TIF account to fund these two ordinances. And to bring these two experts on board to help myself and my department and, eventually, this City Council arrive at the best possible development agreement that we can with the developer. And to proceed and, hopefully, within 3 years have 72 to 82 new townhouses and a 200-slip marina.

Tonight Mr. Brad Sprague from Prism is here if you have any questions, and Miss Pam Hanover of Squire, Sanders and Dempsey is here in relation to 484-03. I look forward to working with both of them and I look forward to, hopefully, seeing this developed within the next couple of years. Thank you.

Councilman McTighe – Mr. Gliha, before we had the two TIF zones that Mayor Lynch worked on that be created that we pull money out to pay for this. Who facilitated their arrangement when we created those TIF zones?

Director Gliha – Squire, Sanders and Dempsey, Cecil Melon was our representative to the City at that point in time. And he actually put together the very complicated legislation. It was probably as complicated as this because at that time the law was, the current law was sunseting. And we were under a three-week crunch to establish these two zones before the new law became effective, which would have really stopped us from establishing as it is. So, and now 12 years later, the laws are once again a little bit different. We will be asking Council, eventually, to void the existing Lake Erie TIF zone and we will be bringing in front of you under the current law what is known as an Incentive Tax District. It also allows us to TIF new improvement, but under this category it allows us to specifically use new housing development in order to establish a Tax Increment Financing fund.

Councilman McTighe – Okay, thank you. And then, Director Balazs, it says we're going to reimburse the Bennington Hamlet through the sale of projected bonds, is that what?

Director Balazs – That's exactly correct. We found out that legally we can do that and reimburse once we go into the, if we get that far, through the legislation that these will be reimbursable expenses. And if I may add, we're talking about Brad Sprague from Prism and I met Brad when he was the Assistant Finance Director for the City of Columbus. That was about 20 years ago. He also did investment-banking services and he worked for the largest note dealer out of New York where the City of Euclid was dealing with early note broker back in the late 80s, a very good note deal. And he did assist the City back in the 80s in the rating with Moody's. And I think his latest accomplishments are the financial advisory on the Easton and Polaris TIF projects out in Columbus. So he does have a pretty good background.

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Councilman McTighe – Thank you.

Councilman Gruber – Director Gliha, what would be the new TIF zone or whatever it's called, is it still going to have the same parameters?

Acting Director Gliha – Actually, we are looking at that right now. We have done, by we I'm saying our department has done quite a bit of the legwork and actually, we are proposing to expand the boundaries to include Sims Park, maybe all the way down to the Watergate Apartments.

Councilman Gruber – Okay and this would also take a slum and blight study to implement this?

Acting Director Gliha – No, it, under this law it would not take a slum and blight study. It takes an engineering study to determine what public improvements would be necessary in relation to the various projects anticipated to be funded through the TIFs. That draft engineering study has been undertaken and, of course, under the Incentive, and Miss Hanover, probably, can correct me if I'm wrong, but I believe under the Incentive District language is a reference to the building of breakwaters or marina as a public improvement.

Councilman Gruber- Okay, was there, were there any RFQs or RFPs for these services go out?

Acting Director Gliha – No, these are two special, specialty type services. The people who deal in things like this are very limited. We have had past experience, course, with Miss Hanover and Squire, Sanders and Dempsey. And Sprague came highly recommended.

Councilman Gruber – Okay. And this would in effect drain the Bennington Hamlet TIF?

Acting Director Gliha – At its present level, yes, we will be expecting more funds to be deposited in July some time. Between the two, if there aren't any delinquencies, we collect about \$46-50,000 a year.

Once again, this is actually what the intent of the TIF were 12 years ago. We are not doing studies. We are doing something that is going to lead to actual development and actual construction.

Councilman Gruber – Okay, and this is the plan we're going to stick with because I remember not too long ago there was a quote at the dawn of a new century, Euclid faces significant challenges. City vision in leadership is essential for seeing these challenges not as obstacles but as opportunities for renewal. A significant portion of the renewal rests upon these twin pillars, conversion of the Americana Apartment to condominiums and the construction of a marina. Now, the condominium thing at the Americana, that's from the Marina Harbor Committee, I believe, then citizen Daryl Langman wrote that. Then we had to do the Sandvick architect proposed condominium conversion for the Americana Apartments. Then we did the Danter study with condominium conversion for the Americana and then we did the Sandvick final study for condominium conversion. Now we're not doing condominiums there any more? We're just going to do what Doug wants us to do?

Acting Director Gliha - We're doing condominiums or Mr. Price, hopefully, will be doing condominiums, but they would be...

Councilman Gruber – But not to this extent mentioned here though.

Acting Director Gliha – Not currently in the apartment complex, Mr. Councilman.

Councilman Gruber – Because with this proposal the TIF plan just from the conversion of the Americana would have paid for the whole marina project along with Mr. Gudenas's \$12 million project.

Acting Director Gliha – True, but plans are flexible. We worked point to where we hoped when the developer, when we bring the developer's agreement back in front of you, it will include the exact development that Mr. Price is going to be doing, the exact amount of the investment. And through the expertise of Mr. Sprague and Miss Hanover, we'll be able to also put in front of you what the TIF funds, the amount of TIF funds will be generated from that investment. And what type of public improvements that the City would be able to pay utilizing those TIF funds.

Councilman Gruber – Okay, I'll put these with the rest of my studies then. Thanks.

Councilman Delaney – I can't imagine a bigger impact to this City, certainly not in my lifetime. In some of my conversations with Doug Price, he has alluded to his long-term...

Councilman Delaney – His plan to take place over 15 years. He had to, he probably would not put high rises on an auction block. But in a realistic business sense, that as money is collected and apartments are upgraded, at some point, where he gets on the graph where he has made the money back in development, he begins to sell these condos. Wouldn't it have been nice to have had Mr. Price 15 years and then maybe today we would be sitting here saying what lovely condos we have in those high rises?

I very much appreciate Director Gliha's remarks about understanding with TIF funds, understanding what they are for and that what people need to hear is that we are actually going to see rocks go in the water. Breakers be built; phases of new homes being built. The market studies, the engineering studies, the negotiations that is what is needed to take place to take a sophisticated project like this and move it forward. If we had just put our hands over our eyes and ears, pretend that none of this could possible happen, continue with the defeatists attitude to bicker and to moan and to say why are we spending this money. If we had done this years go, you would not be this financial situation. We are putting something on the table that is going to make our City rise up. It's going to bring more tax into our coffers. It's going to correct a lot of what people have been saying that have lived there for all their lives, the potential of Euclid, the potential of Euclid, the potential of Euclid.

Today is the beginning of how we realize potential of Euclid. Thank you.

Councilman Langman – First of all, I'd like to thank my colleague, Councilman Gruber, for remembering that presentation.

Councilman Gruber – That was a wonderful presentation.

Councilman Langman – From that snowy December day and at that time everybody was talking about well, we need a legitimate developer. And although we had an interested in party that, for whatever reason, the Council, Administration did not pursue. Now we do have an interested developer. He may not follow exactly what I would like to see, but I don't own the property and neither do you. So we're working with him to maximize the investment.

There will be a time that if the townhomes are successful he will reposition, if not both, then one of the towers. That's clear and he has said that. He mentioned that at the Chamber of Commerce luncheon. So if we don't take this step nothing will happen. This is exactly the same as the vacation of 242. People said well, wait, don't do it, etc. If we don't move forward on this, we will not have lakefront development. That's the bottom line. That's what people were tired of waiting for that to happen. This allows us to move the process forward now. And Mr. Price is willing to invest upwards of \$30 million in our community, not in Cleveland, not in Shaker Heights, etc. That's something we should pursue with all deliberate speed. And it's not a study. It is an action plan, as Mr. Gliha said, to move the project forward.

So the choice is ours tonight. Do we say no lakefront development or do we say yes to lakefront development. That's what we're talking about.

Councilman Gruber – I, Mr. Price owned property in my Ward before he came down there. He's a wonderful guy and he does what he says he's going to do. It's also important to note that Mr. Price was buying homes on 242 before the election of this Council. So his plans were clear a long, long time ago. He did make the statement at that time that he would not convert them to condominiums. I've talked to him since he said that could be a possibility in the future.

I'm just wondering, too, why no one else put money into it, such as the schools or Mr. Price, for these two pieces of legislation. I mean, they do benefit him. I'm going to support this piece of legislation. I did from the beginning but these are questions came down the line.

Councilman Langman – Mr. Price has invested quite a bit into the homes, at a loss quite frankly, and he is ultimately taking he risk. If he sees that the City is not interested in moving the process forward, he would be happy just to negotiate with our department because, quite frankly, we would be at the disadvantage because we do not have the expertise or the experience to hammer out some type of arrangement. So these two pieces of legislation don't really benefit Mr. Price. They benefit the City of Euclid by putting us on an even footing vis-à-vis the development. That's what these are about; 242, yes, a clear benefit to the developer. And as other legislation comes up, yes, a clear benefit to the developer. But in return for the investment, I think it's incumbent upon the City to protect our interests by hiring Mr. Sprague with Prism Financial and Squire, Sanders. It's a prudent move to protect the taxpayers' interest in this project.

Councilman Lisy – In business I have always found it better to negotiate with an expert negotiator when it comes to these types of big deals. And when we're dealing with three parties, the City, the developer, and the school district, I'd want somebody that has expertise in dealing in all those different environments. And when I was looking over Prism Financial Solutions resume, they've done this type of work in the past. They

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successfully negotiated settlements in grievance with other cities, in fact, and school districts. Therefore, they have the expertise to get entered into one of these deals. And one thing you don't want to have is your decision makers at the table. And so if we're in negotiation with Doug Price and the school system and we have the decision makers at that table, we weaken our negotiation position. And we need to be dealing from strength because ultimately we'll create the best financial deal for the City. So that's what this, I see hiring these two organizations to represent the City will do for us. Especially with, the other thing is when you want a job done, you can either go about it the long way and you get what you pay for. In this case, we're bringing two of the, two organizations on board that have experience in this area and so they'll get the job done faster. It may seem a lot of money to most people; but when you bring the right people on board in the beginning, you'll get the job done right the first time and probably in a shorter time period. Thank you.

Councilman McTighe – Did anyone speak with, about, from the School Board, the Superintendent in regards to these two items?

Acting Director Gliha – The Mayor and myself met with the Superintendent and the Treasurer about three months ago and we briefed them both on the process we were about to undertake or, hopefully, about to undertake so that they would be aware that at the time when we finally did bring this legislation in front of Council, it wouldn't be catching them by surprise. So they are aware of the potential ramifications of the project and they are aware we will be needing to negotiate some type of agreement, by law, with the School Board.

Councilman McTighe – All right.

Councilman Sustarsic – I might have missed it before with Councilman Gruber, but I was wondering was there any or rather is Prism Financial the only particular company that has expertise in this and was anyone else contacted?

President Gudenas – I think we had that question answered before.

Councilman Sustarsic – He can do it again.

Acting Director Gliha – They, Prism Financial is a specialist, especially when it comes to TIF developments. They came highly recommended. We did talk to one or two other possible subcontractors, but Prism's track record and experience were outshone the other two parties that we did speak to.

Councilman Sustarsic – I noticed in both pieces of legislation it's mentioned that we're entering into a professional services contract with these particular concerns. I was wondering, makes it sound like everything was pretty much cut and dried, why we don't have a copy of the contract that we would have with Squire, Sanders or with Prism?

Acting Director Gliha – I don't know whether we technically would be entering into a contract. I think it's more referred to as an agreement. Agreement contains a scope of service, we did, I think, attach a preliminary scope of services, which will basically be the final scope of services.

The terms of payment are also spelled out somewhat in those scope of services. We would anticipate with Squire, Sanders and Dempsey that if negotiations go well and the developer's agreement is reached easily and the School Board is extremely agreeable, our amount of legal advice and legal contact will be somewhat more limited. That all depends on how the deal falls and how Prism, you know, goes to the table and negotiates. And we do anticipate, though, that the deal will go much easier because all parties are aware of where we're going and where we want to be going.

Acting Director Vento de Crespo – There will be formal contracts drawn up. The, I think the point that Mr. Gliha is trying to make is that all the material terms in the contract are included here in the proposals. And we would use a basic form contract that we keep in the Law Department and plug in these proposals.

Councilman Sustarsic – Okay, well, I get a little leery because I know when it gets to the same arguments at a lot of points as far as bringing these people in because they are experts and to help us along, go along with the Jefferson Wells contract and we chose not to listen to them. It was an a-la-cart type thing. So I can only hope that the City listens to these people for a change. And I guess we'll just have to wait and see what happens with that. Thank you.

Councilman McTighe moved to close debate; seconded by Councilman Langman. Yeas: Unanimous.

Councilman Delaney moved to suspend the rules; seconded by Councilman Lisy. Yeas: Unanimous.

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Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic

Abstain: Gudenas

Passed.

Ord. 129-2003 (484-03) Squire Sanders & Dempsey– Lakefront

An ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a professional services contract with Squires, Sanders, and Dempsey for the purpose of providing legal advice and counsel for the Lakefront Development Project, in an amount not to exceed Seventy Thousand Dollars (\$70,000). (Sponsored by Councilman Langman)

Councilman Langman moved for passage; seconded by Councilwoman Holzheimer Gail.

President Gudenas – Mr. Langman, anything to add?

Councilman Langman – Well, just a couple of comments, we'll try to keep it brief. Squire, Sanders and Dempsey as mentioned has worked on prior TIF zones in the City and their expertise is critical because of the very complexity of the State Regulations regarding this type of development financing. So it's incumbent upon us, again, to bring on expert advice, in fact, advice that went into developing some of these modifications to the TIF ordinances over the many years. So I think the City has been in good hands with Squires and Sanders previously and we would certainly be in good hands as we negotiate with developers and the School District, etc. Thank you, Mr. Chairman.

President Gudenas – For our history buffs, it was 1994.

Acting Director Gliha – The Mayor reminded me that it was 9 years ago and I replied to him it sure seems longer than that.

President Gudenas – By 11 o'clock this will seem like a long time ago. Okay, anything else to add, I see no one else. So we had no debate.

Councilman Langman moved to suspend the rules; seconded by Councilman Delaney. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic

Abstain: Gudenas

Passed.

Ord. 130-2003 (498a-03) Amending 2003 Appropriations

An emergency ordinance amending Ord. No. 69-2003 which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2003. (Sponsored by Mayor Oyaski and entire Council by request of the Finance Director)

Councilman Lisy moved for passage; seconded by Councilwoman Miller.

Director Balazs – This is the first amendment to what we consider our final appropriation that was passed at your second meeting in March. I have been meeting with the Directors, Chiefs, etc. and they have indicated the changes in requests to their appropriations. I have the talking points on the first sheet whereby indicates the requested changes to their appropriations. And the first fund that we're looking at is the General Fund, Fund 101. And we're requesting an appropriation change for the various reasons as listed here amounting to \$199,000 and some. As you can see, the requests go back to the departments and as they requested them for the Judicial, Police and Fire areas, Building and Housing Department. We have the entries to setup the Animal Control to make up the 199,000. This does setup the appropriation for the Animal Shelter Fund of \$200,000. And of course, that can be amended or any of these items could be amended any months prior to the end of the year.

We also have the Street Maintenance repairs for the leaf pickup. The extra amount to be added to the contract for a little over \$15,000. Also, we've had requests for a firm improvement fund amounting to \$122,000 and these are the requests basically from the Service areas for the Motor Maintenance Streets and we do have one request for the Shore Cultural Centre.

In response to Dorothy Fike, again I believe, concerning the \$1.2 million and this is the addition maybe to the Clubhouse originally existing, but we did not include this in our final appropriations. We're including it now and this sets up the 1.2 million appropriation for that.

We do have appropriations for the other items that we borrowed. That's for the Senior Center; that's for 2-1/2 million and we did add to Capital. We did borrow for the 2003 Capital Budget of 1.3 million.

We have remaining here the Euclid Endowment for the matching funds and this is the old 50,000 that we're getting to the end of that match.

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We have the Bennington Hamlet. Since we did approve the TIF funding for Squire and Prism, we do have the appropriation now to pay them. We have Clay Matthews for the various projects that were passed by the Council to add this amount for those various purposes. So this is what we have before you, Mr. Chairman. Also, what we're trying to do and we're trying to encourage the departments and the Chiefs that any appropriation amendments that they have is to make them earlier in the year. What we want to avoid and we have no choice to do amendments at yearend because we don't know what the situation may be there at that time. And if you recall, we had a pretty large amendment last year in December. We won't be that fortunate to have the money to make amendments at this time or at that time as we did last year.

So this is the information as requested to amend our budget by the dollars indicated per fund here. If there's any questions, I'd be glad to answer them.

President Gudenas – Okay, so the items from the Animal Shelter on down, for the most part, Council's already approved the legislation, such as, obviously for the Golf Course and the Bennington Hamlet and other things. The Animal Shelter we approved last Council meeting so those are fine. My concern is that we have requested now 3, 4 months ago a month-to-month budget reporting system for the balance of this year. And now we're at the sixth month of this year and still do not have that. My request, and it's just my request, is that we do not approve the General Fund changes until we get a month-to-month budget for the rest of this year because we have no assurances that there will not be additional changes when we come back in September. And we have no room for error including these additions here, basically, they all have to come out of our limited cash reserves in the General Fund area. But the other items are accounted for from our Capital Accounts for the most part. But the top ones, I would be very uncomfortable approving until we have a month-to-month budget plan for the rest of this year. And even if we didn't have a computer system after 3 or 4 months I think you should have done it by hand.

So this is unreasonable and I think our request has not been taken seriously. And I think the only way to get anybody's attention is simply to say no more money, until you give us a real budget for the rest of the year that we know is accurate and will remain so without any more surprises, like we had last December when it's too late to do anything about it. And we're running right back into that same direction and this is the time to stop.

Councilwoman Miller – Which ones are you talking about? The top ones?

President Gudenas – The General Fund, all the items, there's one, two, three, four, five, six, seven of those items are above and beyond the General Fund items, you know, where it's starting Judicial, all those Judicial we know, we have very little say about that one. We have to honor the Judge's request. But the Police, Fire, Building, Health, Animal Control operating, although the Animal Control is simply a bookkeeping thing transferring it to the Fund we created at the last meeting, which is the one below it. So that one makes sense because we did approve that one. It's the other items that are above and beyond the budget that we passed and they're inclined, unforeseen retirements, unforeseen this, additional unforeseen increases in some other things that we don't know how many other unforeseen items there are.

We're not talking about the Animal Shelter, Street Maintenance, General Improvement or Public Building, continue on down to Bennington Hamlet receiving two properties. We don't have any room to spare in the General Fund.

Councilman McTighe – How would you be able to foresee if someone's going to retire or not? That's up to an individual employee's...

President Gudenas – Well, how it works is you don't just come in the next day and say you're retiring. You have to give the City up to like three-year notice.

Councilman McTighe – So then wouldn't they already be aware of their retirement?

President Gudenas – Should pretty well be aware of any other retirements for the rest of this year, yes.

Councilman McTighe – So then why don't we just ask for a report of those who are going to retire?

President Gudenas – This is what we're asking when we see the budget. That's one way we're going to see those numbers is in a budget. We need to know what that's going to cost us if there are any or any other expenses come up.

Councilman Gruber – Director Balazs, under the Bennington Hamlet TIF there's a change of \$7,684.

Director Balazs – Is that on the first page you're referring to Councilman?

Councilman Gruber – And then on the back it has here at the end, too, coming from the Cash Reserves.

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Director Balazs – Yes, Mr. Chairman, we do have cash reserves that we would put into the appropriation to make that the entire appropriation.

Councilman Gruber – So there's not the entire amount for the resolutions we just passed, the \$100,000?

Director Balazs – It would be for the entire amount.

Councilman Gruber – But, okay, there's 93,000 in there right now and we need 100,000 so we took 7,000 out to cover it?

Director Balazs – No, this is the total, \$100,709 would be the total amount of cash that's in Bennington Hamlet at this time.

Councilman Gruber – Okay, then the 93,000 that was certified on 4-7 and then it says here changes of 6-16, we're adding \$7,000.

Director Balazs – Probably since the, back in April 'til now this is where the cash stands as to what the final amount is.

President Gudenas – You collected more money.

Director Balazs – Perhaps, I don't have the facts in front of me.

Councilman Gruber – Shouldn't it come from TIF fund instead of Cash Reserve then?

Director Balazs – It might have. I don't have the information in front of me.

Councilman Gruber – It's listed as Cash Reserve.

Director Balazs – If I may, we have requested from the Chiefs and all the Departments the information concerning monthly budgeting. They are the ones who know their departments best. They are the ones who know the expenditures that they can project from now to the end of the year on a monthly basis. We're accumulating that information right now, the Finance Department. And I would say that possibly we would not have the information ready until perhaps July to get back to the City Council here and have them show you their projections on a monthly basis between now and the end of the year.

So there's going to be a little bit of a time lag, probably another 30 days and then we would be prepared to come back to City Council and have the departments and particularly probably the ones who had recommended amendments be made to the budget be prepared to state to you what their budget is on an annual basis as well as a monthly basis.

President Gudenas – Well, we can still make those amendments at that time.

Director Balazs – Yes unless there's a requirement to pay something. If there's not anything in that amendment, I just won't pay the bill. And hopefully, within the next 30 days we can avoid that.

President Gudenas – Some point we won't be able to pay the bills after all our cash is gone.

Mayor Oyaski – The actual fact is that an employee can retire on relatively short notice. There's a benefit available in their last three years, should they choose to take advantage of it, but they can retire on relatively short notice. So we don't always know in advance when someone is going to retire.

I told the Department Heads and Chiefs several months ago to assume that there will be no amendments. Okay? That we're not going to authorize anything until the amendment has actually been passed by the City Council. So could you go through these one at a time and decide which ones you want to amend tonight because I am not going to hire anyone to work at the Dog Pound until you authorize the funding first. So please, if you want me to hire people, authorize the additional funding because otherwise we're going to have more to argue about.

President Gudenas – Right, again, we did authorize that at the last Council meeting so that was the intention, at least my intention, means that's what you could do.

Mayor Oyaski – Right, that's true. So please amend the appropriation consistent with your earlier legislation. I'll be happy to implement it. Should I assume, you don't want me to assume you're going to amend the budget. And I told the Department Heads not to assume you're going to amend the budget.

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Councilman McTighe – Are any of these bills that we have to pay, Director Balazs?

Director Balazs – I assume there might be some in here, Councilman McTighe. I can't answer directly, but I would imagine that if we just hold the General Fund I might get by with that because the Animal Shelter is appropriated separately in Fund 214 for the total amount of \$200,000. And the only thing, since it's a Special Revenue Fund, I would have to make sure that the cash is available to pay the bills. That would be the only requirement if the intention of the President of Council is to withhold the General Fund amendments until a later date.

Councilman McTighe – I just have one other question. Director or Fire Chief Dworning, what is the request to amend the budget amend the contract? What is that?

Chief Dworning – I don't have the itemized detail. That 54478. What it is the budget submitted assuming that the layoffs were going to take place. Subsequent negotiations with the Fire Firefighters and Council required that that budget be amended and raised from the budget that I had submitted, which included 4 firefighters being laid off at the time.

Councilman McTighe – So as a result of them not being laid off, there's this amendment, correct?

Chief Dworning – I'm sorry...

Councilman McTighe – As a result of them not being laid off, there's a \$54,000 amendment.

Chief Dworning – That's correct.

Councilman McTighe – Okay.

Director Gulich – Councilman McTighe, I feel I need to address your question. I have a line item in here for additional costs for Waste Management for leaf pickup. I think this Council's aware we pick up the leaves curbside. We stockpile them short term at our transfer station. As part of their contract, they have a per cubic yard charge they charge us for. They have substantiated to the City that they indeed went over that amount. And I talked to Pat Murphy. We did meet with them. Mr. Murphy feels they're entitled to this additional amount by virtue of their contract.

President Gudenas – So do we want to approve the whole thing as is or to approve the ones that we have already approved in the past, such as, the Animal Shelter and other things? And come back again to the ones where we have some questions waiting for the budget as we requested?

Councilwoman Holzheimer Gail – With the exception of a couple of these, I think we have already agreed to the additional spending. I mean, we haven't specifically discussed the firework detail, but I think by approving fireworks we know that there's going to be extra cost to have the police patrolling. We certainly don't want to have the fireworks letting out and not having police on the streets to help control traffic and guarding while we're there. To me, I mean, that's something that, the retirements I'm not sure we have any, you know, we can't...

President Gudenas – The one below it is for 63,000.

Captain Repicky – If I may? By contract a police officer is entitled to enroll in a retirement program three years prior to his retirement. And we have no say on when a guy enters that program. As you can see, it increased. We budgeted for about 8, now we're up to 20 and that could go up another 5 by the end of the year. There's nothing that I can foresee or project in that figure. And that's why right now that figure is at 63,000.

President Gudenas – So all that increase is strictly for additional future retirements?

Captain Repicky – Yes.

President Gudenas – Good answer.

Councilwoman Holzheimer Gail – I think, I think your point is right. We need to continue to look at the budget and I would suggest perhaps having an Executive Committee on the budget within the next month so that we can see where we're at. This, we're only looking at expenses. I'd also like to get an update where we are with our projected revenue. Certainly not interested in eating away at the cash reserves much more than we had planned to at the beginning. But you know, looking through these most of them we talked about and I think the ones we haven't we just heard the explanations for. Your point is well taken that we do need to be

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looking at things on a monthly basis. We need to be looking at our budget. I don't think there's anything here that we weren't expecting necessarily with the exception of the couple we just heard about.

President Gudenas – Again, we have no room for error and I guess the point I'll keep making is we don't have a budget that we can be assured is accurate to the end of the year. I've been on Council long enough to know that there's always additional surprises and we have to let it be known that we cannot have any end of the year surprises. We have no way to pay the money. So until we have a month-to-month budget to the end, I still don't have confidence that we've gone through the discipline to completely analyze every last thing we have to the end of the year. And then we can start for the next year when we're absolutely sure of what we have for this year. It is, we're down to about a million dollars or so. This takes about 20% of our remaining, which is below safe levels. We are now well below the safe level. So do you want to approve the whole thing as is? That's fine with me other than I don't like it.

Councilman Lisy – I, too, would like to emphasize how we need to have an Executive/Finance Committee within the next month to go over these numbers in a little more detail and see where we are in the forecast for the rest of the year. I think it's also important to understand where we stand for 2004 and fix that process. I keep hearing we're two weeks away, four weeks away. I thought we were supposed to be getting a lot of this information in by June 15th or by June 13th. I don't know if it all came in and so, Director Balazs, do you know how close we are to... You said a month from now, but I thought the information from the Directors were coming in June 2nd for the 2004 and June 13th for the month-to-month.

Director Balazs – I think you're right. As a matter of fact, we run into most of the information for 2004 annually, at least to get an annual budget per your request. So when we did send out the flyer to the Department Heads and Chiefs that are they not only giving back to us the monthly budget for July through the end of the year, but also the annual budget that they may be spending in 2004. So when we get that information and compile it, I think it's going to be the information that you're going to be needing and which you have requested and the information necessary to see where we are going to have face us at the end of the year. Because right now with this amendment to the General Fund budget it does put our appropriations up to a spending level of 33 million. I had projected revenue of about 2 months ago to come in 31.3 million. So that means that we're taking 1.7 from our cash balance at the beginning of the year at 27, we have a projected balance of 1 million at the end of the year.

It difficult projecting the revenue coming in and some areas are doing well and others are not. City Income Tax is still struggling. At the halfway point we're still down almost \$300,000 at the midway point. I've had 6 collections of City Income Tax. I think at this point, I think we almost have to meet monthly concerning the budget. Any questions that you may have I think we can answer. As to how the money rolls in or if we have to curb spending between now and the end of the year, I think that's the question we seriously look at in July and August. I know that the President of Council was quite upset with the amendments we made in December of last year. We will not have that opportunity to do that because every time you make an amendment to this budget I have to certify that there's cash to make that amendment. So when I'm telling you now that we have 1 million at the end of the year, that's only a guess at this point. And I would say probably the range, if I say 1 million then the range is probably in the range of 600,000 to 1.3. It could fall anywhere in that range so I think it would behoove us to meet monthly and we'll have the figures for you as soon as we can.

Councilman Lisy – This plays into part why I had the resolution on here for Item 20 because it sounds like there's large delays in this process to get good data to Council and that's why I want to review the auditing process going on in the City. And one of the things I've been hoping would happen out of this is that the Directors would have more input into their budgeting system. So that it does not become, so our Finance Department is not a data entry department and that they could be putting this information in here. And the AS400 spits out the finance reports we need.

I'm confident that Director Johnson's department can do this. It's just that we need to get this process moving so that we can get good information in a timely manner with respects to the finance of the City.

President Gudenas – And the other point I'd like to make is that yes, we have unforeseen expenses increasing our spending. At the same time there's no reason we can't make other reductions in spending to make up for the unforeseen increases. That's really what we should be doing because if we don't do it now, we're going to do it next year. I think if we're going to increase, we should go back and find something else to decrease for this exact same amount, at least, because it's going to have to happen next year even more so than this year.

Councilman McTighe – One, if we would have went to the Early Retirement Program, I don't think we'd be facing this. If we would have implemented it at the right time and this Council chose not to. In addition to the two increases that we see are personnel, which are police and fire. And if we would at least give the people a chance to vote on it, we could have went that way. However, this Council pushed off what we can't pay for today for later down in years. If we can't pay for it today, how're we going to pay for it tomorrow? You're

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going to see in the next couple of months that the police and fire are going to keep increasing. I mean, so where are we not going to go forward with this. It's a personnel issue right here, those two line items, 54,000 and 63.

President Gudenas – Okay, we'll wait for the translation.

Councilman McTighe – Thank you.

Councilman Lisy – Councilman McTighe brought up a good point. With the Early Retirement Plan, we were going to need to borrow the money to pay for these payouts. We had planned on borrowing money to pay for the payouts. Why aren't we borrowing money at a low interest rate to do these payouts?

President Gudenas – Is that not an option?

Director Balazs – I think we did discuss the, Mr. President, City Council, that if we had a different design planned on the ERI program, which might trigger the reorganization, perhaps, of some of the departments. Getting into anticipating the expenses by borrowing the money, deferring the payout over the years that that may help.

Councilman Lisy – If we can get a good interest rate and borrow the money to pick up some of these expenses, it's amazing when I look at the number and thus the other two pieces of legislation, 18 and 19. We're very generous as a City and there are some people making, taking away a large chunk and that was their agreement. And this is a public entity and that was one of the, instead of having the higher pay they were given this nice retirement settlement. But it really hurts us financially because there's a lot of people that can retire. As we said, we cannot forecast when somebody's going to retire and all of a sudden we're hit with these large expenses. And that's what I'd like to see planned or budgeted so that we reduce the financial risk to the City. And if we could create some type of account, create a loan account that we pay for this over time. We're taking the money out, we're taking money out of our General Fund for expenses that have been accrued 20, 30 years ago and we're settling up at a higher pay rate. We need to make sure there's an accounting of this and that it doesn't impact our General Fund. And the other thing we need to do is that as these vacancies occur that there is a way to cover up so that the current employees are not bearing the burden of doing additional work to make up for their colleague who retired. And that's what we really have to start looking at.

And I appreciate the Mayor's comments that he is not going to be rehiring anyone without our discussion because we're having people leave. That was the benefit of the Early Retirement Program, incentivizing people to leave. Now they're doing it voluntarily without a buyout; but we're still having to absorb the payout. And so I think the next step is trying to figure out a way to be able to handle the payouts and cover up or reduce the workload on the current employees, but reorganize to make sure that they don't have to rehire somebody to fill those vacancies. Because that's how the Early Retirement Plan was going to save the City money in the future is by absorbing the people that left. Thanks.

Director Balazs – I think we've got two great ideas coming from Councilman McTighe, Councilman Lisy and perhaps that could be incorporated into the, and I think we have to meet monthly on the budgeting process. The resolution of the expenditures and certainly I'll project the revenue for you. So we have a good start.

President Gudenas – Well, other than the fact that we're increasing spending without reducing expenses elsewhere or find a different way to pay for it and we can't do it. That's why I'm still against this because we should find a different way to pay for it either like the way Councilman Lisy just said or reduce expenses elsewhere to make up for it because it's going to catch up to us next year, which is 6 months away. So we could put this into approving ones we already approved, put the rest into Committee or do whatever you'd like.

Councilwoman Holzheimer Gail – We have a Special Council meeting scheduled already for July 7th, is it feasible to have the Finance Committee meeting prior to that and go over these?

President Gudenas – We could. Yes, obviously we could. We have a meeting, well, this Wednesday would be too quick, but we could do something probably too late to do it before that meeting. But we could spend a little extra time at that meeting to go over it because we would have done it at a Finance Committee meeting. So we could incorporate it into that meeting.

Councilwoman Holzheimer Gail – This coming Wednesday?

President Gudenas – No, no, I'm talking about the July 7th.

Councilwoman Holzheimer Gail – Okay.

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President Gudenas – This Wednesday that'd be fine with me, but doesn't look like we'll have the information.

Councilman McTighe – That's three weeks away.

President Gudenas – Well, again, we have fulltime staff here that we've asked for this 4 months ago, you'd think by now it should be done.

Councilwoman Miller – I disagree. I think that, yes, some of this has to be discussed and we've asked and asked and asked for a statement. You've definitely stressed that point. I agree that we should meet monthly if not more often. I think that you need line items as far as how the expenses have been spent in each department in order to analyze it. But right now, I dislike the statement saying that you're not going to hire anybody for the Animal Shelter when all this is taken care of by a complete separate budget and these items. So we're planning to open that Shelter July 1st, that's what Council voted on, the Mayor stated he would do what Council wanted him to do on the Animal Shelter. I'm just quoting. So therefore, if you're just debating about the General Fund, then amend it to remove that portion of the General Fund and discuss it at the next meeting and go ahead with the rest of these items.

President Gudenas – That's what I was saying. Go ahead with all the other items other than the General Fund and we do those items at the July 7th.

Councilwoman Miller – That's my motion.

Councilwoman Miller moved to amend the legislation to approve everything from Animal Shelter on down; seconded by Councilman McTighe.

President Gudenas - Director Balazs, do we have to alter the Animal Shelter also from the one Animal Shelter that is included in the one General Fund item, that's a reduction actually in that case?

Director Balazs – It's a plus and minus actually out of the General Fund. It remains 200,000 for appropriate for the Animal Shelter as they requested. And if everything remains the same from the General Fund, after the General Fund on down, I think we're in pretty good shape. We will make the appropriate changes to the appropriation here because it does include these changes that have been requested. And if the General Fund is eliminated from this recommendation, then we'll change the figures back. I'll make sure that Regina gets the calculations and we will mail the final to the Cuyahoga County Budget Commission.

President Gudenas – And nothing would prevent the Animal Shelter from opening July 1st if we move from the Animal Shelter on down?

Director Balazs – Correct.

President Gudenas – Okay. First, we have a motion; we have a second. Any discussion on the legislation?

Captain Repicky – So you're telling me that we will not have security for the fireworks?

President Gudenas – We're asking you to cut expenses elsewhere.

Captain Repicky – Well, we're down to a skeleton now. You want to cut an arm off or what?

President Gudenas – No, I don't.

Captain Repicky – Well, I don't know what to tell you.

President Gudenas – I'm not the one running the Police Department.

Captain Repicky – You're the one giving us the money, though.

President Gudenas – Council appropriated the budget. Yes, that's correct. Any other discussion?

Councilman Lisy – Director Balazs, it's a, we approved a line item request of overtime, salary and such for the Police Department. We did not individually address if that overtime was to be used for fireworks or what the overtime was going to be used for. Does that give the Police Department the flexibility, by tabling the vote on the front part of this, that does not preclude the Fire Department, the Police Department providing security at the fireworks?

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Director Balazs – I think, Councilman Lisy, we're making these amendments on an annual basis as to what their budget's going to be for the full year. I think we can get by. I think what the Captain is saying is that he wants the authority, he is anticipating that the extra personnel will be used at the Fourth of July fireworks, consequently, in the Records Room there's a request in there, too. That if that is fulfilled that at the end of the year he's going to be over this amount if the expenditures carry through the end of the year. That's basically what he's saying. And what you're saying now is that you're going to withhold that activity. But I think there has to be an understanding between Council and the Police Department at this particular time that he's indicating to you that if he doesn't get this change and that he has to provide security, his budget will be over at yearend.

Councilman Lisy – At yearend and so that means for July 4th, Fourth of July, there's money in the account...

Director Balazs – I would still have the cash available to pay through probably the whole month of July, yes.

Councilman Lisy – And we will have an Executive Committee meeting prior to that time period when we will have an understanding of where we stand on this to reinforce this. I do not see us not approving this later on.

President Gudenas – Well, again, the request would be that if you want an increase, you provide some additional documentation. We have no idea exactly how this money will be spent.

Councilman Lisy – And that's what I'm getting at.

President Gudenas – We're not here to debate it tonight.

Councilman Lisy – And so therefore, if this is then approved July 7th, we are not creating, we would have to, we do need to review the numbers and I don't think this should jeopardize the way. Since we already approved the fireworks and we need the security there and I'm confident in Captain Repicky's number crunching. I've seen his numbers. His numbers have been right now. And so we're just going to have to work with the Police Department, as we did in the past, to figure out how to make sure we don't have a shortfall in our General Fund. And so I'm in favor of the amendments as made by Councilwoman Miller.

President Gudenas – Okay, any other discussion on amendments. I see none.

Councilman Lisy moved to close debate on the amendment; seconded by Councilman McTighe. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Gudenas

Nay: Sustarsic

Amendment passed.

President Gudenas – Any discussion on the remaining budget?

Councilman Langman moved to suspend the rules; seconded by Councilman Delaney. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas
Passed.

Ord. 131-2003 (485-03) Bliss Lane

An ordinance renaming East 222nd Street, north of Lake Shore Boulevard to the dead-end, Bliss Lane.
(Sponsored by Mayor Oyaski)

Councilwoman Holzheimer Gail moved for passage; seconded by Councilman Langman.

President Gudenas – Mr. Mayor, are you the historian here?

Mayor Oyaski – East 222nd Street, as Roy Larick would tell you, used to be I don't know if it was a dividing line between one surveyor's parcel and another's in 1797. But we do know the original name of 222nd Street was Bliss Road. And Mr. DeMinico, who's hard at work trying to coordinate the plans for the new Senior Center suggested we give that area of 222nd Street north of the Boulevard a name. I suggested #1 Bliss Road. I think that suggestion was improved by the advice of the Council President to use the word lane and we are proposing to formally name that part of the public roadway there north of the Boulevard, Bliss Lane, and to give the address of the Senior Center #1 Bliss Lane.

And the Dempsey's Corner sign could be moved to the south side because Mr. Dempsey office stood most of the time on the south side of the street and is not intended to name the street in any way, shape or form.

So this would bring back an old name with, I think, a little bit of an improvement. And we can't use bliss around this part of 222. It's much too controversial.

Bliss is a nice name, a very easy name and we do need a name over there. This is not intended to be taking it back to historical roots of that street. Just, we do have to acquire the name by the post office and everybody else out there, Fire Department, what have you. And it's a very nice sounding name. It does have some historical base.

Councilman Gruber moved to suspend the rules; seconded by Councilwoman Miller. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Ord. 132-2003 (496-03) Improve Water System at 1 Bliss Lane

An 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 to improve the water system adjacent and leading to the new senior center site located at 1 Bliss Lane. (Sponsored by Mayor Oyaski)

Councilwoman Miller moved for passage; seconded by Councilman Sustarsic.

President Gudenas – The reason there is no dollar amount as requested is because we're still not sure exactly what's needed. This is for the fire protection of that area. Apparently, the water pressure is below what is required for adequate fire protection. There are many solutions. One of which is to replace the line; another of which is to create a reservoir for the fire protection system. We're gathering the information right now and this gives the Administration the right to proceed with those improvements as we figure out the most cost-effective way. So this is not regarding the construction of that building, this is outside the building. We find that this would affect the streets in the area and the Waste Water Treatment Plant. So all we're doing here and we're gathering this information. It'll probably take a couple weeks more before we have all this in regarding all the details required in fire protection and next time we'll probably come back to Council with a very specific thing. So we'll know exactly what we're going to be spending. Anything to add? No? Any questions?

Councilman Gruber – What were some of the numbers that have been kicked around?

President Gudenas – As low as 60,000 for the reservoir portion and as high as 300 some thousand if we're going to replace the whole waterline, which would include those residential streets over there. And the reason, at least my opinion, I don't think we need to replace the waterline because it's more than adequate for residential use. It's strictly for fire protection. Just like we have the same problem here behind City Hall. We have adequate water for City Hall. I've always heard the potential problem in pressure for the fire protection behind this building. And we've always chosen to this day, at least, not to replace the line and assume that our modern construction standards and Fire Department can take care of it. Now this building is not sprinkled, the other building, the senior center would be sprinkled.

Councilman Gruber – And that's, they may need for the water system is the sprinkler system because of the amount of flow.

President Gudenas – That's the key thing, but a sprinkler system, we're told, might need about 350 gallons a minutes, 1,000 gallons a minute. We have something like 200 gallons per minute. This usually is adequate for residential.

Councilman Gruber – I think the Chief has something to say.

Chief Dworning – This building is sprinkled for those...

President Gudenas – Partially.

Chief Dworning – Yeah, partially; however...

President Gudenas – The pretty important people...

Chief Dworning – Yeah, back to the Senior Center, there's two issues that have to be addressed. They're two distinct issues. One is the sprinkler system itself and required water flow to supply that system, which is all

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predicated on NFPA standards. Secondly, we have to have an adequate and reliable water source for fire fighting. Sprinkler system would augment fire fighting, but it certainly doesn't replace the need to have available water at the center. As the Chairman said, there are various means and methods to achieve this; however, NFPA code will dictate whichever the most appropriate means that we have to follow to get water we need for this building.

President Gudenas – So we're gathering the facts here and it'll probably be a couple of weeks.

Councilman Lisy – Just to reinforce we're not approving any expenditure of any plan, we're just approving the process of going out for bids for this project?

President Gudenas – We are doing that, although, technically it says that they can enter into a contract; but we always have this gentleman's agreement that prior to that happening they would come back to Council to report what that amount is. And then at that point, we probably put it on our, if we have it by July 7th, then that agenda, if not...

Mayor Oyaski – We, we, this is an important step that I think has to occur at least no later than the construction. And we're anxious to proceed with that for a variety of reasons. The Council may be in recess. We'll certainly be happy to share with you all the information we get on the bids and the engineer's estimate, but I don't know if you want to have a special meeting because I think we're anxious to award this contract before Labor Day.

President Gudenas – Well, so far we're going to have meetings in July and August if our track record holds up. We'll see. If it's on the low end, we may not need it. If it's on the high end, we might need it. Basically, the information will be passed out to the members and we decide if we want to pay it or not. So it gives the Administration the authority with the understanding that the information is to be shared with Council prior to entering into the contract for our input. If a meeting is needed, we'll call it. If it's not needed, it won't be called or this might be part of another meeting that's already going to be meeting.

Councilman Lisy – Director DeMinico, the current process requires the construction manager to go out for bids in some time mid-July, August. The information that is collected here, would that change the scope of work for the construction manager going out for bids?

Director DeMinico – It is our anticipation that this would a separate contract not overseen by the construction manager.

President Gudenas – So this would not hold off the other work. It is something that would be mostly outside of the building. We're trying not to, but at the same time it must be done prior to the building being finished and there is quite a bit of lead time about 3 or 4 months before you could even do anything. Gather information, meeting with engineering, etc. etc. and then take several months to do whatever work is required so this is the time to proceed.

Councilman Gruber – The money would be coming from the public construction fund?

Mayor Oyaski – As the Council President indicated, we still don't have a consensus on the method we're going to use. We still don't know what the final bids will be on the two buildings that we plan on building. So we're hopeful that we get very good bids on the construction itself so that we can stay pretty much within budget. If not, then we will be communicating with the Council on what the cost impact is of this water improvement. The water improvement we need to make will benefit the residents in Ward 2 over on 224 and 225, may benefit the Waste Water Treatment system. So we have a number of possible funding sources, which may be needed depending on (a) the methodology, which hasn't yet been chosen and (b) the overall project cost, which hasn't yet been determined. So, yes, it's possible that more money may be needed; but that's impossible to specifically indicate today what it is. We do have some plans to address that possible shortfall.

President Gudenas – If it's a waterline to the Sewer Plant, certainly the Sewer Plant could pay for part of it.

Councilman Gruber – The Peterson Fund could, also.

President Gudenas – Peterson Fund, there's many choices. So first we need to know how much that is and this is the process to go out and do the technical work to determine that cost.

Councilman Gruber moved to close debate; seconded by Councilman Langman. Yeas: Unanimous.

Councilwoman Miller moved to suspend the rules; seconded by Councilman Sustarsic. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Res. 133-2003 (493-03) Special improvement District

A resolution in support of the formation of a Special Improvement District in downtown Euclid, in order to support a common redevelopment scheme for properties in the area. (Sponsored by Councilpersons Holzheimer Gail, Gudenas, Langman, Lisy)

Councilwoman Holzheimer Gail moved for passage; seconded by Councilman Langman.

President Gudenas - And this is simply resolution in support so that merchants, landlords, investors, etc. know that the City is behind them working with the City to create this district. This is not authorized for funding of any money on behalf of the City yet. It's just to let the others know that we want them to proceed that we're behind it. That we should go to the next step, which is to actually implement it, which many of the merchants, investors and landlords already are anxious doing and this would make it go a little bit quicker. Any discussion?

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

President Gudenas – And now we have about 2-1/2 minutes, if we can through #9 that quick, is there a lot of discussion on it? Should we proceed? Is there going to be a lot talk on #9 for this fundraiser? No? Let's just proceed.

Ord. 134-2003 (488a-03) Wine Tasting Fundraiser 9-14-2003

An ordinance authorizing the Mayor of the City of Euclid, as Ex-Officio Director of Public Safety, to issue a beer and liquor permit to the Friends of the Henn Mansion and the Euclid Hunger Center for a joint wine tasting fund raising event on September 14, 2003, provided proper security, fees and permits are secured. (Sponsored by Mayor Oyaski by request of the Parks & Recreation Director)

Councilwoman Miller moved for passage; seconded by Councilman McTighe.

President Gudenas – And this is the event that we heard about earlier to have a special wine tasting thing on September the 14th, which I'm sure we'll hear much more about if approved, as a fundraiser for those two groups.

Mayor Oyaski – Minor amendment, Mr. Chairman.

President Gudenas – Minor amendment?

Acting Director Vento de Crespo – We would ask you to amend it the language that says beer and liquor permit to read beer and wine permit.

Councilman McTighe moved to amend legislation to say beer and wine permit; seconded by Councilwoman Miller.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller Sustarsic, Gudenas Amendment passed.

President Gudenas – Why is this sponsored by the Mayor at the request of the Parks Director? Couldn't you have done it yourself?

Mayor Oyaski – Mr. DeMinico and I have a very close relationship and he relies on me for guidance and I'm happy to support a brilliant idea by Mr. DeMinico.

President Gudenas – Okay, good.

Councilwoman Miller moved to suspend the rules; seconded by Councilman Gruber. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas
President Gudenas – And we're at 1 minute out of 59 minutes we have 1 minutes to spare. Councilwoman Miller announcing the cutting of the cake at our break.

Councilwoman Miller – The security, they will have it roped off as they stated?

President Gudenas – That’s always a requirement to have the security. We have not waived the security.

Councilwoman Miller – Just wanted to make sure they do that.

President Gudenas – Security will be provided. We will take an extra 5 minutes today for Councilwoman Miller’s birthday cake so those at home will have 10 minutes to make popcorn and tea; over here, you’ll have cake.

Res. 135-2003 (489-03) Henn Mansion Matching Funds

A resolution to allocate up to \$50,000.00 in matching funds to be used toward continued restoration of the Henn Mansion. (Sponsored by Councilman McTighe by request of Parks & Recreation Director)

Councilwoman Miller moved for passage; seconded by Councilwoman Holzheimer Gail.

President Gudenas – And this is something we’ve been doing for quite a while. The Friends of Henn Mansion have been very successful in their fundraising and we are matching 50 cents for every dollar that they’re raising for further improvements. And is there anything else to add to that?

Councilman McTighe – No.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Res. 136-2003 (495-03) Euclid Fayre “Games of Chance”

A resolution authorizing the approval of “games of chance” to be operated by a Euclid non-profit group at the Euclid Fayre. (Sponsored by Councilman McTighe by request of Parks & Recreation Director)

Councilman Gruber moved for passage; seconded by Councilman McTighe.

President Gudenas - We did have a couple of questions about it, how these two people were chosen.

Director DeMinico – These groups were asked. They have not been chosen yet. They have asked if they’ve been interested. We have not had any final response from either one. The Euclid Youth Hockey appears, right now, to feel that they do not have enough volunteers to run the Games of Chance Tent. We have been in contact with the Friends of the Henn Mansion and have offered the Friends of the Henn Mansion the opportunity to operate it. They, again, declined. We’ve talked to Euclid Baseball. In the past we’ve talked to the Euclid Booster Club. We’ve talked to the Jaycees. I would like to amend this ordinance and once we take a vote to eliminate the particular two organizations, Euclid Youth Hockey and the Aging Services Network. It is open to any 501(c) non-profit as long as it is a Euclid group. It is a very big undertaking. You’re looking at perhaps as many 60 volunteers over the course of 3 days. So there is only so many groups that have that volunteer base to be able to man such an outfit. And honestly, right now, we’re struggling a little bit to solidify and grab that group that wants to generate their revenue.

President Gudenas – How about the Softball Hall of Fame?

Director DeMinico – They have not been approached yet. That is certainly an opportunity and I will write that down. We have a form letter that we can get out.

President Gudenas – They certainly have a lot of people probably that could help you.

Director DeMinico – I believe, they would certainly have the correct non-profit. At Mayor Oyaski’s direction, we have been in contact with our City Prosecutor as well as Detective Blakeley to make sure that we are following all the letters of the law. We want to make sure that everything is done according to Hoyle so that there’s no fingerpointing or any suspicion at all with this. This is geared toward generating revenue for a non-profit in the City of Euclid to keep the money right here.

President Gudenas – And does the City and anybody else get part of this revenue or is it all going to the non-profit?

Director DeMinico – It is all going to the non-profit. There is a clause in the law that has a rental fee that there would be a rental fee to the City of Euclid using our property.

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President Gudenas – All right, so there would be some revenue because obviously there's increased safety issue etc.

Director DeMinico – Correct.

President Gudenas – All right so there would be revenue. We're talking about adult games only.

Director DeMinico – Yes, the question was what kind of games were they. They are various card games, wheel games, things of that nature. It is adult games.

President Gudenas – All right, and is there a time limit? Someone else me this questions when these kind of things must shut down at the end of the day. Because somebody said we have some current ones going on in the City that are going on 'til 4 in the morning.

Director DeMinico – I'm unaware of that. I will bring that up to Detective Blakeley, perhaps Captain Repicky knows.

Captain Repicky – If there are activities going on passed 1 o'clock, we'd like to know about it unless it's in your own house.

President Gudenas – All by myself.

Captain Repicky – But usually they're stipulated, I think by ordinance, at 1 o'clock and we can probably set the guidelines on that.

President Gudenas – Okay, I will privately give you the two locations.

Captain Repicky – All right, I won't tell anybody else.

President Gudenas – I could be wrong. I'm not going to say it on national TV.

Councilman Langman – Director DeMinico, could you give us a general update on how the planning is going on for the Fayre?

Director DeMinico – We're progressing along with about 2-1/2 months to go in front. We are pretty well secured with our entertainment. We're still trying to tweak some things and get additional entertainment at no cost during the course of the day. As a matter of fact, we're in discussion with the Euclid Barber Shoppers to come out several times during the course of the day and just stroll the grounds and do some singing like they did to Councilwoman Miller today.

Those are going well. We've been in contact with our rentals and all the boring stuff. Question was raised about the Renaissance Fayre. We have gone with the Society for Anachronism that rent space at Shore Cultural Centre. They're coming down on Sunday and we're going to have a Renaissance theme day. They'll be doing some type of entertainment. There'll be some exhibitions; they'll be selling some wares. So that we'll have that Renaissance theme and we're going to be promoting it that way that particular day, which is going to be Sunday, September 7th, which will be our theme day towards that.

Councilman Langman moved to amend legislation to remove the names of the two groups.; seconded by Councilman McTighe.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Amended.

Councilwoman Miller – But you're going to have to put that 501(c) in some place. You eliminated the two organizations but you still have to have it stated.

Director DeMinico – That will be in the, that is required by law.

Councilwoman Miller – By law, okay, so we don't have to have it in the legislation, okay.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed as amended.

Ord. 137-2003 (477-03) Commercial Motor Vehicle Update

An emergency ordinance amending Chapter 335 of the Traffic Code of the Codified Ordinances of the City of Euclid by the addition of a new subsection 335.14 to be entitled "Prerequisites to Operation of Commercial Motor Vehicle". (Sponsored by Councilwoman Miller by request of Police Chief)

Councilwoman Miller moved for passage; seconded by Councilman McTighe.

President Gudenas - #12, 34, 14, 15 and 16 are more or less all related to our safety on our major highway there. So all discussion from 12 to 16 let's do all together if there's anything to add to all of this stuff.

Acting Director Vento de Crespo – We do request an amendment to #479-03.

President Gudenas – We'll do 477 first and then we'll go to that amendment at that time.

Acting Director Vento de Crespo – Okay.

President Gudenas – So we could just probably proceed with these. These are things now we have to do to implement our safety measures that we bought the equipment for.

Councilwoman Miller moved to suspend the rules; seconded by Councilman Sustarsic. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Ord. 138-2003 (478-03) Unlawful Oper. Commercial Vehicle

An emergency ordinance amending Chapter 339 of the Traffic Code of the Codified Ordinances of the City of Euclid by the addition of a new subsection 339.16 to be entitled "Unlawful operation; Tax Commissioner to be Notified" (Sponsored by Councilwoman Miller by request of the Police Chief)

Councilman Gruber moved for passage; seconded by Councilman Delaney.

Councilman McTighe moved to suspend the rules; seconded by Councilman Sustarsic. Yeas: Unanimous.
Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Ord. 139-2003 (479-03) Load Limits Set on I-90

An emergency ordinance amending Chapter 339 of the Traffic Code of the codified Ordinances of the City of Euclid by the amendment of Subsection 339.01(a). (Sponsored by Councilwoman Miller by request of Police Chief)

Councilman Lisy moved for passage; seconded by Councilman Langman.

President Gudenas – And this is the one we would like to amend.

Acting Director Vento de Crespo – Right there where it says (a) and it says state routes the section heading that should read state routes or interstate highways.

President Gudenas – Okay, because that's what we're doing, we're adding interstate highways to our ordinance.

Councilman McTighe moved to amend legislation to add interstate highways; seconded by Councilman Gruber.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Amended.

Councilman Langman moved to suspend the rules; seconded by Councilwoman Holzheimer Gail. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Ord. 140-2003 (480-03) Comm. Vehicle Wheel Protectors

An emergency ordinance amending Chapter 339 of the Traffic Code of the Codified Ordinances of the City of Euclid by the amendment of Subsection 339.03. (Sponsored by Councilwoman Miller by request of Police Chief)

Councilman Delaney moved for passage; seconded by Councilwoman Miller.

President Gudenas – This is for all the people who drive behind a truck in the rain and the rain flies all over your windshield because the rain's coming off the wheels. This will make sure that those wheel protectors are properly installed.

Councilwoman Miller moved to suspend the rules; seconded by Councilman Gruber. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Ord. 141-2003 (481-03) Accurate Weight Documentation

An emergency ordinance amending Chapter 339 of the Traffic Code of the Codified Ordinances of the City of Euclid by the addition of new Subsections 339.01(e) and 339.01(f) entitled "False Documentation of Weight" and "Attempted False Documentation of Weight" respectively. (Sponsored by Councilwoman Miller by request of Police Chief)

Councilman Sustarsic moved for passage; seconded by Councilman McTighe.

President Gudenas – This one tells you, you can't lie about your weight.

Councilman McTighe moved to suspend the rules; seconded by Councilman Gruber. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Ord. 142-2003 (499-03) Amending Open Burning

An emergency ordinance amending Chapter 1575, Open Burning, of the Codified Ordinances of the City of Euclid. (Sponsored by Councilwoman Miller by request of Fire Chief)

Councilman Langman moved for passage; seconded by Councilman Sustarsic.

President Gudenas – And again, this is not to start leaf burning, all kind of burning all over the City, this is just to permit these items you can buy at the local stores for controlled burning in small spaces where they're not made for leaves or big things like that.

Chief Dworning – What the Fire Department hopes to accomplish with this legislation is bring our local ordinances, which have been in existence for a number of years uptodate and align them with those of the Ohio State Fire Marshall and the Ohio Fire Codes. And specifically we wanted to address the self-contained commercially manufactured types of burning devices either in the form of the Chimeneas, which are the ceramic-type fireplaces for outside use, and the self-contained open-pit style are manufactured by Coleman and these have become very popular. There's quite a few of them throughout the City. Our codes were silent on these particular burning devices. We have regulated them. The Fire Department has not relinquished the authority to extinguish or abate any fire that becomes a nuisance or any of the hazardous-type situations that we could run into. So we do remain with the authority to have these fires extinguished or require the property owner to have the same extinguished.

If there are any further questions, this certainly does not address or permit the burning of leaves, the burning of trash, burning of waste. Once you get into fires of that nature, they fall under the heading of a bonfire, which is clearly regulated by the Fire Department. It falls under a whole different set of circumstances.

President Gudenas – I do have a question either for the Law Department or the Chief. There are also commercially made products running on natural gas and propane indoors there's these nice fireplaces that are natural gas fireplaces and outdoors they make the same thing. That little old campfire that I used elsewhere with, powered by propane. So is this part of that too?

Chief Dworning – I would have to say that's no different that a propane-style gas grill and quite frankly, an improperly used propane gas grill can cause the Fire Department a lot more problems and a lot more serious nature than the type of units that we're trying to, at least, regulate and control here in the City of Euclid.

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President Gudenas – So as far as we know, if you bought one of these, they're going to become more popular because people won't want to be lugging wood around for campfires and you're not allowed to do that. They would be permitted as far as you understand?

Chief Dworning – I'm not exactly sure what type of unit you're speaking of, Mr. Chairman. If you own one, I would have to say no it's not permitted and we can just move forward. You know, not knowing...

Councilman McTighe – He can bring his in so we can see what it looks like.

Chief Dworning – It might depend upon the size. And again, I'm not familiar with the type of unit that you have. So don't use it.

Councilman Gruber – Chief, would you like to explain how this would relate to some of the folks that live in apartment buildings about these and so forth?

Chief Dworning – I'll defer to Captain Wojtila from the Fire Prevention Bureau to address that.

Captain Wojtila – That will not change the open burn regulations as far as apartments. You're not allowed to grill on apartment balconies at all and this would include the fire of this nature in a small commercially manufactured device. That would not be allowed.

Councilman Langman – Chief, some of these burners, obviously, burn wood and they can create smoke. Is there anything in the ordinance or anywhere else that would allow residents that are being bothered by this smoke be generated to complain? Do they have recourse that way?

Chief Dworning – Nothing changes in that regard, Councilman Langman, that type of fire that type of circumstance clearly falls under a nuisance type of a fire, which you can have with any type of a grill positioned in the wrong spot and you can smoke up a neighbor's house and we would address those on an individual basis. And clearly if an occupant is creating a nuisance, we would address that.

Councilman Langman – Very good, thank you.

President Gudenas – I see no other questions.

Councilman Langman moved to close debate; seconded by Councilwoman Holzheimer Gail. Yeas: Unanimous.

Councilman Delaney moved to suspend the rules; seconded by Councilwoman Miller. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Res. 143-2003 (490-03) Sick Days Earned/Accumulated

A resolution requesting the Administration of the City of Euclid to perform a study and design a plan to update the manner in which sick days are earned and accumulated for all City employees. (Sponsored by Councilmen Lisy, Gudenas)

Councilman Langman moved for passage; seconded by Councilman Delaney.

President Gudenas – And this is a resolution that's not implementing any specific plan. This was the #1 request item on Jefferson Wells list. That would produce the biggest results. This is not meant to take away what workers have already earned. This would be to come up with something that affects future benefits, not to take away what is already ready.

Councilman McTighe – Is this directed to union employees or non-union employees?

President Gudenas – We're asking the Administration to look at all employees.

Councilman McTighe – How's that going to affect what the union employees that have contracts or contracts that will be coming up?

President Gudenas – Again, this is a long-term plan. Union contracts are usually not longer than 3 years so we're trying to set up a plan that would, just like we're operating a plan to setup 10 years ago or longer they were working to setup a plan that would be good for the next 10 years.

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Councilman McTighe – When will we implement this whole desired study that you suggested?

President Gudenas – I would ask that the Administration report back with the plan for our first meeting in September for us to debate it in Committee in September to, hopefully, vote on it sometime late September. I hope.

Councilman McTighe – Okay.

President Gudenas – We have another. We're asking the Administration to spend the summer, the next two months summer assignment to work on what they feel is the most proper way. I know already we have some work done in our Benefits Department, some good research and the like that, I think, was part of all, everyone's packets and that's good from information to use towards coming up with what's fair for everybody.

Councilwoman Miller – In this resolution there is nothing in here that says for future hiring. It just talks about employees period. So I think if you're discussing something to plan some kind of plan for the future, it should say that, especially our employees that have worked here for many years and have accumulated all this. I don't think it's, I would not be in favor of eliminating anything that they've already earned. I'm in favor of planning for the future with new hirings, but it doesn't say that in this ordinance.

President Gudenas – Again, this is not for a specific plan here. This is asking the Administration to come up with a plan...

Councilwoman Miller – For future hirings.

President Gudenas – Whatever the Administration would like to do.

Councilman Lisy – I want to, when I, the intent of my, the reason I support this or I submitted this legislation was because there are some inequities between current employees, the unions and some of the senior employees and some of the new employees. What I'd like to do is create some type of parity among all employees and their sick time and vacation time, in essence, their earned paid time off. When you look at some of the accumulations that an employee can have and that was in the report that the Administration, Risk Management presented to us, some of the employees can be accumulating over 50 days of time off per year. And so when you have a limited number of workdays, I should have counted that, checked it ahead of time. It's hard to get work done. And so we have a problem with wanting them to have the benefits of the private sector but we pay them in a public sector. And so what we have to do is get the monies equal. So that if you're in the public sector, you'll be paid as if you're in the private sector. What I want to do is improve our talent pool around City Hall. Not that we don't have a good talent pool as it is. But when we do bring people on board and we have all of these incentives, it's hard to justify the higher pays. So we need to bring some type of parity into the system. And so what we're not planning to do, though, or what I would even be against if the plan comes back from the Administration is penalizing the employees that have earned vacation or earned sick time. That's not the intent of the legislation. If they have earned their sick time or their vacation time and a new plan is being implemented, they will be compensated for their time. They've earned it. They keep it.

I hope I'm making sense. It's getting long and there's, really, it's just a way to improve the way we account for sick time, improve the way we count the vacation time is why I wanted to put this piece of legislation together.

President Gudenas – So what you're saying is whatever's earned is earned and the intent of the legislation is not to take away anything that's already been earned.

Councilman Lisy – I would be against any other program that the Administration came back with.

President Gudenas- Well, I'm not sure that they won't come back with...

Councilman Lisy – Right.

Councilwoman Miller – Well, I would feel a lot more comfortable if it said that in here, but it doesn't. And I think like anything else like you're talking about the budget. And you want to see things outlined before we vote on it. And we remove the General Fund before we actually will vote on it. I think the Administration can always do this. We don't have to have a resolution telling them to do this. I think if they come back with a plan within the next couple of months then that's the time to put in Committee and start working about it. They already have our permission to go ahead and do this.

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President Gudenas – Well, it hasn't been done.

Councilwoman Miller – Well...

President Gudenas – We're asking it to be finished; time's running out.

Councilwoman Miller – Well, I'm just uncomfortable with that because I would, like you said, you want to bring something to be equal. Well, you've got union contracts already there stating what they can get. And then you've got non-union people where, how can you make them, make things equal when someone has to lose something? And I just find that extremely difficult to do. I think we don't even need a resolution. I think if we just ask them and instruct Administration to come back with something in two months, a plan. Then we can put it in Committee and hash it all and see what they come up with, but I think, I'm just uncomfortable trying, telling to go ahead and do this. And they might come up with some people that they've already cut sick time or cut vacation time or cut whatever's involved because I don't know how else they can do it without coming up. And I think if they're going to do whatever they're going to do with the non-union people then they have to do it with the union people also. And they can't do it until the next contract. So they can start working on some ideas as to what they want to implement for everyone. But I, if we approve this and they come back in September and the only ones who are really going to feel it will be the non-union people and I'm just not comfortable with that.

President Gudenas – Well, then you vote no.

Councilwoman Miller – Well, I would vote no. In fact, I might even vote no on this right now because it doesn't explain it, like you have problems with the budget I have problems with this at this point. That's my comment.

Councilman Sustarsic – I don't know if you can amend a resolution, but I'll try it. Mr. Chairman, I don't know if you can amend a resolution, but I'll try it.

Councilman Sustarsic moved to amend the legislation to have a grandfather clause covering all present employees as of June 16, 2003. And then consequently for all future employees to have that looked upon and implemented when they take employment. Councilwoman Miller seconded.

President Gudenas – Okay, so your amendment is to say what?

Councilman Sustarsic – Basically a grandfather clause, I don't know the legalese, so to speak, but in as far as a grandfather clause for all those present employees.

Acting Director Vento de Crespo – Whereas, current employees' benefits would not be affected by any plan or proposed plan.

Councilman Sustarsic – That works for me.

Councilwoman Miller – And I second that.

President Gudenas – So seconded, is there a discussion on the amendment?

Councilman Lisy – What I didn't want to do is handcuff the Administration, I tried to keep this as open ended as possible so that they can come up with the best solution to the problem. So in the first line of the resolution states all City employees and the second whereas states sick days already earned by current employees would be compensated. So if the employees have already earned their sick days, they would be compensated. They're not going to lose those sick days. And so I tried to get that in the legislation as it was so that we could modify. In fact, we can't modify. I want the Administration to modify and I didn't want to instruct them on how to do it. And as Councilwoman Miller just stated, I want the Administration to look into this and come up with the best solution and I was not sure how we'd give them their marching orders to do this. The Jefferson Wells study came back and said this is one thing we should be looking at with our current employees. It has not happened yet. And I wanted to make sure this happened soon because we have some financial risk as we're seeing in the budget amendments of the large payouts that are being taken when people retire.

This will not affect, as I see it, the current employees' compensation package, the current employees they've worked under the City. They were hired or they've been working for the City with this understanding of a compensation package so I'm, I'd be against any plan that would take that away from them as they stand. But there are some younger employees in the City here that have not been around as long that you'd need to have some type of parity. The longevity problem the way it was implemented creates hardship. You have two

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people sitting in the same cubicle. One gets longevity and the other one doesn't. So at the end of the year, one gets a bonus and the other one doesn't. Is that fair to the employees? So I want the Administration to come back to us with a plan that would compensate the current employees for their accumulated sick time or vacation time or earned paid time off so that there is some type of parity among all employees, union and non-union. And that was the intent and that's why I'm not in favor of this amendment because it limits it to all new employees and then we have, again, two classes inside the City, three now—union, non-union and new hires.

Councilwoman Miller – But you're still going to effect people hired already because you just said.

Councilman Lisy – But they'll be compensated for it.

Councilman McTighe – Financially?

President Gudenas – Can we, talk one at a time here.

Councilman Lisy – Maybe.

President Gudenas – So who's next?

Councilwoman Holzheimer Gail – This is a resolution asking the Administration to look at this. We're not saying we're supportive, I mean, I think it's, I don't want to have the Administration do a lot of work without some guidance by Council. So I think it is important for Council to give some guidance in what we're interested in looking at and what we're not interested in looking at. If perhaps that means that someone from Council should work with the Administration on looking at this and perhaps several employees that have some input, you know, perhaps have a small committee look at this jointly rather than giving it just to the Administration. I don't know that we necessarily need to amend this. But I would ask all of Council to definitely, and I don't know if the Mayor or the Administrative Director, who will be handling this; but I think we all need to provide some input into what we're interested and what we're not interested in. If we're not looking and I've heard from everyone, the intent is not to take away something that's earned.

President Gudenas- Right.

Councilwoman Holzheimer Gail – I don't know that we need to amend that to grandfather. Grandfathering, and I don't know the legal it's different than earned, there's different benefits that people who have been here for a year or two have not accumulated as much sick time as people or sick time's across the board. But vacation time is different.

President Gudenas – For instance, longevity, some people get it; some people don't. Over time we phase things out. For us to assume that the world will not change, change everywhere else but not in Euclid. Everything will stay the same in Euclid forever and ever it's not going to work.

Councilman Delaney – I would agree with Councilwoman Gail's comment. This is a resolution; it's not an ordinance. I don't want to start formulating a plan before we have a plan. The amendment is ahead of it. I would like to see that amendment made when we have the plan in front of us. That would be more appropriate to debate it then. But Councilman Lisy makes an excellent point. We don't want to set any parameters. The Administration would know better than us. And I believe everyone could be included in this and it also, I'm sure, would be something that would be involved in union negotiations as well. Thank you.

Councilman Langman – Director Johnson, I assume that this would fall under your jurisdiction as far as looking into all of this, coming up with suggestions and so forth. Is that correct?

Director Johnson – I'm not real sure; but if I'm given the task, I will try to do that. I'm not real, I'd like a little more direction from Council in terms of and probably this will be accomplished through some further conversations with Mr. Lisy. One of the thing that I'd like to point out about sick leave. Revised Code requires that we pay all employees 4.6 hours for every 80 hours they work. That's a requirement of the Revised Code. So even part time employees get sick hours based on those hours.

Further Revised Code says that the City cannot place a limit on their accumulation. So the only thing the City can do is limit what's paid upon retirement, which is what Jefferson Wells required, or I'm sorry, suggested in their report.

So vacation time is a little bit more flexible. The collective bargaining agreements, that would have to be bargained.

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Councilman Langman – Okay, so would it be possible to payoff some sick time now and harmonize what everybody's getting?

President Gudenas – There's a lot of details here. It's not the intent to formulate a plan.

Councilman Langman – I would like him to answer my question, please.

Director Johnson – That's a possibility. There is a similar arrangement right now, I believe in the Police Department, where any unused time goes into a bank and if that time is not taken off, they're paid for that time, which mean that in the long run, it is the safest for the City because it's paid at their current rate of pay rather than 10-12 years down the road when their rate of pay will be much higher. So there is a similar arrangement right now in the Police Department.

Councilman Langman – All right, thank you.

Councilman Gruber – Just a quick question, did I hear you say there's some people, Dr. Lisy, getting 50 sick days a year?

Councilman Lisy – No, not, earned paid time off.

Councilman Gruber – Vacation, sick days?

Councilman Lisy – Right.

President Gudenas – Okay, we have the motion is to amend legislation to have a grandfather clause that nothing will change.

Councilman McTighe – And it was seconded by...

President Gudenas – And it was seconded by...

Councilman McTighe – Miss Miller.

President Gudenas – No, she sponsored, oh, she seconded it.

Roll Call: Yeas: Gruber, McTighe, Miller, Sustarsic

Nays: Delaney, Holzheimer Gail, Langman, Lisy, Gudenas

Failed.

President Gudenas – Was there any further discussion? We're basically asking Administration, whoever it may be if they need some outside help, whatever it might be with the auditors or whomever, to devise a plan somewhere in September, some ideas to present back to us. We do have to deal with this thing. Because as we've heard if we go below the safe level of cash and all is going to catch up with us fairly quickly.

Councilwoman Holzheimer Gail – I just want to clarify again. The intent of the Council, even though we didn't pass that amendment, is not to take away earned sick time...

President Gudenas – We've made that very clear. I think...

Councilwoman Holzheimer Gail – And I also will, once again, ask Council to be involved in this decision so we don't have the Administration bringing us back a plan that we, you know, aren't interested in.

President Gudenas – Okay, so first we should clarify, all 9 of us, I believe, are in agreement that anything earned is earned and it's yours and it won't be taken away. And #2 we probably should have a progress report instead of getting a plan all coming to us at once to get ideas to present that information to be shared and possibly have several meeting here at City Hall during business hours when other people are working to go over some of these ideas. And your comment was good to involve additional City's employees and Council representatives and anybody else that has an interest in this. We will ask the Administration to figure that out because that's why they're fulltime employees.

Councilman Lisy – Just a clarification, right now, if an employee has been with the City for 20 years, they have 30 days of vacation; they get 15 days of sick time, which is 45 days and then they have 17 holidays, which is 62 days. So that seems a lot and I don't want to, again, we're not penalizing the current employees;

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but we need to really put that in line with the private sector. But then we also need how we can get their pay in line with the private sector. Thank you.

Roll Call: Yeas: Delaney, Holzheimer Gail, Langman, Lisy, Gudenas

Nays: Gruber, McTighe, Miller, Sustarsic

Passed.

Res. 144-2003 (491-03) Vacation Days Earned/Accumulated

A resolution requesting the Administration of the City of Euclid to perform a study and revise the way in which vacation days are earned and accumulated for all City employees. (Sponsored by Councilmen Lisy and Gudenas)

Councilman Delaney moved for passage; seconded by Councilman Lisy.

President Gudenas – Basically, this would be the same argument that we just heard before. Again, we're not, any vacation days earned are yours. The idea is not to take away anything. This is to devise a plan for future dates that are current. So the exact same thing we just said before or would you like to vote on it.

Councilman McTighe – Vote on it.

Councilwoman Holzheimer Gail – I just want to make a comment because there were some comments from the audience earlier. I don't think anyone here is looking to make the employees feel the brunt of anything. We're dealing with a budget crisis and if we don't look at doing things differently, we're going to be in serious trouble. Maybe not by the end of this year, next year perhaps, the following, I mean, we need to be looking at this. We're not looking at trying to penalize anybody. We're not looking at making one group of employees take more burden than another. We're looking at ways to keep this City functioning financially sound. So I just want to put that in perspective because it's not about picking on certain employee groups. I am very supportive of the employees. I don't want to take away what they've earned certainly. But we can't keep increasing the cost of doing business without increasing the tax base. So I just wanted to put that in perspective.

President Gudenas – That's a very good point and, actually, you could add to it we're trying to preserve jobs. Under the current plan that we have, the current benefits, we had to lay off 40 and almost an additional 15, 17 safety force members so that's under the existing plan. We had to have drastic layoffs and possibly even more. What we're trying to do is protect jobs so that we can afford to pay our workers a fair wage and provide the services the residents want. And we have to take some action because if we don't, we know what will happen under the existing plan, more layoffs because we are in a crisis. It's not next year. We're basically below safe levels as our Finance Director said.

Councilwoman Miller – I just find it very difficult to be able to do this because I think you've got your union contracts already negotiated. If you want everything to be on the same level, then you need to do it when you're negotiating contracts. You can't expect the non-union people to start it next year and then they have two more years on their contract, according to the Fire and Police, two more years on their contract. And they get to have it and the non-union don't. What is eventually going to happen is that the non-union is going to form a union.

Councilman Lisy – In fact, if that's the recommendation that comes back from the Administration, because that's the last thing we want to do is create any more animosity by taking other benefits away from the non-union workers, I mean. We received a report from the Administration Risk Management, she said the morale is low and the work environment is fragile. That's not a very positive thought. So if there's a way that we can improve that, I'm looking at it. Again, this is not something to help the budget short-term. It's to look at the long-term. And if the Administration comes back that this should happen in 2, 3 years, that's fine. However, I think there's ways that you can modify the vacation plan similar to the sick time where it's earned per month. Right now, vacation time is earned annually when it's taken. If you move it to a monthly allotment, which you can do with computers nowadays really simply or real easily, it could make things simpler for the employees and also save some money for the City based on when somebody leaves the City or enters the City. Thank you.

Councilman Langman moved to close debate; seconded by Councilman Delaney. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Holzheimer Gail, Langman, Lisy, Gudenas

Nays: Gruber, McTighe, Miller, Sustarsic

Passed.

Res. 145-2003 (492-03) Review/Audit Finance Activities

A resolution authorizing the implementation of a review and audit of finance activities. (Sponsored by Councilmen Lisy and Gudenas)

Councilman Lisy moved for passage; seconded by Councilwoman Holzheimer Gail.

President Gudenas – And this was part of a recommendation from one of the audit firms here, that we have a very complicated payroll system with a lot of overhead. We have a lot of wage agreements and procedures. And what we're asking to do is to review all of the agreements and procedures that we have to make sure (a) that we're following our contracts and our agreements. And devise a payroll system that is much more streamlined and efficient and accountable, which would hopefully in the long run reduce overhead expenses of providing the payroll and make sure that everyone is paid what they're supposed to be paid. And we certainly read problems in other cities, which we could avoid those problems. This was a recommendation that came from our audit firm's subsidiary and the audit firm itself.

Councilman McTighe – Who's going to conduct this audit and if it's an outside source, what source will that be?

President Gudenas – Well, we're asking the Administration to make that decision. If they feel they can do it in-house, they can do it in-house. If they feel they need the current auditor or their subsidiary to help because certainly it's hard to audit yourself. So if we had outside help, it would most likely be the current auditor because they're the most familiar with the City or one of the subsidiaries set up for that purpose.

Councilman Lisy – Ideally, this will help our, not only our payroll process but also our budgeting process. From what the auditor's report that was in the CAFR, we have, our Finance Department is becoming more of a data input department and not an auditing department. And that's a change with times and the way the system is structured right now. And so I'd rather have them be more of an audit department and do what they do best rather than data entry. And I think one of the delays in getting a budget for 2004 and our monthly budgeting process is because the information could be entered in by the different departments, but it's being entered in by the Finance Department. The same process happens in February and March when we go through the budgeting process. They get hard copies and they enter it in. And that's very redundant. We are a high technology society right now and we have the tools within the City of Euclid to reduce time in getting budget information gathered. And this resolution is to look at ways in which we can improve that process.

Councilwoman Holzheimer Gail – When Jefferson Wells was there, wasn't there also a group looking at the Finance Department and what are, what's the status of that?

President Gudenas – This is that same group's recommendation. This is what they recommended to do. Chuni & Panichi.

Director Balazs – There was the management services of Chuni & Panichi. Their name was called Joel Strom and they did review the Department of Finance and the related departments that interact with the Finance Department. And basically, they would like to change our inputting procedure as Councilman Lisy said for efficiency. It would now put the burden back on the Department Heads, Chiefs, etc. directly putting into the computer themselves. That would leave our department to just check the figures, see if they balance and, hopefully, that would by the retrieval and inputting method, it would get the information faster, back to City Council and for us. So that would be an achievement and the focus, of course, would be on the budgeting aspect of it as well. And they did make an initial review on that and that's basically the next step would be the follow through.

Mayor Oyaski – Is there a cost?

Councilwoman Holzheimer Gail – Follow through with an audit or follow through with changes to the department?

Director Balazs – Of implementing the recommendations that they came up with.

President Gudenas – Which was both, the audit and the changes that they suggested. And of course, they can do all of it; we can do it all of it or they can do part; we can do part. We can do a lot of the data gathering that's necessary. It's good to have an outside source, an independent looking at things.

Councilman Langman – Director Johnson and Director Balazs, would this particular resolution include training in both of your departments as far as one of the improvements that, that could be made, would that be addressed?

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President Gudenas – No, this is not for training. First, we would determine if there's a problem that needs to be done. Then there's a plan, at that point, you decide what you do.

Councilman Langman – So the auditors will actually address if we may need training or maybe a different system or whatnot.

President Gudenas – They're going to address if we have any problems and they're going to point out the solutions. Then it's up to us to implement those and we could implement them on our own or we could implement them with the firm helping us.

Councilwoman Holzheimer Gail – Director Balazs, was there any indication of what that might cost from Chuni & Panichi?

Director Balazs – I think they, Councilwoman Holzheimer Gail, they did indicate that they had a range of up to 14.9, course that would be if we were more specific on what they would want, what we would want them to do. What we want them to concentrate on, but that would probably be an estimate cost of, the initial phase of the implementation of what they recommend.

Councilwoman Holzheimer Gail – Is part of that previous contract, is any of that coming back to report to Council? I think, I would like perhaps have them come in and have some discussion before we go further with this because, you know, I'd like to know what they have already recommended and, you know, I don't have a good sense of whether that's something we can do or something we have to hire somebody for. But perhaps that could be a discussion we could have at a presentation and we can decide if we need to move forward or not. We just put several budget amendments on hold because we're not sure of where the budget is and to spend another almost 15,000 potentially, doesn't seem wise.

President Gudenas – Trying to think when we get that presentation.

Councilwoman Holzheimer Gail – I don't remember receiving that report. We didn't receive that report, did we?

President Gudenas – Did we get, I forget, did we get that report from that firm?

Director Balazs – I think there was a report, Mr. Chairman, that I mailed to the Mayor and you concerning, two reports. One from Jefferson Wells and one from perhaps Joel Strom and Associates, but I'll have to double check that to see.

Councilwoman Holzheimer Gail – Does that seem like a wise course to have them come in or is it information that...

Director Balazs – Well, I think basically the intent here from Councilman Lisy is to kind of throw it back to us, the Finance Department, maybe the Administrator Director, to narrow the field a little bit. And maybe to have our recommendation where we think the input should be or if we need outside services, and, particularly the question, I mean, should we focus on the budgeting? Should we focus on the implementation of the Department Heads direct access to the system? If we do both, it may put us beyond the 15,000 for the implementation if we have from the outside. If we do 50% on the inside, have help from the outside we might be around 15,000 figure. I think we have to revisit it, study it and get back to the City Council.

President Gudenas – So basically, you would, one way to look at it as you look at it you come back with a proposal back to City Council. If it involves hiring a firm for some substantial amount of money, then we would bring them in for presentation to make sure that's something we wanted to do. Is that something?

Director Balazs – I think that'd be a good direction for us.

President Gudenas – This way it gets it started. We don't want to have a committee meeting just for this. We do have a Special Council meeting, but it might not be the appropriate time for a presentation nor would they be hiring anybody at that time.

Councilman McTighe – I agree with Councilman Lisy. I mean, the Finance Department should be more of an audit department; however, I guess, this is the beauty of having studies where they tell you what you should do and then they come back to you saying it's going to cost another 15,000 to implement this. I would not support this going forward if we're going to have the same group come back and then we're going to spend another 15,000 to implement this or whatever. So I help, Director Balazs, you guys could do this amongst

yourselves without going out to this firm again and having them come back and say look we need them to implement this. Because I believe you guys should be able to do this on your own. So that's all.

Councilman Lisy – That's why the fourth whereas states outside expertise for the audit review may be obtained and authorized by separate ordinance. And so what we wanted to do was get the ball rolling on this process internally because I have every faith in our Administration that they can get this process started and understand where they need help and where they can do it internally. Ideally, it is all done internally; but it is a process that needs to be updated and we have the technology in-house and we just need to make sure we're taking advantage of that technology both for the payroll functions as well as for our budgeting functions.

President Gudenas – So again, if we were hiring somebody, that would come back as such. This gets the ball rolling mostly.

Councilman McTighe moved to close debate; seconded by Councilman Gruber. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Res. 146-2003 (482-03) Internship Prog. - Channel 23 & Web

A resolution requesting the Director of Administration of the City of Euclid set up an internship program within the Channel 23 and Internet services in conjunction with the local schools and library, to teach students all aspects of television programming and web design. (Sponsored by Council President Gudenas and Councilman Delaney)

Councilman Delaney moved for passage; seconded by Councilman McTighe.

President Gudenas – This came up at one of our meetings with the Superintendent and Carol Bechtel and others. And the Superintendent did indicate that there are qualified students that would be very interested in working with the City as interns, which means no pay, as part of real-world experience. They do have very talented people over there. We have talented people here so this is not intended to hire more people. But we have had budget cuts; we have had people leave our television programming department and we're going to get down to the point where we are going to need help and rather than have to hire more and more people. The idea is to reach out to the community and have more people help us do it.

Councilwoman Miller – I think this is a good idea. I would like to ask Director Johnson, though, the President mentioned that we had a department that could handle this. How many people are employed in your department to be able to do something like this?

Director Johnson – Last year this time, we had 4 fulltime employees and we're down to 2 fulltime employees now.

Councilwoman Miller – Would you be able to work with, would you be able to do this, this plan?

Director Johnson – We're willing to try. At the urging of Councilman Sustarsic back in February, I did e-mail some of the folks over there. And the response that I got back was that they would think about it. As recently as last week, I e-mailed them again, asking them if they had thought about it. I haven't gotten a response yet, but we will pursue it.

President Gudenas – It's obviously contingent upon the school's wanting to participate or other schools, the library. There is great interest of other groups to participate. And again, at the rate we're going we're not going to have any programming here other than our meetings and Board of Control. That will be the agenda. That will be our channel.

Councilman Delaney – Yes, it is an excellent idea. Not only is it an untapped labor pool, but we find ourselves at a time when technology is moving so fast that it's our younger people that are starting to show us how to use it. So I think, as much as they can serve us, there's probably just as much to be learned by them. I only ask to have my name added to this legislation.

President Gudenas – Okay, Councilman Delaney would like his name added to the legislation.

Councilman McTighe – You mentioned when a resident came up and asked who's going to pay for these trainers, that you said we would be able to handle it by ourselves. But Section #2 says funds to pay for trainers and expenses would be derived from the cable television fees. Can we omit this?

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President Gudenas – We could so, I guess. There will be some expenses.

Councilman McTighe – All right, then to pay for trainers.

President Gudenas – I'd rather, we might have a couple hundred dollars here and there, you know, there might be a little bit of an expense. We have, we have our own cable TV channel. We have a hundred to thousands of dollars invested in equipment all that is sitting mostly idle. That studio downstairs hasn't produced a program, you know, in a very long time.

Councilman McTighe – We had the Councilman's Critter Show on.

President Gudenas – When was the last Councilman Critter Show?

Councilman McTighe – Well, actually, we have one in the works right now.

President Gudenas – When was the one before that?

Councilman McTighe – Jungle Terry, it was on, with the snake, Jungle Terry.

President Gudenas – Who's that?

Councilman McTighe – Well, if you would of watched it...

President Gudenas – In other words, for our \$200,000 a year or actually whatever this is, it's in the hundreds of thousands our bang for the buck is diminished. To the point where we used to have, this place needs to subcontract the whole thing out when I was here in Ward 2 days. It'd be a lot cheaper if all they're doing is this and, I hate to say it, we might get by without Councilman Critters for a little while.

Councilman McTighe – It's a good show.

Director Johnson – I'd like to add, too, I forgot. There was another reference in here to the Internet and the website. We have already begun for the last several weeks to update our website and we hope that before the end of the summer recess that we will be able to present something to City Council that would be acceptable in terms of improvement to our website.

President Gudenas – I just find that the kids these days are probably much more sophisticated and nimble and are willing and able to do something and credit that we can't. The reason it's on the agenda today is that we just want to get something in place for the next school year. If you don't do it now, forget another year. They're not going to start something up in December.

Councilman Gruber – In Section 2, the Councilman brings up a good point about the funds and pay for trainers and expenses will be derived from the cable television fee. Can we put a not to exceed number in there?

President Gudenas – Sure. What would you like?

Councilman Gruber – Would you say a thousand dollars would be good because you said a couple hundred dollars here and there? Anything more than that they'd have to come back to Council because that way we're not arguing about it. Because that almost gives you the authorization to hire someone to come in and train these kids.

President Gudenas – Let's say 5,000.

Councilman Gruber – I'll go 2500.

President Gudenas – 2500, sold.

Councilman Gruber – Okay.

President Gudenas – We should take a look at what our cable TV budget is. This would be a tiny fraction of that and the idea is to bring in more people to do more for us to be real-world experience so that we have a much better presence on TV. For such a little amount of money, we get a huge bang for the buck.

Councilman Gruber – How about if we just have reader board and Council meetings and save \$4,000?

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Councilwoman Miller – Well, doesn't Director Johnson have a budget with that cable?

President Gudenas – Right, he does. The budget's already, I didn't add this, I didn't write this legislation to put that, those words in there.

Councilwoman Miller – Well, the funds...

President Gudenas – It should all come out of the existing budget.

Councilwoman Miller – Out of his budget? So if he has \$200 fine and if he wants...

President Gudenas – The money's there.

Councilwoman Miller – But I just don't think you're talking about eliminating personnel and you're saying to hire somebody to come in and help train.

President Gudenas – Yes, there's somebody leaving right now. In other words, we have a person that's leaving and as a result, we're going to save that salary. So in other words, our expenses are going down at the cable TV place. At the same time, our programming is going down, too.

Councilwoman Miller – But, Director Johnson said he only has two people in the department.

President Gudenas – Well, okay, here's, we're, I'm sure we could discuss this forever. You know, how long do you want to go on?

Councilwoman Miller – I think it's a good idea. I just don't think, if we can do it in-house, I think that's the way it should be done, period, which means that our personnel handle everything instead of going out and hiring somebody to come in and help with this. If we can do it in-house and have the children come over from the High School and they could assist and they'll be learning, that's fine.

President Gudenas – What if we state that the current budget shall not be increased to pay for these things?

Councilwoman Miller – Beg your pardon?

President Gudenas – The current budget shall not be increased over what it is today.

Councilman McTighe – No, 1500...

President Gudenas – Well, we're talking about an internship at the school. That it's such a big deal, you know...

Councilman Gruber – What happened to our \$2500? Where did that go?

President Gudenas – Well, actually, it was brought up, we don't have to increase the budget by anything because we are, in other word, we're not going to spend an extra 2500. We're actually going to end up spending less than what we put into our budget. So we don't actually need to increase the budget.

Councilwoman Miller – Well then we can change Section 2 out, that one part about to pay the funds because if we're not going to, if we're going to stay within the budget, then it's within the budget.

President Gudenas – Right, but the budget has money to spend for either salaries or things like this. So then you'd be saying you're going to cut the current budget.

Councilwoman Miller – I didn't say that. I just said stay within the budget.

President Gudenas – If you take this out, that you're saying that you can't spend anything even if you are in the current budget. That's a big difference.

In other words, the current budget has funds available to train people to help us. Maybe we don't need any trainers, but I don't think I'm going to, I'm not proposing that we hire somebody or not hire anybody. I'm just proposing that we set up an internship with the Euclid Schools, Library, if possible, other schools in the area and proceed so that we improve our cable TV channel and get a big bang for the money that we've invested and the channel can benefit from. And so like I figured, there's always something on the agenda that takes a long time. This is the one tonight.

I would just ask you, you know, I did sponsor this. Just vote yes or no on it. It's not worth the trouble to fool around.

Councilman McTighe – I seconded his amendment for \$2500.

President Gudenas – No, you just seconded closing debate.

Councilman Gruber – No, he did before. So we'll vote on amendment not to exceed 2500 and then vote for this.

Director Johnson – If you want to pass the resolution, I had originally asked Council to consider postponing this. If you want to pass the resolution, pass the resolution and I'll be glad to report back to you the results of my efforts to try to put this thing together.

President Gudenas – That sounds fair to me.

Councilman McTighe – Thanks, Director.

President Gudenas – Will that work?

Councilwoman Miller – Thanks.

Councilman Gruber – Sure. If it's okay with you, it's okay with me.

Councilman McTighe – But we still need a vote on the amendment.

Councilman Gruber – I'll withdraw the amendment.

President Gudenas – So withdrawn, okay.

Councilman Gruber – However, no...

Councilman McTighe moved to close debate; seconded by Councilman Delaney. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas Passed.

Ord. 147-2003 (494a-03) James Drobnick Inspection Svcs.

An emergency ordinance authorizing the Director of Community Services and Economic Development of the City of Euclid to execute a professional services contract with James Drobnick Inspection Services to provide building, electrical and plumbing inspection services for the term of June 17, 2003 to June 16, 2004, in an amount not to exceed Fifty Four Thousand One Hundred Dollars (\$54,100.00). (Sponsored by Councilman Lisy by request of the CS&ED Director)

Councilman Sustarsic moved for passage; seconded by Councilman McTighe.

Commissioner Apanasewicz – We, during the budget hearings, we had anticipated we would be in need of replacing an electrical, plumbing and building inspection, combination. The retirement occurred rather earlier than we expected and anticipated. This measure is intended to cover services contractual with the same individual that's retiring. It's intended to be a temporary measure until we can stabilize our budget situation and, hopefully, hire someone full time permanently. Director Gliha has estimated that the savings in this contract would be \$11,000. I think each member of Council should have gotten an estimate on what the employee's expected costs for 2004 would be. There are some costs that don't appear in the Building Department budget, such as, medical insurance. There is a list of items that the City would no longer have to pay for would be accumulated leave, which we had a great discussion on tonight, longevity, PERS, life insurance as well as medical costs.

If you do need to amend the ordinance, the name of the firm is incorrect. It's JED Properties, Inc. and the effective dates of the contract would be from July 1, 2003 to June 30, 2004. If there's any specific questions, I'd be glad to answer them.

Councilman McTighe – This will keep us up with the State, right?

Commissioner Apanasewicz – Yes.

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Councilman McTighe – All right.

Commissioner Apanasewicz – Mr. Drobnick has these certifications and will continue on.

Councilman Langman – Did we look outside of this firm as far as hiring anybody?

Commissioner Apanasewicz – Yes. When we were attempting to hire a plumbing inspector, we had gotten, of course this is past history, we haven't tried to replace this position yet. We did get five interested individuals. Two individuals couldn't meet any state certifications. Three individuals could meet at least one certification but did not the necessary certifications that we needed. And of course the one individual that we eventually hired had the certifications that were needed. Of course, that individual, unfortunately, was laid off earlier in the year. We've managed to bring some of the part time back to cover those services, but I guess my pointing being is that when we advertised for that certified inspector's position it was a very limited employee pool. Subsequently, when during that lay off period earlier in the year was able to request proposals for contractual services. I also had e-mailed the Council that letter. We requested proposals from five institutions only one really responded. CT Consultants was the only one that really was interested and they're per hour rate was \$85. And I'm thinking we can staff the department on a fulltime basis for that kind of money.

Councilman Langman – One more question, the amount of money, the \$54,100.00, that seems just an unusual figure drawn there. Could you explain that a little bit, please?

Commissioner Apanasewicz – The figure is based on the \$26 an hour rate times 2,080 hours in the year and it's also a not to exceed number. So you know that based on 2,080 hours of a standard year that's the amount that we're going to pay max. For holidays, of course, we won't employ the inspector. There'll be days that the inspector won't be working so it'll be a lesser amount than that. But that would be the maximum that we would pay.

Councilman Langman – Are you prepared to extend the contract, if necessary, if we can't find anybody that can fill the position?

Commissioner Apanasewicz – Well that, of course, would be between Mr. Drobnick and the City. If someone reaches retirement age as long as he's willing to continue under these terms, we would be amiable for that, yes.

Councilman Langman – Thank you.

President Gudenas – First of all, how many inspections do you think that would be?

Commissioner Apanasewicz – Mr. Drobnick probably does about 1800 inspections a year.

Councilman Lisy – You made a modification to the name of the company, what, instead of James Drobnick?

Commissioner Apanasewicz – It's JED Properties. Mr. Drobnick, apparently, has...

Councilman Lisy – Great, thank you.

President Gudenas – You say, 1,800 inspections?

Commissioner Apanasewicz – I don't have the exact figure. I'd have to go back to my annual report, but I believe that's probably what he's done.

President Gudenas – So it works out to about \$30 an inspection? Is that right, Councilman Lisy?

Councilman Lisy – Give me a second.

Councilman Gruber – He needs a pencil.

President Gudenas – I did it without a computer.

Councilman Lisy – 30, right on.

President Gudenas – So, we're fairly confident that it'll be about that many inspections?

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Commissioner Apanasewicz – Well, you have to realize also it's not simply inspections. You have court time to do as well and you have to meet with contractors and explain situations to homeowners. So it's not simply inspections that are covered. I mean, there's also some administration time.

President Gudenas – Do we have other current inspectors on our staff that can handle 1,800 as well?

Commissioner Apanasewicz – Well, we have, there's a couple of problems with that. Certifications are one. In order to do electrical inspection in the State of Ohio, you have to be, you have to be a licensed electrical safety inspector. You can't send a plumbing inspector to inspect electrical. Mr. Drobnick happens to have a plumbing side, too, which is very rare. And we've had the benefit of that for approximately 18 years and that's something possibly something can continue. Most times you don't find an individual that has enough experience of a plumbing side of things to qualify even to take the exam. So it's a benefit to have someone who's certified both in plumbing and electrical because then you don't have to hire two individuals. You simply hire one.

President Gudenas – No, no, I understand that. My only question is that he seems very productive. Do we have other people on staff that can, regardless of...

Commissioner Apanasewicz – Well, I...

President Gudenas – homes or otherwise that can do 1800 a year.

Commissioner Apanasewicz – Well, the Building Department only has really two inspectors. One is currently employed under contract part time and Mr. Drobnick is a fulltime inspector. Mr. Hayes acts as our commercial property maintenance and can assist us at backup, you know, should Mr. Drobnick or Mr. Ospelt not be in. So basically that's the best use of our inspection staff. Mr. Tollerup has several housing inspectors that do the proper maintenance and housing point of sale and rental inspections, but our portion of it is the new construction improvements that type of thing.

President Gudenas – All right.

Councilwoman Holzheimer Gail – Mr. Apanasewicz, the gentleman that was laid off did not have all three certifications, is that correct?

Commissioner Apanasewicz – That's correct. He did have three certifications. He did not have the electrical. He had plumbing and he had building and he also had the building official's certification.

Councilwoman Holzheimer Gail – Mr. Drobnick, right now, is the only one that has the electrical?

Commissioner Apanasewicz – Well, Mr. Hayes has electrical and use him as a backup. And Mr. Petric, who unfortunate was in a pretty severe accident, is out. We can also use him as backup. So with the loss of Mr. Drobnick, we basically have only one inspector.

Councilwoman Holzheimer Gail – And we need all three certifications to maintain our State certification?

Commissioner Apanasewicz – That's correct.

Councilwoman Holzheimer Gail – And there's no problem if that's contracted rather than, if it's a service contract rather than fully employed?

Commissioner Apanasewicz – No, there is no problem if you contract for this.

Councilman McTighe moved to amend the legislation to change the name of the firm to JED Properties Inc. and change the term of the contract to July 1, 2003 to June 30, 2004; seconded by Councilwoman Holzheimer Gail.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas
Amendment passed.

Councilman Delaney moved to suspend the rules; seconded by Councilman Sustarsic. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas
Passed.

Ord. (487-03) Estate of Aminata Diallo

An ordinance to provide for the issuance of \$880,000 bond anticipation notes of the City of Euclid, Ohio in anticipation of the issuance of bonds for the purpose of providing funds with which to pay the costs of a settlement of a tort claim against the City by the estate of Aminata Diallo approved by the Cuyahoga Cuyahoga Probate Court and declaring an emergency. (Sponsored by Councilman Gudenas by request of Finance Director)

Councilman Gruber moved for passage; seconded by Councilman McTighe.

President Gudenas – I should make it clear I have nothing to do with this legislation so my name should not have appeared.

Councilman McTighe – Are we going to move this into Executive Committee?

President Gudenas – I would like to move it to the Executive Committee. I'd like us to have an Executive Session this Wednesday immediately following the meeting itself. So we have a meeting already at 7 might go to 8 o'clock or whatever it might be, so whatever. So as soon as the 7 o'clock Building and Standards meeting is over, the Executive Session would be called. Is that okay?

Councilman McTighe moved to place the legislation in Executive Committee with meeting to be held this Wednesday immediately following the Building Standards meeting; seconded by Councilwoman Miller.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas
Ordinance placed in Executive Committee.

CEREMONIAL RESOLUTIONS

Res. 124-2003 (500-03) Ruth Armstrong

A resolution of appreciation to Ruth Armstrong in recognition of her generous bequest to the City of Euclid Animal Shelter. (Sponsored by Mayor Oyaski and the entire Council)

Res. 125-2003 (501-03) Donation for Crossing Guards

A resolution of appreciation to: Hugh Daly, Christopher Frey, Patrick Gallagher and Michael Kosmetos for their generous donation which has enable the City of Euclid to keep four Crossing Guards at their posts through the end of the 2002-2003 school year. (Sponsored by Mayor Oyaski and the entire Council)

Res. 126-2003 (502-03) Russell M. "Doc" Baldwin

A memorial resolution in remembrance of Russell M. "Doc" Baldwin, who passed away on May 27, 2003, at the age of 87. (Sponsored by Mayor Oyaski and the entire Council)

Councilman Gruber moved for passage; seconded by Councilwoman Holzheimer Gail.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, McTighe, Miller, Sustarsic, Gudenas

COMMITTEE OF THE WHOLE

Councilman Langman moved to go into the Committee of the Whole; seconded by Councilman Delaney.
Yeas: Unanimous.

Mr. Jerry Corbran –24250 Maplewood Dr. I've been asked by the residents of 242 to speak in their behalf regarding a traffic problem. And they also have submitted a petition to Councilman Langman thanking him for his efforts to resolve this problem. And I'd like to describe it.

The serious problem is coming out of south 242 and making a left going west on Lake Shore Blvd. It's become life threatening. In fact, one of the people that signed this petition had their car totaled. The residents are not very happy with it and they'd like to get some resolution and, hopefully, Councilman Langman, you will support his efforts. But speaking further on this, this problem did not exist until the entrance for the former Americana Apartments was moved to north 242. This means that an additional 800 cars are using that entrance where there were formerly only 30 or so. It will get worse when the 500 cars from the former Horizon House Apartments will also use that same entrance. The total will be about 1300 cars turning into north 242. Furthermore, the intersection dealing with the 1300 cars pausing either to make a left or right into north 242 will also have to accommodate the thousands of motorists proceeding to their destinations east or west beyond that intersection. To make matters worse, there's a bus stop there on both corners. Then there has to be a pedestrian walk to be considered.

The residents are thrilled with the long-awaited development of the area and the petition is not to be construed as opposition to Mr. Price's development. Is a traffic signal the answer? Well, it may solve the complaint of the petitioners but may create even more problems for the thousands of motorists going through the intersection.

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Developer Price may be overlooking the irritation of his tenants regarding the backup delays getting into his apartment complex. After making the turn, they may have to stop at a guard booth causing even more delays. Then and again there are new owners of the proposed townhouses and condos, how will they feel about these delays? Will this be a sales impediment for Mr. Price? Mr. Price may be well advised to seek professional advice. This may be an important design factor that fell through the crack. And Councilman Langman has a hot potato and the petitioners appreciate his efforts. Thank you.

Mrs. Madeline Scarniench – 1511 E. 211. Concerning Item #11, during the break it was very interesting, had a conversation with about 8 people in the audience, some of the Henn and other groups. And everybody said the same thing, they don't want gambling at the Fayre. They don't want gambling at Sims Park. Is it really necessary to have it? We're going for a whole new idea and a whole new look and a whole new concept on what our fair is going to be. Why not do one that we don't have the gambling there. I would assume we're going to have alcohol, but is it really necessary to do the gambling? I know it would take an awful lot. A group would have to have a lot of money up front and a lot of volunteers to do that so why even look for somebody. Is it really necessary to do that?

The other thing is I'm totally confused now about the TV. My question at the beginning was, was this going to cost us any money? Council President you said no. Then you look at the legislation and it says it is going to cost us money and I think an amendment was made, but I don't know what happened. So now, is this costing us money or isn't it?

President Gudenas – The answer is that the interns do not cost us money. No money was expected to be paid, but there might be somebody coming in for a few hours to train somebody possibly for a couple hundred dollars, possibly, nothing. But all that money is in the budget today.

Mrs. Scarniench – It's already there, okay. Lastly, just to let you know and I'll keep you informed. Pet Pals is now incorporated. We're officially Inc'd and will be doing our 501 paperwork and getting that off probably within the next week. Please don't forget we have membership forms and volunteer forms for anyone who would like to join and like to help out at the Shelter 'cause we will be open in two weeks. And I look forward to it.

President Gudenas – Is that a firm date, July the 1st?

Mrs. Scarniench – I believe so, yes, yeah. We actually have some kitties over there right now and they'll be ready to actually be adopted then. They were just picked up. A whole little litter in somebody's garage and they're really tiny and they're really cute. I'm all scratched up from there. So they'll be ready to go. We're going to keep them there. So we'll have, please, don't forget. Membership, volunteer forms. Thank you.

Mr. Dennis Glasney – 731 E. 263rd St. For those of you on the Council tonight that voted no against the resolutions regarding the sick time and vacation time, accumulations for the current City employees, I'd just like to say thanks. I believe the vote was 5-4, which if I'm not mistaken, was pretty much the same count as the votes were when Council voted on whether or not they should keep their own health care benefits or cut the size of their Council, the other thing that was suggested by Jefferson Wells. I am still a little confused on that issue because we're talking about financial situations that are going on currently in the City and that we need to get a handle on these things now. But yet, we're being told also that these wouldn't affect any of the current employees and the accumulations that they have up until this point. But I guess we'll deal with that when we get to that point. But thanks to all of you who, once again, had to go to bat for the employees and I can assure you that there are several committees being formed with candidates to replace some members of this Council. And those of you who have supported the employees, I can assure you that the employees will support you this coming November. Those of you that have not supported the employees over the past year I can assure you we have a slate of candidates that we will be supporting and it won't be any of you. Thank you.

I want to address an issue that occurred at the meeting last week. I'm not sure if I understood something correctly so I was wondering if maybe Council President Gudenas can clarify something for me. Pastor Owens came up to the podium and asked if anyone was aware of any further development about a proposed night club that I understand was looking into relocating in the Gene Weiss Fitness Center, I believe.

President Gudenas – No, he mentioned something on Lake Shore Blvd.

Mr. Glasney – No, actually, I think he asked about a club...

President Gudenas – He mentioned something on Lake Shore Blvd.

Mr. Glasney – Was there a club that was thinking of locating somewhere on Lake Shore Blvd. called the Dancing Queens?

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President Gudenas – That is what he said, right.

Mr. Glasney – Okay. Is there any other developments on that? Does anyone know more about that or was the answer that he was given last week no one knows anything about it, is that still the case that no one's heard anything about the Dancing Queens?

President Gudenas – Well, who knows about Dancing Queens, here?

Councilman McTighe – Don't look at me.

Mr. Glasney – No one here knows?

Acting Director Gliha – I think I might be able to help answer that a little bit.

President Gudenas – Director Gliha knows the Dancing Queens.

Acting Director Gliha – The gentlemen representing such a night club did meet with our department on April 15th. It was about a 15-minute meeting. We have had no further contact or personal contact that I'm aware of. As far as Racquet Time, in talking to the broker who is representing Racquet Time, who is also the broker who sent the potential night club to meet with us, Power Alarm has had an option with the owner, Gene Weiss or Rodney Miller, for three years. Has not done anything with that option. We had also been working with Ruff's RV of Willoughby Hills to be moving there. Right now, they seem to be the prime candidate if the financing can be worked out.

So Racquet Time, hopefully, sometime in September will be coming for an amendment to the zoning there to welcome Ruff's RV.

Mr. Glasney – Okay, so the proposed night club that I referenced earlier in my comment, is that out of the picture at this point or...

Acting Director Gliha – As far as I know in talking to the real estate agent that's representing Racquet Time, yes, they're out of the picture. As I stated before, our department met briefly on April 15th with the three people who were proposing some type of night club at Racquet Time.

Mr. Glasney – Okay. Could you give a copy of these to the Council President, please? I passed two copies of two e-mails to you, Council President. Have you seen these e-mails before?

President Gudenas – Can't say I have. No, I don't think I have.

Mr. Glasney – Okay, on the bottom of the list where it says there's copies sent there was no copies of these e-mails sent to you?

President Gudenas – Can't say that I've ever seen them.

Mr. Glasney – Okay, let me ask you no more time. Do you know anything about a proposed development called the Dancing Queens that wants to locate in the City of Euclid?

President Gudenas – You're the only one and Pastor Owens last week that's ever mentioned the name Dancing Queens to me.

Mr. Glasney – Okay.

President Gudenas – Apparently, you seem to know quite a bit about the Dancing Queens.

Mr. Glasney – What I'm asking you is...

President Gudenas – I've never heard that name before.

Mr. Glasney – Your statement to Pastor Owens was that you knew absolutely nothing about it.

President Gudenas – I've never heard the word Dancing Queens before.

Mr. Glasney – Okay, in a copy of one of the e-mails that I just handed you, it states that EG introduced a copy to EPD and Community Development. Is that a true statement or is it not?

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President Gudenas – I had a call from somebody that was interested in the Gene Weiss facility that the Building Department referred to me and I said talk to the Police Department. The name of the firm, the name of the enterprise was never mentioned and that was the end of it. When Pastor Owens was here last year, he mentioned Dancing Queens and Lake Shore Blvd., never heard of any of that.

Mr. Glasney – Okay, so you did not personally introduce someone who proposed opening up a night club in the City of Euclid called the Dancing Queens? You introduced those...

President Gudenas – I'm sorry I'd be very disappointed that...

Mr. Glasney – You introduced them to no one and you have never heard of them or never met them before?

President Gudenas – I'm sorry I'd be very disappointed that Dancing Queens are coming to the City, but as you heard from Director Gliha they approached the City and for whatever reason to this day, I don't know, and I don't know if these are the same people. Somebody at the Development Department suggested they asked this person and the name I don't know to call me. And that's when I said I don't have anything to do with this perhaps you should talk to somebody in the Administration. He asked who and I suggested the Police Chief. And that was the end of it. Because I...

Mr. Glasney – Was that prior to the Council meeting that was held here on June 2nd?

President Gudenas – Yes it was.

Mr. Glasney – When Pastor Owens asked if anyone here had any knowledge of that, would that not be something that you could have related to him?

President Gudenas – He asked Dancing Queens and Lake Shore Blvd., which...

Mr. Glasney – No, he asked specifically if you had any knowledge about a club...

President Gudenas – I'm sorry, you've made your point and I've made mine and your time is up.

Mr. Glasney – I am trying to make my point. No, I don't know if my time is up yet. You've used half of it.

President Gudenas – (sound of gavel) You'll have to see the Dancing Queens elsewhere. Thank you.

Mr. Glasney – I have copies of e-mails for the rest of you here if you'd care to see them.

President Gudenas – All right, anybody else. Anybody for polkas?

Councilman McTighe moved to rise and report; seconded by Councilman Sustarsic.

COUNCILMEN'S COMMENTS

Councilman McTighe – Director DeMinico, could you just update everyone on what's going on with the bark park?

Director DeMinico – Right now, our Law Department is back in negotiations with the Sportsman's Park. The lease has expired for the soccer fields. We are inquiring their interest in signing an extension for another couple of years for our soccer fields. And they are also being inquired about some additional property that could be used for the potential of the bark park.

Councilman McTighe – Thank you. I have talked with my residents who had interest in looking at sites and once we find out what's going on we'll update the Council and the other individuals who may want to know more information regarding the potential of a bark park.

Mr. Ron Petkovic, I thank you for getting quick response on the corner of 194 and Lake Shore Blvd. The hedges look great; 222nd and 200th Street if we could kind of get those, that was more of a concern than anything else from residents that called and Director Gulich, thank you for patching the holes. And that's it.

Councilwoman Miller – First of all on June 11th I was invited to represent the Mayor to the Polka Hall of Fame. I'd like to thank him for inviting me. It was a wonderful function. It was well attended. We're very fortunate to have that museum here in Euclid.

And on June 13th I attended the flag ceremony. And Director Johnson did an excellent job, very nice.

Mayor Oyaski – Acting Mayor.

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Councilwoman Miller – Pardon?

Mayor Oyaski – Acting Mayor Johnson.

Councilwoman Miller – Acting Mayor, right, right, Acting Mayor Director Johnson. And thirdly I'd like to thank everyone for the songs, the flowers, the cake, I mean I was really surprised.

Councilman Langman – Now we get to sing.

Councilwoman Miller – I really appreciate it. Thank you, everyone, I just, I've got tears in my eyes. I really appreciate it. Thank you very much.

President Gudenas – Well, it's been a pleasure. I've long time served with you. It's been a pleasure and very happy, Happy Birthday. I think we all welcome that. Councilwoman Holzheimer Gail presented the flowers. I don't know if you noticed them right there on the podium. Normally, we rely on you to do everything. We were afraid when we showed up we wouldn't have anything. So thank you, Councilwoman Holzheimer Gail.

Councilwoman Miller – Thank you, Kirsten, and thank you, Mayor, for the flowers.

Councilman Sustarsic – First of all, it's been nice, I've seen an appreciable difference throughout the City as far as cut grass. Even though we've still had problems with the heavy rains and everything else like that, it looks like we're beginning to have control over the situation. But relative to that I received a few calls and the people were wondering, either Director Gulich or the Mayor, would you be familiar, do you know if the County would be spraying for mosquitoes in the near future relative to the West Nile Virus?

Director Gulich – I've had regular conversations with the Health Department. Their liaison generally stops in about once a week there just to keep me up on what's going on. Their policy will be the same as last year. They will not do any spraying until they have confirmed cases and right now, there's none. Obviously, we've got some wet weather; we're going to have a lot of mosquitoes and, again, their policy is the same this year as last year.

President Gudenas – Okay, we have a meeting this Wednesday regarding the billboard advertising and selling and the Executive Session immediately after regarding the proposed settlement and a Special Council meeting July the 7th.

Councilman Delaney – Happy Birthday, Fay.

President Gudenas – Wait a minute, what's in that bag there anyway? If it was at the airport, it'd be confiscated.

Councilman Delaney – Well, since you asked, I'll have to say I'm coming out of retirement. I'll be coaching the 4 and 5-year-old T-ball team and I'm only too happy to say that I'll have a child on this team that is the son of a young man I coached when I coached as a young man myself. But our team's the Indians, that's a bag of red jerseys. And I'll be out there tomorrow at 5:45 at the Manor Party Center ball diamond on Tungsten Road for my two innings of Little League T-ball.

President Gudenas – Okay, hope you do well.

Councilman Gruber – I, too, will be coaching a team. On Wednesday I might be a couple of minutes late to the meeting. I get to coach the Police Athletic League basketball team at the Inland Plant. So maybe if you want to come down, you could help, too, because you're a basketball player. I'm just a watcher.

President Gudenas – We'll be somewhere.

Councilman Gruber – Good thing. Also, I'd like to wish, of course, Fay a happy birthday. And I'd like to wish my wife, Jennifer, happy anniversary. We didn't get out until 11:30 so I'll be home then. And also, I'd like to wish everybody a safe and happy summer. Thank you.

Councilwoman Holzheimer Gail – Just a reminder on the 205 progress, Coral will be at Planning & Zoning tomorrow evening to make their presentation to them at 7. And we have a Special Council meeting July 7th if all goes as planned, if Planning & Zoning, to have the public hearing and third reading of the rezoning.

Councilman Langman – Director Gulich, how about that light at 242? Are we in the process of beginning the warrant process?

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Director Gulich – As we have discussed and as we discussed earlier tonight even, one of the line items on the budget amendment was the City-wide survey to be formed by Traff-Pro that legislation was passed by Council at our past meeting. And again, that is a City-wide study so that will be contained as part of the City-wide study.

Councilman Langman – And finally, we talked about the streets that would actually get repaved this year or reconditioned, do we have that list ready yet?

Director Gulich – Yes, we do. There's still some variables on there. We're attempting to get some matching funds from Richmond Heights. They haven't committed to them. That's effecting where the bottom of our list is right now. I'll be glad to, probably after tomorrow when they have a final answer on funds they're willing to come up with, I'll probably have what we'll call final list. I've discussed streets that need resurfacing with a lot of Councilmen and, unfortunately, we won't be able to get every one we want to get. It'd take a lot more money than what we have. We're hoping in a best case scenario on some of our streets on the list that we don't have to do so many full depth repairs. We do have that figured in. Most seasons when we do, do a resurfacing we're able to add streets to the list. So we'll be optimistic but cautiously optimistic. Again, in the next couple days I'll be glad to provide all Council with what we intend on going out.

Councilman Langman – Thank you and happy birthday, Fay.

Councilman Lisy – Just a reminder, again, it's rough being last because other people have mentioned it; but we do have the billboard legislation to be discussed at the Housing Improvements-Building Standards & Zoning Committee on Wednesday, June 18th at 7 p.m. And happy birthday, Fay.

ADJOURNMENT

Councilwoman Miller moved to adjourn; seconded by Councilman Lisy. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council