

**COUNCIL MINUTES  
MAY 3, 2004**

A regular Council Meeting was held on Monday, May 3, 2004 at 7 PM in the Euclid City Hall Council Chamber. President Sustarsic presided.

Members Present: Daly, Delaney, Gruber, Holzheimer Gail, Hufnagle, Langman, Mancuso, T. Sustarsic, J. Sustarsic

Others Present: Mayor Cervenik, Law Director Frey, Finance Director Johnson, Service Director Gulich, CS&ED Director Pietravoia, Asst. CS&ED Director Gliha, Acting Director Will, Acting Fire Chief Cosgriff, Capt. Repicky, Commissioner Petkovic, Housing Manager Tollerup, Senior Programs Manager Wolf, Sgt.-at-Arms Nagy, Clerk of Council Cahill.

Invocation was given by Pastor Tom Owens of Living Waters Church of God.

**COMMUNICATIONS**

Council has received the following Communications:

The Finance Committee Reports from Director Johnson,  
A Notice of a Hearing on the Liquor Permit Application to LakeShore Gas USA located at 21820 Lake Shore Blvd.  
Resolutions opposing House Bill 208 and the Retainage Reform Effort from the Mayfield Village, South Euclid and Rocky River.  
A summary of legislation on tonight's agenda by Law Director Frey.

**COUNCIL MINUTES**

Councilman Gruber moved to accept the Council Minutes of April 19, 2004. Councilman T. Sustarsic seconded. Yeas: Unanimous.

**ADMINISTRATION REPORTS & COMMUNICATIONS**

Mayor Cervenik – It gives me great pleasure this evening to introduce to you, the first time publicly, our newest member of the Administration, he is the Director of Community Service & Economic Development, Frank Pietravoia.

As I told you we had over 70 applications for the job and we spent a good deal of time determining who would be best for this City and the Administration and for the business community. We certainly feel we made the best choice with Frank. Frank brings with him 23 years of experience in the area of planning, development and his ideas and his energy are going to be greatly appreciated in this community. I would like to turn the mic over to Frank for a minute to make a few introductions.

Director Pietravoia – I just want to say, hello to everyone here this evening. I'm really looking forward to working with all of you, all members of Council, the Administration. I consider it a privilege to be part of Mayor Cervenik's Administration. As I told Mayor, this is coming back home for me. We started our family here in Euclid. I'm glad to be back, closer to home and I'm really looking forward to working with everyone here, as well as the business community. Thank you.

Mayor Cervenik presented Miss Poppy 2004, Kelly Knaser with Res. 91-2004 recognizing May 3, 2004 as Poppy Day in the City of Euclid.

Mayor Cervenik and Acting Director Will presented the Euclid Youth Hockey Association Board and participants with Res. 82-2004 for their outstanding performance and numerous victories in the 2003 Hockey Season.

Mayor Cervenik presented Josephine & Frank Catena with Res. 83-2004, congratulating them on 15 years of serving delicious and authentic Italian dinners at Mama Catena Restaurant.

Mr. Bill McClung from the Greater Cleveland Partnership presented The Business Friendly Community Award to Mayor Cervenik, Acting Director Bob Gliha, Director Pietravoia, and Chamber of Commerce President Robert Spies.

Council Minutes

May 3, 2004

Page 2

Mayor Cervenik – We were talking about the ice arena. Council did receive an initial presentation from Honeywell. I'm not sure at that presentation if we also told you we were going to include the ice arena in that program. We have the, the initial reports came back. It appears that we will be able to do approximately \$140,000-\$150,000 improvements in the ice arena. We will totally redo the lighting system, there will be twice the light there than there was before. They will be installing a ceiling, a new layer into the ceiling that will stop approximately 85% of the heat loss that we have now. They will install high efficiency motors in the chillers and all this will be paid for out of the energy savings. There will be no initial cash outlay for all of us. The ice arena I believe is scheduled to close this week and these improvements will all be done before the season starts. You will be getting that report, they are finalizing it now. We are also doing a lot of the energy savings in the Police Dept. and various Fire Stations and all throughout City Hall.

One of the things they are doing is replacing street lights, the traffic lights that have been installed with LED lighting. The LED lighting will save approximately 85% of the cost of paying for our street lights. It is a very good program and I need to thank the Service Director for getting us involved in it. When Stage 2 was done, our Stage 1 was with the Waste Water Treatment Plant. We will be looking, almost immediately at a Stage 3 to look at other buildings in other areas where this will help.

On Thursday, May 6<sup>th</sup> at Noon in these Council Chambers, we will have the National Day of Prayer. Rev. Tom Owens, our Police Chaplain will oversee the observance. We invite all to come and join us in a prayer.

I would like to say, do not forget to wish your mother, grandmother, your wife, your friend, a Happy Mother's Day, this coming Sunday. It is Mother's Day and nobody can have a better friend than their mother.

At this time I would like to have Mr. Roy Larick, Chairman of the Landmark Commission to come forward. He has a quick presentation about the historic buildings that are contained in our Ceremonial Resolutions.

Mr. Roy Larick and members of the Landmark Commission gave a slide presentation and brief history on each property as stated in Resolutions 84-2004 through 90-2004.

A public event will be held on June 17<sup>th</sup> at the Henn Mansion, 7 PM. At that time the Commission will officially present these properties to the general public.

Mayor Cervenik – It was a busy weekend for me. I was able to stop in at the Pet Pals Adopt-A-Thon on Saturday, very impressive, working hard. They are really getting organized to make sure our strays are taken care of off the streets and adopted. I just want to commend all of them again.

Also, we had our Arbor Day Celebration that honored Fay Miller. We planted a tree at Lincoln Elementary School. As you know Fay Miller was a council person for 20 years and taught for over 40 years. It was a great way to spend Arbor Day to honor Fay Miller, a person who has contributed a lot to the community.

#### REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Executive Committee Minutes of April 26, 2004 and Board of Control Minutes 4/5/04; 4/12/04; 4/19/04. Councilman Gruber seconded. Yeas: Unanimous.

#### COMMITTEE OF THE WHOLE

Councilman T. Sustarsic moved to go into the Committee of the Whole for Legislative Matters Only. Councilwoman Hufnagle seconded. Yeas: Unanimous.

President Sustarsic - #1 & #2, will be third reading. Public Hearings for both will be held at the next Council Meeting, May 17<sup>th</sup>. Consequently, the majority of anyone's interests will be expressed at that particular meeting. #7, we're not speaking to the golf course specifically this evening. But rather to the hiring of an architect to prepare plans. As has been mentioned in past meetings, the City is looking forward to, before making any commitment one way or the other, seeing what comes in as far as the bids are concerned for the at least the two different ways of approaching the Club house. With that in mind, if we could keep our comments primarily to the hiring of the architect during the legislation portion of it, I would appreciate that.

Mrs. Dorothy Fike – 20271 Delaware Rd. I have two questions tonight. One is on #6, the grant from the Cleveland Foundation. What is the proposed amount of the grant? It is not in the legislation. #7, on the golf course, the hiring of the firm. I'd like to know why the anticipated cost of \$65,000 is coming out of the public building construction fund instead of out of the golf course fund, which I understand has quite a balance. I'd like them answered now because I still have time left.

Director Johnson – That’s where the original construction has been accounted for. Because we issued general obligation debt for that project as well as all the other capital projects that we’ve done in the last several years, including the Number Two Fire Station, the Senior Center, it’s a fund that’s used for public building construction.

Mrs. Fike – I can understand that, but the golf course already has a fund established. Why should it be coming out of other public funds? The Fire Station was for the whole city. The senior center was approved for everything. Now all of a sudden the golf course is coming out of the same fund, when the golf course has a fund.

Director Johnson - The golf course did not have the capacity to repay that debt. I suppose it could have been when I arrived on the scene, Mrs. Fike, that was the fund that was being used. I felt it would confuse matters to change that because it was not in the golf course fund. For consistency.

Mrs. Fike – Since this is not the time to go into other financial aspects, I really would like an explanation of where the golf course fund is. If it didn’t have the capacity to expend \$65,000. I had thought originally it had what we’d been hearing is it had a balance of around \$600,000. Where did all that went? Not tonight because we’re only talking about the architect tonight. But I also had a question on #6, the amount of the grant. I see Margaret is here. I still have a couple of minutes left.

Manager Hastert-Wolf – The Cleveland Foundation is requesting proposals for the amount of \$50,000-\$75,000. As we work through the process a final RFP has not yet been completed, but it will be in that neighborhood.

Mr. Jerry Corbran – 24250 Maplewood Dr. I’m speaking to #7. I oppose hiring of an architect for the new club house concept. Preferring instead to support the Langman modification to the original Knuth renovation and to continue that concept already in progress despite the refusal of the Board of Control to continue that process.

Simply stated, Mr. Langman has abandoned the catered banquet service and he recommended the main portion of the building be left unfinished. His plan still provides waterproofing, roof repair, thermal protection for the entire building. The renovation of the 5,000 sq. ft. west-wing will mean 1,200 more sq. ft. that the proposed new concept and provides everything that that plan proposes.

Wherein the new concept provides no customer draw in the evenings and year-round. This modification opens up other possibilities in the unfinished main hall. To resolve that problem and I draw your attention to the drawing that I have here and those that you have. There are 20 ft. ceilings in that main hall. I have shown here that it is possible to put a non-regulation basketball court and a regulation volleyball court into that place. All you have to do with that is add the striping, the backboards and then add nets. Its ready to go, the floor is wood and in pretty good shape.

There’s also a possibility here to put some space for a dartboards and dart tournaments. The others have mentioned in the future to put a computerized indoor golf thing. That’s rather expensive at this time, but that’s a future possibility and there’s the place to put it.

Now you picture the players, their spouses and their friends and spectators drinking and ordering food from the bar and grill. How about volleyball and basketball leagues coming in there in the evening, all year round.

Now, there’s another good thing about this. In a pavilion situation as proposed in this plan, it is a rainy, blustery day, cold and the golf outing has to be cancelled and the catering is waiting to feed the flock. He’s going to be feeding them in a pavilion that’s going to be raining and what have you. This, we can put carts full of tables and folding chairs here and set them up and give them an alternate location to go in that event.

Now let’s look at the price comparison between the Committee’s plan and the Langman’s suggested modifications. I looked at the Committee Plan and they had an original price of \$1,143,000. I say that they forgot to include: \$54,000 of the \$300,000 already spent. They forgot general requirements which include performance bonds and liability insurance. That’s another \$38,000. Because the architect has increased his fees from the original price by \$11,000, that’s an added cost. Then there’s the finance interest payment which comes due. It’s \$50,000 for the first year. Getting into backfilling and compacting, that’s a real, real, tough thing to do. It’s very expensive, requires a lot of equipment and I think its going to cost around \$70,000. I have here, \$1,336,000 for that. I see that I’m running out of time.

The Langman Concept is going to be costing \$1,343,000 in comparison to the \$1,366,000. That’s \$23,000 less. Let’s get it back to the contract management. I’m sure if he looks at this further, he’ll lower the prices even more. That just about takes care of it. I thank you for your attention.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. I object too, on #7. You have a fiscal responsibility to the people that elected you. You go ahead and spend sixty-sum thousand dollars, for what? Plans. We spent \$67,000 for plans at Shore when the Mayor was the head of Council. Where are they now? What did we get? We got buckets.

Now, you take that money, buy a double-wide trailer, put it down on the lot, there's room for it, I was down there today measuring. You have room for a double-wide trailer that you can run your programs out of that until we have the concrete evidence whether we should go ahead, spend more money that we don't have. Twenty percent of this city is on welfare. Have you considered that? The others are senior citizens. Where are we going to get the money?

Your fiscal responsibility to the citizens. Don't blow money on plans that most of the time go sitting on the shelf somewhere. Your responsibility, if you're really going to do something, use this money to buy a trailer, set it up. That snack shop is an embarrassment. A temporary snack shop, its terrible. Rotted wood. Pitched 2-3% drainage pitched toward the building, that and the center. Water pouring into those buildings because its not pitched right. You have not been doing your jobs. I'm ashamed of you people.

Mrs. Susan McGinn – 141 Sunnycliff Dr. I three am opposed to hiring the architect. I know there are some good features to the Mayor's plan for the new golf clubhouse, but at this time I oppose the hiring of the architects because I believe that the modifications to the existing plan that Mr. Langman and Mr. Corbran presented, not only make sense but deserve your respect and consideration.

It appeared as if Mr. Langman and Mr. Corbran competence was questioned last Monday and the plans they proposed were dismissed. I would like to share a few things with you about these two gentlemen. I did a little bit of research and talked to them. This is relevant to this discussion. I underscore discussion because that's what we should have.

Prior to becoming a councilman, Mr. Langman authored and lectured on a paper presenting the case for lakefront development, at that time a distant dream, without Administration or Council's support. Mr. Corbran built a conceptual model of a lakefront marina in 1994 for display at City Hall. On becoming a councilman, Mr. Langman became the Council point man for the lakefront development. When a marina became a strong possibility, he researched break wall cost and shopped for alternatives to the \$10 million preliminary estimate.

President Sustarsic – Mrs. McGinn, this doesn't really pertain to anything on the agenda.

Mrs. McGinn - #7, it does, I'm getting there.

President Sustarsic – You're talking about the lakefront and we're talking about the architect.

Mrs. McGinn – This is why I don't think the architect should be hired at this time. Can I finish please? Mr. Langman was able to find constructors to build the break wall for a savings of between \$4-\$6.5 million less than the original estimate. This was a huge savings, \$4-\$6.5 million. Mr. Corbran is a retired senior designer. He was with an international engineering firm for 35 years. He authored 4 award winning papers on field modification construction. In 1993 Mr. Corbran on hearing that the golf course was paying the City of Cleveland over \$50,000 a year for course watering, volunteered to design and supervise construction of a pumping system that draws water from the huge storm sewers under Briardale. This system has saved about \$400,000 over the last 10 years. In 1975 Mr. Corbran coordinated the massive citizen movement that brought golf to Briardale, despite a mayoral veto and a stubborn Council.

This is what I was getting at. Given the resumes of vision, competence and accomplishment of these two men and their history for saving money, why wouldn't you, all of you, want to look at their plan? Especially if it's a money saver, which it appears to be. It is incumbent upon you as city employees to discuss this more. If it means it goes back into Executive Committee, so be it. Please give this new plan the discussion it deserves. Thank you.

Mr. John Herak – 78 E. 224. I'm also speaking on #7. A lot of time and expense has gone into the proposals related to the new club house at Briardale Greens. Regardless of which plan you support, it is clear that a new facility must be built in order to ensure the revenue stream the golf course can generate is maximized. I oppose the hiring of an architect for the new Briardale Greens Club House concept because the modifications to the existing plan that was already underway and suggested by Councilman Langman makes financial sense.

I'm also concerned about the emergency nature of this ordinance. Looking back at the 1975 ordinance to hire a golf course architect to design the 18 hole golf course, this legislation went through all three readings before the final Council vote.

We're all aware the emergency ordinance becomes law upon passage and the 30 day wait to become effective does not apply. This of course denies the public the right to Referendum if they collect sufficient signatures within 30 days to contest the legislation by voter ballot.

In addition, the emergency clause added to tonight's ordinance makes all future legislation associated with the club house plans ineligible for future referendum rights. The City Charter makes it very clear in Article III Section 1 Chapter 2, entitled Application of Sections, that whenever the legislative authority of the City of Euclid is required to pass more than one ordinance, or other measures to complete the legislation necessary to make and pay for any public improvement, Section 731.28 and 731.41 inclusive of the Revised Code, shall apply only to the first ordinance or other measure required to be passed and not to any subsequent ordinance in any other measure relating thereto.

It is expected the vote tonight will be 6-3 in favor of this ordinance. We are requesting that Council either amends this evening's ordinance language to remove the emergency clause, or that a member of Council who is expected to vote for the ordinance, changes their vote. Upon a 5 to 4 vote, the emergency clause will not go into effect. Additionally, it is my recommendation that we move the entire club house plan issue back to committee where Mr. Langman's new proposal will get a fair hearing and consideration. Thank you.

Mr. Bob Tilk – 207 Wells Court. I'm also here to address item #7 on the agenda. I'm concerned over the money being allocated tonight. That's \$65,000, that's a lot of money. As you've heard the others already spoke, we spent, I'm hearing fees upwards to \$300,000 on the preparation of the Knuth Center to be made into a club house. \$100,000 of that was for plans that you are going to spend money on tonight, plan similar to it.

I'm concerned that if you pass this tonight you are showing a disregard for all the time that went into the previous plan by a Council of which many of you were sitting on. Showing a disregard for the taxpayers' dollars that were already spent on it. It's a lot of money. We already have plans that are available that can do what you want to do in the new plan at the Knuth Community Center, with slight additions needed for a pavilion. So I say, why not use them, they're already paid for.

Looking back I recall Mayor Knuth was not even in favor of creating Briardale Greens. He actually vetoed legislation that was put forth by City Council for its creation. The Council had to gather together enough votes to override the Mayor's veto. They had to do this several times. Each time legislation was passed, the Mayor vetoed it and they had to overcome his veto. All in all that Council had the final say in that matter.

We wouldn't even be considering spending any more money on this project if our current Board of Control had not rejected the bids of the original plan. I wonder if Mayor Knuth could have halted the construction of Briardale Greens Golf Course at his Board of Control level. My question to the Law Director is, does the Board of Control have the power to usurp legislation passed by Council and signed by the Mayor? Also, should the rejected bids have been returned to the contractors for resubmission? I don't know what happened to those bids.

I urge Council not to waste any more money and not approve #7 on the agenda. Don't throw away \$300,000. I don't see the emergency here. There's a lot of cities that don't have golf courses. To me its just a ploy to deny the public its right of referendum. So give this your consideration and Law Director, I would like an answer on my questions.

Director Frey – Mr. Tilk, I'm unable to answer your question as you stand here tonight. We'll have to research it and give you the answer. I don't know as I sit here.

Mr. William Hilf – 891 E. 237 St. I'm also here to speak about #7 tonight. Some point that may have already been covered, I don't know I've been busy out in the lobby tonight. Certain members of Council were on the previous Council and voted in favor of the previously approved project. They voted for the request for submission for plans, they approved everything up to the final budget, when a couple of them did vote against it. But it did pass 7-2 and the previous Mayor signed that legislation.

One of the things I question is that legislation as far as I know was never dealt with and is still sitting out there. Wouldn't something have to be done with it? I wouldn't think that the Board of Control has veto power over a complete piece of legislation. They could deny accepting a contract, but I would think something would have to be done to repeal the previous legislation. With the previous legislation already out there and the amount of work, time and effort that went into it, up to two years, and you've heard \$300,000, this also brings up the fact that Council's in the past have been accused and sometimes deservedly so, of developing lots of plans and studies and then filing them away and doing nothing with them. By taking all the work that was done over the last two years, and doing that with these plans, you're following that same trend and its wasteful.

You had two years of a city council and administration, the Parks & Rec Director, etc., working on a golf course plan that was approved by a super-majority of the council and signed by the Mayor. Now it is rejected by a Board of Control by the new administration, who then comes up with their own committee that in a very amount of time, comes up with their own plans. This Committee is made up of, the Mayor's Golf Course Committee, is made up of City employees, and one citizen. A citizen who is very well known to, you know, where his loyalty lays. Loyalty come into part of that I think, because if I'm a city employee right now in a city that's having budget problems, the same thing any of us would deal with at work, I'm not going to question the boss. If the boss wants something, I'm going to say yes. At a time like this, it is very easy to be worried about your job.

With all the questions that still remain about this, and the fact that we did spend a significant amount of time and a significant amount of money on the previous plans. In a City of Superior Services we need to start aiming high. Not saying, well we're Euclid, we can't do this. We have to settle for this because that is all we can really handle. Well if that's the attitude we always have, that's what we're going to get, we're going to settle. We're going to end up with settle. Settle is not going to attract people when other communities are aiming high. Maybe you don't always succeed when you aim high, but you end up in a better place than you would have if you just aimed low. Low expectations don't yield anything. Higher expectations and ideas do. Thank you.

Mr. John Conway – 291 E. 276. I was just a little confused regarding the golf course. The language that was written in tonight's ordinance, so if I could get a clarification that would be great. What I was surprised about was to see the word "renovation" as written in the ordinance. I'm not quite sure I understand why the word "renovation" was used and what value that adds to tonight's legislation.

As I read it, I was just curious, does the language prepare plans for the renovation of the Briardale Greens Golf Course Club House facility, mean specifically the existing pro shop and snack bar with the pavilion? Finally, does the ordinance allow in the current format if passed tonight, will you be allowed to use the \$1.2 million on hand for the renovation of an existing building? Will that also be able to expand to constructing a new concept if that's a decision that is made by Council? Thank you.

Director Frey – Mr. Conway, I drafted the ordinance, I'll attempt to answer that. The current golf course club house would be in this plan and in any plan that's been proposed, be demolished and replaced by some other building. The language, the renovation language, was in all of the ordinances relative to the replacement of the existing, what I had understood to be a temporary structure. So, all the ordinances, whether it was to use an existing building on-site or build a new building used that language about renovating the existing club house. There would also be improvements or renovations to some of the grounds as well.

As far as the financing mechanism, this ordinance would solely allow for the retention of Brandstetter, Carroll, Zofcin, as the architect to do the design work. It would not do anything with the financing or the use of the \$1.2 million. In fact I believe at the Executive Committee Meeting on this, we had indicated to Council at that point, the intent was to retire those existing notes and to issue notes anew that would cover the construction of this proposed project.

Mr. Conway – I think that opens up a question that validates Mr. Herak's comment. Is that this is the first piece of legislation and its written with renovation and \$65,000 is part of that. Does that open up more debate as existing legislation is added with this being the first piece as an emergency?

Director Frey – This piece is written as an emergency whether it would entail any subsequent activity, I can't say at this time.

Mr. Conway – I think what we need to know is per the Charter, the first piece of legislation, other subsequent pieces of information, you would lose that right to Referendum if you choose to go down that path. So, however this first piece is passed tonight, if it goes with an emergency, it has consequences on all other legislation involved in this golf course. I think that's just what Mr. Herak's point was and why some people have concerns about the emergency nature of that. I think that is something to consider prior to the vote, what the impact will have on each of the additional pieces of legislation that goes forward with whatever golf course concept is deemed to be the most favorable. Thank you for answering the questions.

Mr. Michael Bryne – 94 E. 220 St. First of all I e-mailed all of Council today and thanks for your responses. I'm in favor of doing something with the golf course. I continually hear about how the old council did this and the old council did that. But I think the citizens of Euclid have spoken and we can tell by who is the Council President and who is the Mayor. I do agree there's a cluster of people out there that have their own little agendas and its just causing feet to drag.

Council Minutes

May 3, 2004

Page 7

Sounds like this Council is ready to move. The Mayor's ready to move. The Parks & Recreation are ready to move. Just as an example, if people talk about let's renovate the building that's there, its existing, what if the same mindset would have been with the Cleveland stadium. We wouldn't have had that nice new Jacob's Field. We wouldn't have the new Browns stadium. I say let's move a head with it. Let's get it going. Thank you.

Mr. Roy Larick – 23745 Lake Shore Blvd. #7. I am confused. Renovation is a straight forward term. It means to renew something that exists presently. I would like clarification. It seems to me that the proposal is to hire an architect then to oversee the demolition of one existing structure or two existing structures?

Director Frey – The proposal is not to have the architect to oversee the demolition of anything. But to do the design work on a new facility that would serve as the club house and pro shop for Briardale Greens.

Mr. Larick – A new facility to replace old facilities?

Director Frey – That's correct, yes.

Mr. Larick – Which old facilities would be replaced?

Director Frey – The existing golf course club house and pro shop.

Mr. Larick – I am confused.

Mrs. Rebecca Conway – 291 E. 276 St. I'm confused too. From what I've heard tonight we've already spent over \$300,000 from the old council's proposal. \$65,000 is on the table tonight, is that correct, Mr. Mayor to hire this architect?

Mayor Cervenik – Yes.

Mrs. Conway – And how much is it to actually demolish these buildings?

Mayor Cervenik – Six members of Council asked that question and in order to provide those answers we need to have the specifications done. Our estimates should be very close. Our total project will cost \$800,000 less than what was originally proposed, at least \$700,000 less than what was originally proposed. Until we have the final numbers, until we have the bid specs and the bids in, we will not know. As we're talking about this and we have this concern that the Board of Control usurped, vetoed, whatever, the Board of Control did not do that. The Board of Control asked this Council, excuse me the Mayor as the Chairman of the Board of Control, asked this Council to let us go through this process. They agreed to, whether it was 5 or 6, whatever it was agreed to. No other legislation was given to me to force me to do anything else because they granted me the time necessary to get to this point. If we get to this point tonight and as I said 6 members of Council asked me to present this to them this evening so we know what numbers we're talking about, so they're real numbers, then they can make their decision, which plan they want to go to. Councilwoman Holzheimer Gail was concerned about the demolition of the building before the prices were done. We assured her we will not do that, that's why we're going through this process. The \$65,000 spent, even with the money that was spent before, we will come in considerably, unless these numbers are off and I don't expect them to be off. I actually expect the numbers we receive to be lower. That the project is going to be \$700,000-\$800,000 less.

Mrs. Conway – For any of us who has built a new home, the project, we all know is never done on time and costs always go up as you're building. To spend \$65,000 just to figure out what you're building without numbers, it is just so redundant. Am I correct that your new proposal is about 4,000 sq. ft. That's about 1,000 more than my home and I'm looking around my home today just doesn't seem very large.

A couple of weeks ago you wanted this voted on because you said we were running out of time. Well, three-hundred-sum-thousand dollars plus \$65,000 that's over \$400,000. To me I would take my time and make sure we did something smart and not hastily. If I was building a home, I wouldn't rush the architect. I wouldn't rush my husband or if I had investors or if I was building a business, I wouldn't rush them to get it done quickly. We've already lost this season. I would just hope that Council could think about that and not rush this through. We've borrowed \$2 million.

That's part of my money that I pay in the City and its part of yours. Please be cautious about this.  
Thank you.

Councilman Delaney moved to rise and report. Councilwoman Hufnagle seconded. Yeas:  
Unanimous.

#### **LEGISLATION**

##### **Ord. (082-04) Rezoning Third Rdg.**

An ordinance rezoning P.P.# 643-12-052 located at 962-964 E. 223 St., from U-2 (two-family) use district to U-4 (Commercial) use district and further amending Ord. No. 2812.(Sponsor Planning & Zoning Commission)

Third Reading. Public Hearing May 17, 2004

##### **Ord. (083-04) Rezoning Third Rdg.**

An ordinance rezoning P.P. # 644-24-003 located at 23120 Lake Shore Blvd., from U-1 (Single Family) use district to UR-2 (Church) use district and further amending Ord. No. 2812. (Sponsored by Planning & Zoning Commission)

Third Reading. Public Hearing May 17, 2004

##### **Res. 92-2004 (114-04) Police Pension Fund**

A resolution reaffirming the City of Euclid's employer pick-up, and payment, of all of the mandatory employee contributions to the Ohio Police and Fire Pension Fund for Police Department employees. (Sponsored by Councilman Gruber by request of the Police Chief)

Councilman Gruber moved for passage, Councilman T. Sustarsic seconded.

Director Frey – You may recall some weeks ago we passed a Resolution that is identical to the two that are here tonight, (114) & (115), indicating by our collective bargaining agreements that we were to pick up and pay these portions of the police and fire pension fund contributions. We sent that Resolution to the Pension Fund. They acknowledge acceptance. It was satisfactory in all respects except that they asked we redo them to separate out the police from fire and fire from police. Before you tonight are these two identical resolutions that you had before you that affirmed our contractual obligations, but this time we've separated them out for Police and Fire. I apologize to Council for having to present this a second time. I'm puzzled as to why we didn't get that information from the Pension Fund when we faxed them the ordinance before we presented it to you the first time. With those apologies, we'd ask that these be approved.

Roll Call: Yeas:       Daly, Delaney, Gruber, Holzheimer Gail, Hufnagle, Langman, Mancuso,  
                                  T. Sustarsic, J. Sustarsic

Passed.

##### **Res. 93-2004 (115-04) Fire Pension Fund**

A resolution reaffirming the City of Euclid's employer pick-up, and payment of all of the mandatory employee contributions to the Ohio Police and Fire Pension Fund for Fire Department employees. (Sponsored by Councilman Gruber by request of Acting Fire Chief)

Councilman Gruber moved for passage, Councilman T. Sustarsic seconded.

Director Frey – No additional comments other than what was presented. Thank you.

Roll Call: Yeas:       Daly, Delaney, Gruber, Holzheimer Gail, Hufnagle, Langman, Mancuso,  
                                  T. Sustarsic, J. Sustarsic

Passed.

##### **Ord. 94-2004 (122-04) Grass Cutting Fund**

An ordinance creating the Neighborhood Nuisance Abatement Fund for the furtherance of the cutting of weeds and cleaning debris from vacant lots, and otherwise abating unsightly conditions in vacant homes within the City. (Sponsored by Mayor Cervenik)

Councilman Daly moved for passage, Councilwoman Mancuso seconded.

Mayor Cervenik – I believe I contacted all of you concerning this ordinance and the creation of our Neighborhood Nuisance Abatement Fund. Each and every year our Housing Commissioner becomes us looking for funding to cut grass, abate nuisances, vacant homes and towing of cars, items like that, that really causes problems and pain to our neighbors that take care of their property.

As you know we're going through some budget constraints and we do have a revolving sidewalk fund, that at the moment contains \$250,000. We have no plan in place for 2004 or 2005 to conduct a sidewalk fund. We proposed and in discussion with the Service Director and Erik Tollerup, our Housing Manager, then with you, we discussed transferring \$50,000 into a revolving fund to take care of these nuisances. As we do this work at these various properties, we attach liens to them and when those properties are sold, the money is paid back to the City. It goes back into this revolving fund and at some future date we will be able to pay back the sidewalk fund in full and still have an ongoing fund to take care of all these nuisance problems. I think it would be a very good program. It will stop us from year-to-year worrying about where the funding is coming from. Mr. Tollerup as he always does, can give us an annual report on all the work they do. At this time I would like to turn it over to him for a minute and he can add his own comments.

Manager Tollerup – Prior to the meeting I handed out a list that is a data base with the intent to keep, modify and update for Council, especially the Ward Council people who deal so closely with the complaints of the residents. As you know, we are in the midst of a problem city-wide, north of the Boulevard, south of the freeway and everywhere in between. Primarily caused by poor lending practices of the mortgage industry.

Currently on the list we have provided you, we have 70 vacant mostly homes that are in the process of foreclosure. To be honest with you, I'm expecting once this list is completed we're approaching 120-130. I want to thank Mayor Cervenik and Director Johnson for supporting the program and finding the funding that will go a long way to providing relief to the homeowners of the city and abating the nuisances that go along with the foreclosure process. People vacating the home leaving the debris and junk behind to sit and rot; grass growing 2-3 ft. high. This will go a long way to providing relief to the neighborhoods and keeping them attractive to help attract business and help our projects on the lakefront succeed.

If you have any questions, I'll be happy to answer them.

Councilwoman Mancuso – I know this is a new program so you may not know this, do you have any idea, can you project how we will begin to pay this back? Because if these people aren't paying now to keep up their property and they go into foreclosure, you're talking years before we see any result.

Manager Tollerup – In years prior when there was really no impetus to immediately that money back. As I said the majority of these homes are in the process of foreclosure and mainly controlled by banks out in California and Utah, North Dakota. It is a little hard to get a hold of. What we are doing now, anytime that a bank come into the Housing Dept. to apply for a point-of-sale, we go through all the liens that we have on our data base and mandate as an "A" Class violation, you will pay us the money that you owe us now. We are trying to recapture that money now, so we can pay back that revolving loan fund. Any property that is coming through, we're scanning to make sure that any outstanding liens are paid up in full amount.

Councilwoman Mancuso – So you think these types of properties and as it goes up, you said they'll be more, they'll go right back and doing what you're doing with these folks?

Manager Tollerup – Exactly. When they come out of the foreclosure process, it has to go through point-of-sale where we'd recapture it at that time and hopefully avoid the lien process. To add on we've also looked at the costs associated with placing the liens, the costs associated that have skyrocketed, the inspectors, they have raised the administrative fee on our costs of hiring local contractor to do this work. So our costs have been taken into account and we can recapture that and again bring that money back to the sidewalk fund.

Councilman Gruber – Mr. Tollerup, will this also be the lawn cutting fund for this year? The fund that cuts even homes that are occupied where the owners don't cut their grass and we go and tag it, this would cover that also?

Manager Tollerup – This will cover the grass cutting program as we have historically had over the past several years. In the past three years, the number of homes that we've had to cut have doubled from around 150 to over 300. It is going to be another busy year.

Councilman Gruber – Will we need to change the ordinance? It says here conditions in vacant homes and vacant lots?

Manager Tollerup – No, I don't believe so. It is all inclusive of everything that we're dealing. The contractor is a local man with a local company, a Euclid company, handles our grass cutting and also

handles any abatement of garbage, debris and that sort of thing. It is all inclusive in the ordinance that allows us to abate those nuisances.

Councilman Gruber – So this would also permit you to go into occupied properties? I know that we've dealt with several properties that took months even years to abate the nuisances. Would that permit them to go on occupied properties as well and then go after the homeowners? Or, is this strictly vacant?

Manager Tollerup – Mr. Gruber, we never really had to onto an occupied property. An occupied property has an owner present that we can handle through our Prosecutor's Office or Court if necessary. The problem here is that we're lacking a homeowner. Lacking anybody that we can take into court and handle one on one. We're dealing with some CEO out in Utah. We're concerned about getting things done here and now.

Councilman Gruber – I'm glad to see this. I know we worked on many properties like this and this is good and I commend the Mayor for stepping up and doing this, thank you.

Manager Tollerup – If I may add one thing, just for people watching on television. Right now we're looking at an initial, over the next week, at least 70-75 cuts to get underway. I ask the public to please be patient. The inspectors are in the neighborhoods. We all have our own zones to cover. We will get to you, we will get the grass cut. Once the next two weeks are over, really it shouldn't be a problem.

President Sustarsic – I think we could all pray for dry weather too, because some of the grass around town, its terrible and hopefully the drier it gets, the quicker you can cut it.

Councilman Gruber moved to suspend the rules, Councilman T. Sustarsic seconded. Yeas: Unanimous.

Roll Call: Yeas: Daly, Delaney, Gruber, Holzheimer Gail, Hufnagle, Langman, Mancuso, T. Sustarsic, J. Sustarsic

Passed.

**Res. 95-2004 (118-04) Cleveland Foundation**

A resolution authorizing the Director of Community Services & Economic Development to apply for and accept a grant from the Cleveland Foundation to create a Civic Engagement Center for older adults. (Sponsored by Councilwoman Holzheimer Gail by request of the CS&ED Director)

Councilwoman Holzheimer Gail moved for passage, Councilwoman Mancuso seconded.

Manager Hastert-Wolf – The Cleveland Foundation has a 4 year process called the Successful Aging Initiative and this is the second year of that process. The City of Euclid has participated since the process began. This particular funding cycle is to create opportunities for older adults to find important work and volunteer roles in the community. The folks that are identified in my age group, the Baby Boomers, are considered one of the country's greatest resources. A phenomenon of good health and good education putting that kind of talent to work for the good of the community is the goal of the foundation. I want to thank all who are in the community who are working together, the folks from the Aging Services Network, our team at the Community Development Dept., Kirsten Holzheimer Gail who has taken an interest and participated in the planning process and many others. If there are any other questions, I'd be happy to answer them.

President Sustarsic – What are we looking at as far as money, an amount possibly that could be gotten?

Manager Hastert-Wolf – The Cleveland Foundation is requesting proposals for at least \$50,000 in this particular cycle of grants. The Steering committees are working to put a final proposal together so it will go anywhere between \$50,000-\$75,000.

President Sustarsic – I can imagine they would have the money allocated for the Cleveland programs that need the help.

Manager Hastert-Wolf – The funding cycle begins in July of this year with programs needing to be up and running in October and will last through June, 2005.

Councilwoman Holzheimer Gail – I just want to thank Margaret and her staff and the other members of the Aging Services Network. They've put a lot of time over the last two years I think its been working on the Successful Aging Initiative. I think we have a great opportunity with the new center on the lake opening and some great possibilities ahead of us with this project. Margaret came before Council, I believe it was in the fall and updated us on the Successful Aging Initiative. This ties in very closely with that. I know she's pulled together a great group of people to serve as her Steering committee and I look forward to seeing hopefully successful results to this grant opportunity. Thank you Margaret and good luck.

Councilman T. Sustarsic – Are they going to be operating out of the senior center?

Manager Hastert-Wolf – Part of the initiative is operating a senior center, particularly in that we have the Mature Services Employment Center located here in Euclid. We hope to partner with Mature Services and open computer training labs in the new center with the help of the Foundation. Senior employment is part of the civic engagement model.

Roll Call: Yeas:       Daly, Delaney, Gruber, Holzheimer Gail, Hufnagle, Langman, Mancuso,  
                                  T. Sustarsic, J. Sustarsic

Passed.

**Ord. 96-2004 (117-04) Hire Architect Golf Course**

An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a contract with Brandstetter, Carroll, Zofcin, Inc., 820 West Superior Ave., Suite 800, Cleveland, OH 44113, to prepare plans for the renovation of the Briardale Greens Golf Course Club House facilities, at a cost not to exceed \$65,000.00. (Sponsored by Mayor Cervenik)

Councilman Daly moved for passage, Councilman Gruber seconded.

Mayor Cervenik – This is a direct result of the Executive Committee Meeting that we had with you requesting that we come up with solid numbers, bid specifications, so that we can discuss this once they're in. There was concern about the building being torn down before our numbers were solid. I believe we presented to Council and to the residents a plan that makes sense for a golf course. We have submitted a plan that makes economic sense to a community such as ours. I believe that our numbers will come in well within budget and at that time, it would be our intention to ask you at that time to let us go out and have this building done, to authorize the money for the project so we can move forward.

The reason it is an emergency is we want to have this up and running for next golf season. That's why its an emergency. Time is of the essence if we want to do, have this opened by April of next year. We're not rushing the architect because the architect has given us that this time-table is good. So he's not rushed. He's not rushed in doing his work. We have legal determination, legal requirements for the bid process and the public advertising. There is no hidden reason for it being an emergency other than it allows it to begin immediately, so that if we go forward, it will be open for next year's golf season because its time. I'll answer any other questions you have about the ordinance that we're presenting tonight, if I can.

Councilwoman Mancuso – This is an ordinance versus a resolution. We had a lot of resolutions with the other. Why are we doing an ordinance versus just a resolution to get this done?

Director Frey – We could have used a Resolution to accomplish this. Again, drafting off the existing ordinance from this past year. I did not want to in any way alter other than going to this, alter that process. Other than indicating here that this was an emergency for purposes of getting the project moved. But drafted as an ordinance because the predecessor was an ordinance. I followed the same pattern. It could have been either one.

Councilwoman Mancuso – I think our ordinance was for the borrowing of the money. Wasn't our final thing a resolution? I could be mistaken.

Director Frey – The ordinance I'm referring to is 10-2003. It was an ordinance authorizing the Mayor or his designee to enter into a contract with Brandstetter, Carroll and Zofcin, to prepare plans for the renovation of the Briardale Greens Golf Course Clubhouse at a cost not to exceed \$100,000. So I drafted off of this.

Councilwoman Mancuso – All right. Thank you. So this would take the place of that now, correct?

Director Frey – Yes, that's, well, this is, it's been done. It is exhausted.

Councilwoman Mancuso – Secondly, about the emergency ordinance, having probably not given a lot of consideration until I heard people speak tonight. I would like to offer the amendment 'cause in the past, as a citizen listening to Council, we were taken to task for not being able to prudently talk about health, safety and welfare. And while I thoroughly understand wanting to move forward on the golf course, 30 days is 30 days and it would make people more comfortable not to have it be an emergency. I think that's something we should think about as an emergency ordinance. Because I don't think it has to do with the health, safety or welfare, I think it's we want to go forward but I don't think it's absolutely necessary.

A third point, at our Executive Committee, and I know we touched on this at the beginning with a resident, at the Executive Committee we did talk about the funds coming from the Golf Course Fund, which we know we don't have enough of to cover this, correct? And now they are going to come from the Public Building Construction Fund, correct? What else did we have planned for those funds this year or what might not we be using them for?

Director Johnson – That particular fund has traditionally been used to account for most of the major capital projects that have been accomplished in the last 7 to 8 years. Number 2 Fire Station, the current Senior Center that's under construction now and this particular building project, the note proceeds initially deposited into this fund and the expenditures to date were made out of this fund.

Mrs. Fike makes some excellent point there is a possibility that we could have put the note proceeds into the Golf Course Fund and expended that out of the Golf Course Fund. That was a possibility, but what I wanted to do for consistency's sake since it had already been started in the Public Building Construction Fund was to maintain that for consistency in terms of accounting.

Councilwoman Mancuso – And we had no other plans for any other major public buildings from that fund in 2004?

Director Johnson – The only funds that are, that are in that fund are note proceeds that are designated for those capital projects that I just enumerated to you.

Councilwoman Mancuso – And that would include that \$1.2 million note?

Director Johnson – Yes.

Councilwoman Mancuso – All right, again, to clarify for me, the 1.2 that we borrowed we will retire and you will to borrow new money to do this, a new 1.2 million, next March, correct, because we have until next March?

Director Johnson – No, the 1.2 million that is outstanding right now that we renewed this past March, when it matures in March will be retired. It will be renewed again in, what will, it will come due, mature in March and we will retire that note. What we're asking Council in order to avoid any confusion is to issue another 950,000 not another 1.2, 950,000 to accomplish the new project.

Councilwoman Mancuso – Okay and if a 1.2 we borrowed at what percentage, do we know?

Director Johnson – We just rolled that, I believe I did send Council an e-mail, it was 1.15%.

Councilwoman Mancuso – The purpose of the Executive Committee last Monday, in my thoughts, was to hear more information about the project. I was a little dismayed to hear that there are no alternatives and no options to be considered other than the one we were shown. Having seen this other conceptual plan, that's 5,000 sq. ft. at 850,000 when we have 3700 sq. ft. at 837,000, I'm having problems understanding why we would not have our architect take the best of both plans and give us a design that is the most cost-effective. If providing room for further expansion is cost-effective, that's the potential we should embrace. If demolishing the structure is the most beneficial overall and most cost-effective, then we should do that. But right now we still don't know which is best for us. And the City no longer has the luxury of poor and non-development strategies. We've heard from residents at the Committee meeting and again tonight. And I think we've spent a lot of dollars on plans and we should not just scrap them to do new plans for another 65,000.

I would be willing to vote on this phase of the project if it absolutely included the review and the preparation of both the Mayor's plan and the alternative so we see what is the best. Thank you.

Director Johnson – I believe that we are exploring alternatives. As we presented to you initially when the bids came in, the cost of the project would have exceeded the \$1.2 million in notes, which means we would have had to issue additional debt to complete the original project.

At the committee meeting we presented this proposal, Councilwoman Holzheimer Gail indicated that what she would like to see is, is actual bids, hard costs of what it would cost to do this particular project. In order to do that we need to have the architect draw new specifications...

Councilwoman Mancuso – I understand that.

Director Johnson – We have no intentions of tearing down the old building prior to. What we want to do is get prices for construction of the new building and at that point we come to Council and say this is the, this is what the old plan costs to renovate as a banquet facility the Knuth Center. This is what the new plan costs to demolish that, the old building and build a brand new building. These are the costs and that's going to be Council's decision.

Councilwoman Mancuso – I think you misunderstood my question. I asked why we could not incorporate the alternative plan that already has drawings done with the plan we were shown. One has more foot space than the other, why can we not look at them together? We already have some plans we could work with and look at what the costs of demolition are, if that's appropriate; but to just hear absolutely no, we're not going to do that.

Director Johnson – I'm, Councilwoman Mancuso, personally when I, when I saw the presentation, I was, I was questioning in my mind what do we do with the part of the building that's not going to be renovated? Do we just allow it to just fall or fall down or I wasn't real clear what we do with the rest of the building that's not going to be renovated. I was in that building the other day and it needs a lot of work.

Councilwoman Mancuso – I'm sure it does.

President Sustarsic – Any other questions? Any other comments?

Councilman Langman – First, I'd like to thank Ms. McGinn for her kind comments about me. It's been a very interesting two years on the lakefront. Words don't illustrate intentions rather actions do. The Mayor's contemptuous rejections of the offered compromise on the Golf Course Clubhouse projects spoke loud and clear.

Given in good faith this compromise to incorporate the best features of the Mayor's plan into a refurbished west wing of the Knuth Center was greeted by the Mayor's all-too-familiar snickering and bad temper. One of my colleagues insinuated that perhaps Mr. Corbran and I should be prosecuted for working with documents bought and paid for by the taxpayers of this City. Now that's all very fine political theater and yet the central point remains. What is the best plan for the Golf Course Clubhouse moving forward?

The Mayor's plan includes demolishing the Knuth Center. That's clear. It does create new space of approximately 3,700 sq. ft. at a cost of about \$836,000. The plan does not address any expansion potential. The compromise plan, the plan that I came up with along with Mr. Corbran addresses historic preservation, and I believe, yes, buildings that are intrical to the past of this City should be considered for preservation. No one individual should determine that this building does not merit historical preservation. The refurbished space that I propose comes to about 5,000 sq. ft. The rough cost estimates of that square footage is about \$850,000; but perhaps the best part of what I proposed in the compromise is that it allows us flexibility. We don't know for certain what the golf course demand is going to be 5 years down the road or 10 years down the road. We have a rare opportunity with the Knuth space to address those needs down the line. And I'm afraid as presented, the Mayor's plan is basically a static plan. You do the plan and that's it.

So in short we can easily expand the Knuth for, it could be a banquet facility if demand warrant. It could be as Mr. Corbran suggested other recreational opportunities that could be for other golf-related activities. It allows us the flexibility for very similar costs. So I believe that what I've proposed in good faith, basically, is the dynamic plan as opposed to a static plan and it addresses what a golfer needs today and it addresses future needs of the golf course. And I think that's the best deal for the citizens of the City. So at the least, Mr. Chairman, I would ask since we do have the drawings right there, it would cost relatively little dollars to modify, that the architect take a look at refurbishing the west wing and incorporating the elements of the Mayor's committee along with what the Mayor has proposed. I think that way you can actually compare apples and apples. Thank you, Mr. Chairman.

Councilman Delaney – I know the cost did change throughout the life, the year and a half of planning. And it started with that question with Panzica with the Recreation Director, representative of Council, Mayor Oyaski, Bernie Zofcin that was the question. Some wanted to build new; some wanted to use the Knuth Center readaptively for the golf course. In that time in that space, they answered their questions. I had reservations and this Council or the previous Council was assured that through as much as 10 pieces of legislation, if I'm wrong, you can correct me. This new plan, construction costs are certain to rise. The labor costs are certain to rise. We would have been cutting the ribbon on this project in 3 weeks. We had a member of the public come and say quite dragging your feet. It was the reversal in the beginning that dragged their feet that stopped this project. It would have been opened by the end of June. I think that what we will be able to see, which could be a good comparison, is when we do reopen the Senior Center and we see how, how opulent and how beautiful that building is. The golf course would have been a project of that measure.

I don't remember the election, the campaign. I campaigned at-large I don't remember the Golf Course Clubhouse being an issue one way or another. I can't reverse my position for the hypocrisy of politics. I understand the process. I understand that it's beginning again, but I'm going to stick to my convictions and I'm going to make sure that my, that I can rest easy on my vote. Thank you.

President Sustarsic – Any other comments or questions?

Councilwoman Holzheimer Gail – Just one, Mr. Chairman, thank you. I, too, supported the early plan because we had set the budget at 1.2 million and we worked from there. When the numbers came in higher, then I believe it does merit looking at a new plan. We do not have the ability to draw these bids and do the design ourselves. It's not just another study. We need to do that to get a good price. We do not have the ability, it would not have been opened in a couple of weeks because we didn't have the ability to borrow the extra money. We had borrowed 1.2 million so I disagree with my colleague on that point. We had never gotten to the point of approving the money that it would have needed to renovate the facility.

Councilman Langman brings up a good suggestion and I think we have the information and, hopefully, we can do, you know, bid. We would probably need to re-bid the project again the other way just to have a fair comparison because in 2 years or year and a half we probably will have higher costs. Higher costs in a new building also would be higher costs in renovating the existing. So I don't think it's fair to put that on one project and not the other. The cost of building is going up whether you're renovating or building new.

My, I guess, main reason for agreeing that this new proposal is one of merit is that it is a cost-effective plan. We're not raising, people have talked about raising the bar and I think the Mayor talked about this at the committee meeting. We're building a new building. The building will be raising the bar. We have an existing snack shop that is an embarrassment to the Golf Course. I think it is in our best interests, it's our responsibility representing the taxpayers to look at this option. If we can build a nice clubhouse for much less money, we need to look at that. If it turns out that Councilman Langman's proposal is of equal cost, could be more could be less, we can look at that. That decision needs to be made, but to make a good decision, we need good information. And the only way we can get that information is by continuing with the architect. So you have my support on this ordinance.

Councilman Delaney – I would just like to remind the Ward 1 Councilwoman that there were revenue projections brought into this plan with a bigger project that would have covered the additional debt that would have been issued against the Golf Course Enterprise Fund. What we're doing is we're building a new facility that is smaller. That won't bring in as much business as the previous plan did.

Councilman Gruber – The only for sure numbers we got were from Sammy's and that was for \$52,000 a year for all three facilities so any other numbers are make believe.

What's the amount of the change orders at the Senior Center so far, Director?

Director Johnson – I don't have the amount of the change orders, but we do expect that the project will come in under the \$3.7 million budget.

Councilman Gruber – Thank you.

Mayor Cervenik – I would like to add, Mr. Chairman, if I may. I believe that we have \$38,000 left in the contingency. So, hopefully, we're going to get there.

Councilman Gruber - So even with the Construction Manger that there are risk of going over what you anticipate. I know we had caissons installed. We're not done yet.

Mayor Cervenik – Oh, sure.

Councilman Gruber – And also I appreciate Councilman Langman's plans and the other gentleman that assisted him, but sometimes even the best plans can go wrong. I know we had an issue with the, with the irrigation system at the Golf Course. I believe it was pumping raw sewage onto the golf course because there was a mix of the sewer systems there so we had to buy water from the City of Cleveland for several months, maybe even a year. So sometimes it's best to leave this stuff to the professionals.

I see that there's no shower or locker facilities here. It's not a regulation basketball court. And really that's probably the best idea that came up with yet, so far. I think this is a nice use of that existing space so you're to be congratulated there. But you know, we keep looking at the past and saving this and saving that. We can't take care of what we have already. It's time to start looking in the future because the people that look keep looking in the past, they want to stay there that's fine. But we need to move ahead. We have buildings downtown Euclid we can't take care of now.

The plan that we have before us for the architect is fine. If folks don't like it, we can use that \$65,000 to look over at the Police Station. Maybe renovate that and put a trailer in the lot over at the golf course like one of our residents recommended because that Police Station serves everybody in this City.

So this is a good plan we have to move ahead and I full support it and I commend the work of everybody that was involved, including yourself, Councilman, I think that was nice to do this. Thank you.

Councilman Langman – I think the point is that we don't know for sure which is why, yes, we do have to go out for bids. My point in all this is simply saying that if you could do something for similar dollars it gives you flexibility going into the future, you should look at that. You really should. Because if we build something and in five years down the road, we find that it's inadequate we're out of luck. It'll be way more expensive to add on or make changes. So flexibility, I think, is something that we should consider as we're planning for the future. Thank you.

Councilwoman Hufnagle – I think I made my feelings on this subject very clear at the committee meeting. I would only like to add that I feel very confident in the work that the committee put in this plan and the facts that they have provided to us. I would also like to add that over the weekend the e-mails I received were going 3-1 in favor of this plan. And the people that e-mailed me took great care to tell me how often they actually use the course, what leagues they were a part of, how many times they golfed there. And my concern throughout this whole process is that the golf course should service the citizens of the City and this plan appears to do just that. They appear to be happy with it and I'm very comfortable supporting it. Thank you.

Councilman Sustarsic – I support this plan as well and I just want to thank the Mayor for his efforts. I'm really curious to see, I mean, the savings that we, can be realized from this. I commend the committee and although it said in the audience they were City employees one of the City employees is a professional golfer and it's pretty good to have him aboard. He's going to be the man that's going to be running this operation and it's good to see that he approves of it as well so.

President Sustarsic – Any other comments? Any other suggestions?

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

Councilwoman Mancuso moved to suspend the rules; seconded by Councilwoman Hufnagle. Yeas: Unanimous.

Roll Call: Yeas: Daly, Gruber, Holzheimer Gail, Hufnagle, Sustarsic, Sustarsic

Nays: Delaney, Langman, Mancuso

Passed.

CEREMONIAL RESOLUTIONS

**Res. 82-2004 (116-04) Euclid Youth Hockey Assoc.**

A resolution of congratulations to the Euclid Youth Hockey Association Program for their outstanding performance and numerous victories in the 2003 Hockey Season. (Sponsored by Mayor Cervenik and the entire Council)

**Res. 83-2004 (119-04) Mama Catena Rest. 15<sup>th</sup> Anniv.**

A resolution of congratulations to Mama Catena Restaurant on its 15 year anniversary of serving delicious and authentic dinners and pizza in the City of Euclid. (Sponsored by Mayor Cervenik and the entire Council)

**Res. 84-2004 (120-04) Jonathan Pelton House**

A resolution of recognition of the Jonathan Pelton House designated by the Euclid Landmark Commission as one of seven landmarks depicting the pioneer Euclidian spirit. (Sponsored by Mayor Cervenik and the entire Council)

**Res. 85-2004 (121-04) Sardius B. Welch House**

A resolution of recognition of the Sardius B. Welch House designated by the Euclid Landmark Commission as one of seven landmarks depicting the pioneer Euclidian spirit. (Sponsored by Mayor Cervenik and the entire Council)

**Res. 86-2004 (123-04) Euclid Cemetery**

A resolution of recognition of the Euclid Cemetery designated by the Euclid Landmark Commission as one of seven landmarks depicting the pioneer Euclidian spirit. (Sponsored by Mayor Cervenik and the entire Council)

**Res. 87-2004 (124-04) Lucien B. Smith House**

designated by the Euclid Landmark Commission as one of seven landmarks depicting the pioneer Euclidian spirit. (Sponsored by Mayor Cervenik and the entire Council)

**Res. 88-2004 (125-04) Wickliffe-on-the-Lake Club**

A resolution of recognition of the Wickliffe-on-the-Lake Club Number 1 designated by the Euclid Landmark Commission as one of seven landmarks depicting the pioneer Euclidian spirit. (Sponsored by Mayor Cervenik and the entire Council)

**Res. 89-2004 (126-04) Euclid Housing Project #10**

A resolution of recognition of Euclid Housing Project Number 10 designated by the Euclid Landmark Commission as one of seven landmarks depicting the pioneer Euclidian spirit. (Sponsored by Mayor Cervenik and the entire Council)

**Res. 90-2004 (127-04) Kenneth F. Bates House**

A resolution of recognition of the Kenneth F. Bates House designated by the Euclid Landmark Commission as one of seven landmarks depicting the pioneer Euclidian spirit. (Sponsored by Mayor Cervenik and the entire Council)

**Res. 91-2004 (128-04) Poppy Day**

A resolution recognizing Poppy Day as May 3, 2004 and the rich national sentiment that the flower offers. (Sponsored by Mayor Cervenik and the entire Council)

Councilwoman Holzheimer Gail moved for passage; seconded by Councilwoman Mancuso. Yeas: Unanimous.

Roll Call: Yeas: Daly, Delaney, Gruber, Holzheimer Gail, Hufnagle, Langman, Mancuso, Sustarsic, Sustarsic  
Passed.

COMMITTEE OF THE WHOLE – PUBLIC PORTION

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

Ms. Jan Gajda – 421 E. 257 St. This past Saturday and Sunday Euclid Pet Pals held an Adoptathon Carnival at the Animal Shelter. This event was organized by one of our volunteers, Claudia Rose, with the help of volunteers from the Cleveland Bar Association. It was a phenomenal weekend. Besides bringing in over \$700 from games, raffles, a bake sale, T-shirt sales, donations and memberships, we adopted out 7 kittens, 1 adult cat, 5 dogs and have a deposit on one of our 2-week-old kittens. Besides the 2-week-old kitten's siblings, we still have 2 more kittens that are old enough to go home now as well as 3 adult cats and a number of dogs.

I would like to thank Claudia and Denise Chasco for their hard work in coordinating all the festivities for the weekend. We are lucky to have them as part of our Pet Pals team. I would like to thank Mayor Cervenik for stopping in to show his support on Saturday and all the volunteers that had some part in its success.

I would also like to thank the folks at Cleveland K-911, a rescue based in Westlake, for their help in getting a couple extra dogs for us for the Adoptathon weekend. They literally saved the lives of 2 adorable 6-month-old puppies and 1 adult dog that, who's time was up and they were due to be euthanized at the Lorain County Pound. They paid the release fee and brought them to us where we adopted them into loving families.

We invited Cleveland K-911 to have a table at the Shelter this weekend and they found potential homes for 2 of the dogs under their care that are in foster homes.

And last but not least, I would like to thank all the people, both residents of Euclid and other cities, plus the local and nearby businesses for their show of support at all of our fundraising events. It's truly heartwarming to get this support and encouragement from our community.

We have Euclid Pet Pals T-shirts available while supplies last at the Shelter. Adult large and extra large are \$10 or \$9 for members and youth large is \$8. We still have tickets available for the Bark-BQ, which is Friday, May 14<sup>th</sup>, at the Manor. They're available at the Shelter or through our website [www.euclidpetpals.org](http://www.euclidpetpals.org). It'll certainly be a good time. We have lots of great door prizes and fun for all. And a reminder that May is be kind to animals month and volunteers will be going door-to-door to help Save Fay's Strays. If you can help by making a donation, no matter how small, it'll be greatly appreciated. And if you can walk on Saturday or Sunday, May 22<sup>nd</sup> and 23<sup>rd</sup>, just show up at the Animal Shelter beginning around 9 or 9:30 to get your information packet from Fay. Thank you.

Mr. Tod Guntner – 390 E. 257. And I'd like to talk to you tonight about building a NASCAR race track in Euclid, just kidding. Of course, I want to talk about Pet Pals. I want to echo the comments of Jan and thank everyone for their support.

I would like to thank a number of businesses who made donations of products and/or services. They are Lakeshore Coffee House, Dave's Supermarket, John Miller Pet Service, Chili Peppers, Muldoon's, Dominoes, Dairy Queen Euclid, the Cleveland Cavaliers and Moon Dog, Swifty the Clown, of course, Kathy Will. And a very special thank you to Officer Ed Bonchek, he brought his youth group here from the DARE program. We had Safety Pup and McGriff. It was a very productive afternoon. Everybody loved it. Sunday, it rained; it rained hard. We still made almost \$200 on Sunday. Moon Dog was there. Moon Dog wants to come back he had so much fun. So hopefully, for our anniversary party he will be back.

And as the Mayor can attest, if you didn't make it, you missed it. You all have a good night. Thanks.

President Sustarsic – Okay, thank you very much. Prior to the next speaker could you just switch tapes, take a couple of minutes. All right, we'll pick up where we left off.

Ms. Jai Walton – 27591 Mills Ave. I'm here, again, to talk about the Euclid Community Garden, Valley Pool Community Garden, and to invite viewers and those here in attendance to participate in the community garden. It is a wonderful idea and concept for this City. Its purpose is to unite and to bring the people of this City together at a venue that will give them pleasure and food for their soul and food for their tummies. We have had our second meeting. We will have another meeting this Wednesday. This is to allow those who have not had an opportunity to get information or participate to come to the meeting. The meeting is at the Willo Arms Community Center, which is on Sidney Drive, 27061 Sidney. Hopefully, this week we'll entertain a master gardener who will give us gardening concepts.

Here in my hand I also have something called the Garden Wish List, which I would like to pass out and have copies made for Council. And please ask that Council and Administration look over the wish list and help us with our wish list. If you're not going to plant a seed, plant a wish with the list. We'd appreciate it.

The other thing I'd like to say is thank you to Kathy Will, the Mayor and members of Council for putting up with my digging. I'm not done yet. I will still keep prodding at you and begging and, and, and pulling the poor eye look to get you to help us out. But, Kathy, has been extremely helpful. Mayor Cervenik has been great, greatly assisting us and everyday someone in the community comes on board to help us out with materials, Willo Arms, Euclid Lumber. We have the seniors. I spoke with the seniors today and they're going to take on a garden plot together. We have one plot that's strictly going to be assigned to the Hunger Center and it's called, the Victory. It's our Victory over hunger. So I invite you all, anyone who likes to dig, get your children out there. Commune with them. Teach them about nature and let them play in some dirt and come and join the Euclid Community Garden. Thank you very much.

Mr. Jerry Corbran – 24250 Maplewood Dr. And I have before me Resolution 226-2003. That was the resolution to send the final budget for the golf course to the Board of Control or to the Administration. And I want to read the one particular portion of it here. Section 1 that the final budget for the Golf Course Clubhouse project is hereby approved. The Administration is hereby directed to proceed with action, implementation of the project.

Now we know that the Board of Control has the right to turn down the bids. But do they have the right then to sit on it and not send it back to its place of origin for further consideration? This almost gives them veto power over it if they sit on it. So the question here which was asked and didn't seem to be answered by the Law Director, does the Board of Control have more power than the Mayor and Council? And I'm talking about the Mayor and Council that had brought this resolution before you. So I'm saying here that without that ruling that this Council tonight passed this legislation without really knowing whether the Board of Control had violated some provision of the Charter or whatever. That's interesting.

Furthermore, Mr. Mayor, you mentioned that the Council gave you 6-3 vote to allow you to proceed with this. I can't quite remember quite when that was. Could you give me some idea of what time of the year it was so I could research it and get a better feeling for this because I don't recall a vote of that sort 6-3 allowing you to proceed with this?

And Mr. Gruber, or apparently he's gone but I hope he reviews it on tape. He's talking about the failure of the pump there to provide water and the City had to borrow, buy water from the City. Well, that particular situation was there was a defect in the sanitary sewer system upstream and it was leaking into the storm sewer system. The pump had nothing to do with that. I thank you.

Mr. Dennis Berzinskas – 20890 S. Lakeshore Blvd. You haven't left these chambers yet tonight. Quite a few years ago on the Wells property the citizens came out and I think there was a Sustarsic on Council at that time that we didn't like the plan to move forward and I said they're not putting land on either side of Euclid. I said let's sit on it for a year. It'll be worth more money the next year. Well, they thought about it, more people talked and they voted not to touch the land. I was working at CEI was going to go to work that night. Our public portion was over with. People left the chambers. The Law Director at that time went up to the Mayor, Mayor Lynch, and said this ordinance we don't change the vote. We can't touch this land for a year. So we had no more input. The Mayor got up, mentioned that to Council and they reversed the vote. Next morning coming home from work they were cutting trees down. To say I have faith in you people would be a lie. The things with this building, this building, when Giunta proposed it, it was \$7.5 million. He didn't win the election. \$2-1/2 million later you have carpets. You have an interior finished. I don't trust you people. I'm sorry.

The money you have cost us in the past the sign law \$360,000 we lost. With Shore. Burges & Burges sent me a letter this summer. They were going to pay us a \$50 stipend to talk about things in Euclid. I didn't go because I knew who it was from. Lies, partial truths is what this politics are built on here in Euclid.

Ladies and gentlemen, a politician gets recognition from his peers if he can build a new municipal center, a new building, get a new factory to come to town. So, Bill, prove me wrong. Say no to the new center and I can believe you a little bit.

Mr. Jonathan Calabrese – 20101 Beachview Dr. A few announcements regarding E-VOT. E-VOT would like to thank Councilman Delaney for being our guest on April 21<sup>st</sup>. We got the answers to the questions we had and learned quite a bit. I hope everyone saw the first episode of E-VOT on ECTV last week and got a feel for what EVOT is about. E-VOT's next meeting is on May 12<sup>th</sup> at 7 p.m. The meeting place is changed. We've moved to down to the other Lakeshore Coffee House at the 222<sup>nd</sup> end. At this meeting we'll be hosting Councilpersons Mancuso and Langman. All are welcome to attend and encouraged to bring a teen along. For those of you that are planning ahead for E-VOT's last meeting before we break for summer, it is on June 2<sup>nd</sup>. Our guest will be Board of Education member, Kent Smith, so don't forget to mark your calendars. For more information please visit our site at [www.e-vot.org](http://www.e-vot.org). Remember, to get involved and catch the voting bug.

Mayor Cervenik – Before Jonathan gets too far, Jonathan accomplished something very phenomenal this weekend and I was lucky to attend his Court of Honor, Troop 161. The Pioneer Troop has a new Eagle Scout for the City of Euclid and I think he should get a good round of applause for that accomplishment. Less than 3% of all Boy Scouts ever achieve Eagle Scout rank and that Troop has over 23 total Eagle Scouts throughout their history. So they are, they're moving along. They've got another one coming on the 15<sup>th</sup> or the 16<sup>th</sup> and a few more in the workings. So Boy Scouts are alive and well and, Jonathan, just congratulations again. You did a great job.

Ann Raucker, 246 E. 272 St. – The Hillandale controversy is political skullduggery on the part of politicians setting up pockets of clout to control the outcome of elections. It would be advantageous for Providence Baptist Church to remain at their present location, spend their hard-earned money on improving what they have now. And if necessary, they can expand in their neighborhood at a far cheaper cost. The Church Builders need a church to try, to tie into and the parishioners may end up being victims of this project as are the Euclid citizens.

Sheldon Berns brought up the Costco Warehouse case against the City of Mayfield Heights. The cases are entirely different. The thing about these cases, however, we will have to bear down on such high prices paid in these lawsuits that are making our taxes go higher.

When the neighbors in the 147<sup>th</sup> Street/Lakeshore Blvd. area protested to the barn built as a church, their Councilman Mike Polensec said, let the poor people build their church. It will benefit the whole community. I heard Mayor Oyaski say the same thing, oh, let the poor people build their church. They must be rich if they're coming here to build their own roads plus having the utilities installed. These kind of communities, should they be allowed, will destroy the whole country.

Some of the present Council were elected to office due to the clout shown by Ward 3. I'm sure there will be a lot of people leaving Euclid should the Hillandale fall to the last vote of Council. But I do want to give you an example of clout. Gerald Sustarsic said he would not seek office. You could tell he wasn't happy for the whole two years of his Council membership. He even said that he may move out of the City. The clout shown by the segregated community in Ward 3, the Mills Avenue area, helped put Jerry into the Council President seat. He even did a tippy-toe 2-step of delight before he seated himself in the president's chair.

Also, I'm sorry Councilman Gruber left. I wanted to ask him about his dirty list. Mr. Frey, I gave you 11 pages of some of my experience with Mayor Oyaski and the Administration of Bill Cervenik. Of course, I'm not proud of it but at 10 o'clock to 2 o'clock I gate up. I didn't have time for corrections or I wouldn't make the Council meeting the following day. Mr. Frey, I would like to be included in the case that Sheldon Bernes has filed against the City. I want the public to know some of these persons that were elected to office were not given the power that they were forcing on a person like me, for instance.

There are too many who died for our freedom to let these political hoodlums destroy their efforts. I want the public to show these hoodlums they're mighty mistaken. Thank you.

Mr. Ray Petrie – 353 E. 232<sup>nd</sup> St. I would like to bring to your attention that national and local health agencies have declared that there is a diabetic epidemic, yes, a diabetic epidemic. Although there is currently no cure for diabetes with proper treatment and management, diabetes can be maintained under control. Anyone with high-risk factors should have themselves checked to see if they have diabetes. The high-risk factors are family history, 20% overweight, Native American, African American, Latino, Specific Islander or Asian. People age 30 and over, an inactive life style, a high caloric diet, women with a history of diabetes during pregnancy. Not only has diabetes reached epidemic portions it is occurring in all age groups at earlier ages. The earlier diabetes is diagnosed the earlier treatment and management can begin and the earlier control can be achieved.

There are signs and symptoms of diabetes. These are often not recognized or ignored. Here are some of the signs and symptoms of diabetes. Frequent trips to the bathroom, increased thirst, blurred vision, frequent infections, increased hunger, increased weakness or weight loss. Since diabetes is a progressive condition and there is no cure at the present time, managing diabetes is very important. Fortunately today, there are treatment modalities and management techniques that permit people with diabetes, who take this insidious disease seriously, to maintain reasonable control. Conscientious management of diabetes, slows the rate and intensity of progress. Thus, one's organs and body maintains healthier longer times which extends one's life.

The idea of maintaining normal blood control levels is to avoid or slow the adverse consequences of this insidious disease. People with diabetes are more susceptible to blindness, high blood pressure, heart attacks, strokes, kidney failure, vascular disease, extremity amputations and more.

The incident of diabetes is greater among Native Americans, African Americans, Spanish and Asians. Is a word to the wise sufficient? Hopefully, it is. There are 18 million people in the United States with diabetes. However, 6 million of these 18 million do not realize they have diabetes. Can you imagine that? There are over 20 million in the United States that are in the new category called pre-diabetes. What this means is they have elevated blood sugar but it's not high enough to be diagnosed as diabetes. Yet, they are every bit vulnerable to become diabetic within 10 years. Treatment and proper management can prevent or greatly delay diabetes and its adverse consequences.

Making an adjustment in your lifestyle to control blood sugar levels is a small price in order to maintain a healthier life and reverse the adverse impact that diabetes has on the patient and their families. Doctors and other professionals have spent years in training, supervision, experience,

updating knowledge and skills just to be ready to treat, educate and monitor each patient's progress. According to the Diabetes Association of Greater Cleveland, each day in Ohio 4 people become blind; 9 people have a limb amputated; 4 people enter renal failure and require kidney dialysis or kidney transplant; 31 people die every day in Ohio from diabetes.

If you have one of the symptoms or have a high-risk factor, have it checked out, please, now.

Mr. Tom Cooke – 25641 Edgecliff. I hesitated bringing up this topic again, but the recent filed lawsuit by Providence Baptist Church I so feel compelled to. It is unfortunate that Providence Baptist Church has elected to initiate a lawsuit against the City of Euclid as it has recently.

As I have stated before, I support the church, the church's concept of a new church facility and the upscale housing. However, I do not support the players involved, specifically, Paul Taylor and American Church Builders. American Church Builders is big on talk but have shown me nothing regarding their abilities to provide a quality constructed church, the cornerstone of this project. On the contrary, what I have seen of their work, a lot is left to be desired.

Regarding the lawsuit, one uses a lawyer as a method of last resort when talking between parties ceases. When lawyers get involved, everyone loses. The lawyers are the only ones who walk away winners. The City of Euclid will lose. The residents of Euclid will end up footing the bill to defend itself and in the worst case scenario paying out damages. Every Euclid taxpayer will pay.

I have several questions I would like to put forth to the Reverend Maiden and the congregation of Providence Baptist Church. In the event that you are successful, in the event that you are successful in your lawsuit against the City of Euclid, do you think you will escape the anger and resentment that will be directed towards you regarding this project? Do you think the residents of the City of Euclid will invite you with open arms? I, for one, will not. To put it plain and simple, anyone who sues me is my enemy and I will do everything within my power to defeat my enemy. How do you think you will sell your homes when the potential buyers find out about the history of this development and the animosity between the residents who oppose this project and the people who represent Providence Baptist Church in this lawsuit? Oh by the way, there is some irony here. Anyone who does buy a house in your development will more than likely contribute to satisfying the cost of this lawsuit through increased taxes.

Where will Sheldon Berns be after he collects his lawyer's fees resulting from this lawsuit? Where will Paul Taylor be after he lines his pockets with the profits from this project? Will they, will they be in Euclid helping mend the damage that will obviously occur to this community of Euclid as a result of this lawsuit? I don't think so.

What Providence Baptist Church has failed to do and the people who represent Providence Baptist Church, i.e. Paul Taylor, have failed to do is convince me and people like me as to your true intentions and abilities in bringing this project to fruition. You have failed in selling yourselves and your project to the citizens of Euclid.

To Providence Baptist Church, if you think you can force yourself into my community and make me like you, you are surely mistaken. I don't have to like anyone, especially one who sues me.

There is no question in my mind that some, if not all of my comments, will be viewed as racist in some way or another. The accusation of racism is thrown around so freely nowadays one wonders when it will soon be blamed for changes in the weather. You can call me a racist you can call me anything you want. I don't care. The cry of racism is like the boy who cried wolf one too many times. The call rings hollow. And when it is legitimate, no one is paying attention because of its misuse. I can assure you I will be digging in my heels along with others in doing everything that is possible to make sure this project does not take place in its current state. Your lawsuit has only served to strengthen our resolve to defeat this issue. Thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. Last night while surfing cable I was drawn to a movie I had never seen on a subject I know all too well. It reminded me of my heritage and the sad truth of man. Bad things happen when good people, bad things happen to good people because other good people say and do nothing.

Mr. Law Director, I would like you to consider this hypothetical situation. Let us imagine that this is not a Council Chamber but a court of law. The Council is the jury and in this situation the Council President is both the foreman of the jury and the judge. The Mayor is the prosecuting attorney and you are counsel for the defense. All jury verdicts are a majority vote. Before you even present your defense, you get a strong inclination, a gut feeling that a majority of the jury, including the foreman/judge, has already leaned towards the prosecution's case. As a defense lawyer, what would you do? Could you believe that your client would get a fair hearing here? Would you ask for a change of venue? A mistrial? Please feel free to answer at the conclusion of my remarks.

It is my opinion that this current Council is at least a 5-4 pre-determined vote on all major issues supported by the Mayor todate, including the one tonight. Hillandale, 5-4; borrowing \$2 million, 5-4; the Knuth Center destruction, 5-4; the budget approval 6-3.

Let me take a moment on the Knuth vote. After approval, the Mayor pulled the ordinance as to not have anybody think that he had ramroded this one through Council. And then one of the infamous five asked the Law Director if in fact the vote could continued because another one of the five co-sponsored the bill. The answer was yes. But then the Mayor renewed his request to send it to committee as a token of an olive branch to the Council.

If there are any olive branches to be offered here, it should be directed to the people and not the Council. I would not complain if the 5-4 votes were different councilmen from time-to-time. That would show me a variation of opinions. But it is the same exact 5 votes every time and the fact that this group of 5 votes the same way every time lends me to wonder the fair representation to the citizens of Euclid. It must be, please, don't waste my time. It must be frustration beyond imagination for the minority vote here to know that their voices are muted. The frustration level of the Euclid voters was clearly shown in the overwhelming cooperation of its citizens to demand that the voice of the people be heard on a referendum on the Hillandale rezoning. They were not politically driven or racist as so easily categorized by the Mayor and the Council President. They are concerned good people willing to stand up and be counted. I suggest that the November vote will have little to do with the Hillandale rezoning issue, but instead will be a vote of confidence or non-confidence for this Administration and Council to govern fairly to its citizens.

May I remind you all of recent events in the political world? The new emergence of the power of the people. In the state, if the State of California, by referendum, can successfully recall its governor maybe the citizens of Euclid need to consider the same for its Mayor and members of Council. I am disgusted to be a Euclid resident.

Mr. William Hilf – 891 E. 237<sup>th</sup> St. 216-731-5793, I give my number out again because I have been getting responses to what I've been saying here and to what I've been writing. It's also shorereport@yahoo.com. I also once again ask that something be done to make sure that the Council/Administration's information be given out before and after Council meetings on Channel 23 so that the people who are calling me and asking me can do the same to their Council and Administration without having to do a lot of work to find it.

I'm here, again, also to represent Shore Up and to talk about Shore Cultural Centre. And I'll start with a couple local publications. First, within the debate for the golf course, the quote was given by Councilman Hufnagle is that we're not a City that is financially able to save every building. We should focus our efforts on saving the Shore Centre if we're going to save a building. I think we should start saving buildings in this City. We did it with the Henn. We've done, the City got behind old city hall. It's time that we got behind Shore.

Also, in another publication and the one that I write for is the Euclid Observer. The May issue just came out. Personally, my favorite publication because I write for it. The front-page article this month is Shore at the Crossroads. Gives a lot of factual information and history of what's happened in the Shore debate. Besides the Shore debate, I'm also going to take a moment. I promised Mr. Abraham of Silhouette Productions that I would mention his show while I was here and before I forget that Silhouette Productions along with the Shore Cultural Centre Corporation will be presenting Music Man May 14<sup>th</sup>, 15<sup>th</sup>, 21<sup>st</sup> and 22<sup>nd</sup> at 7p.m. and Sunday, May 16<sup>th</sup>, is a matinee at 2 p.m. I've seen several of Mr. Abraham's productions. They do excellent work, very high quality. This is an adult production using teens and children. I'm sure it will be another excellent production but forth by them. They've got a nice large cast and should do a wonderful job.

And then finally on Shore, since I didn't feel like rewriting it, I'll just read directly what I wrote so that another audience can hear it for those that don't want to pick up the Observer. Shore Report is back for another month of discussion regarding Euclid's own stepchild, Shore Cultural Centre. You may remember another famous stepchild, one that was mistreated and abused by her family. With a little help from her fairy godmother that stepchild ended up winning in the end. And just like Cinderella Shore Cultural Centre is going to come out on top. Fairy godmothers are fantasy characters found only in children's stories. What Shore Culture needs is real people, people who believe in the future and potential of Shore. People willing to give their talent and time to make Shore a successful building. People willing to make a difference in their community. Shore Up is looking for dedicated citizens to help be that magical wand for Shore Cultural Centre that it has been lacking. We need people with business experience who can help develop a sound business plan to make Shore a profitable operation. We need people who are good with a hammer or a paintbrush to help restore Shore to its former beauty. What we need are people willing to drop a line to their City leaders, to make a phone call, to even get up at a Council meeting at this podium and talk of Shore's importance. This great building belongs to the residents of Euclid. It's up to us to decide its future not stepmother and stepsisters that have run and have run and ignored our crown jewel for so long. If you think you can help and make a difference or you know someone who can, I urge you to contact me at 216-731-5793 or at [shorereport@yahoo.com](mailto:shorereport@yahoo.com). Together we can make a difference and Shore Cultural Centre will get the chance to go to the ball. This building has never been given a chance and

Council Minutes

May 3, 2004

Page 22

there's been a dedicated group that have been fighting for it, but we need help, which is why I'm making this appeal tonight.

You've got a dedicated group of core volunteers that they need your expertise, your help, your manpower, your brainpower, please provide it.

Also want to comment on a couple other things not regarding Shore. First off, there's been comments made before by City leaders that this podium does not need to be the only means of communication. And I have sent e-mails to a couple of City leaders, not to all of Council but to a couple of Council members and to a Director. And I can say that out of the three that I sent I got one real response. I got no response to the other and the other one was basically, basically yes, I got the e-mail response. This is why I think some people feel a need to come up here because at least then they can face the people that they're directing their questions and their comments to.

Also, as to the Hillandale project and to Mr. Sheldon Berns, I say this. The Costco decision in Mayfield is not a club. It's not something that can be used to bludgeon and intimidate every other city in the area. It was a completely different set of circumstances. One that involved the City of Mayfield Heights systematically trying to stop development in that area. As far as I've seen, Providence Baptist Church came to the City of Euclid, asked for our zoning, the zoning that they're now saying is unconstitutional. They came and asked for, we gave it to them. So I just say that. It's not a bludgeon. Go Shore. Call me. We need your help. Thank you.

Mrs. Rebecca Conway – 291 E. 276<sup>th</sup> St. I have a couple of questions. President Sustarsic, have you or the Council received the monthly budgetary forecast for May from Mr. Johnson?

President Sustarsic – No, we just got the report brought up to April, I believe, wasn't it? The one that you just sent.

Director Johnson – Yes.

Mrs. Conway – Okay. And Mayor Cervenik, have any of the plans come in for the Shore, any of the proposals, I mean?

Mayor Cervenik – Not at this time. When we announced that this process was going to take place, I made it clear to the developers that I didn't want them coming in with a piecemeal plan. And that it very well could be considerably later than April, maybe May, maybe June. And when they come in, I plan on meeting with the Shore Board. I've already met with the Shore Board to get their first impressions on these plans and then there will be, I'm counting on the Shore Board to help with the public presentations.

Mrs. Conway – Okay, good.

Mayor Cervenik – So when they come in, believe me, people will know. Okay?

Mrs. Conway – Great. I'd like to thank Councilman Langman for the effort, the time, Mr. Corbran as well, but the time you put into trying to find a compromise that was right for the City and right for a lot of other reasons. And I'm sorry some of your colleagues just wouldn't give that thought, any more thought, but thank you because I can see that, you know, you do have enthusiasm, conviction and do want to see. You just don't come to these meetings and answer yes, no. You do work behind all your decision making.

Lastly, the Euclid Awareness Committee is having our garage sale May 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup>. It's at my home on E. 276<sup>th</sup> Street off Lake Shore. All the monies raised will be used for the Hillandale campaign. Any donations will be very much appreciated. You can call me at 732-8241 for more information or go to our website at euclidawareness.com. Thankfully we have already received donations from baby clothes to furniture including a great hotdog maker, too. So please stop by and shop. Buy some bakery and grab a cup of lemonade manned by our littlest EAC members, our children. Again, that's May 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup>.

Ms. Alice Yatsko – 269 Gary Ave. And again, this Council has failed the people of this community. The Council, the Mayor and the whole Administration have not listened to what the people of this community had to say. You ignored us like always. And somewhere down the line we're going to catch up with you. You're all mediocre, mediocre that's all I can say about you.

Mr. Eric Heinemeyer - 21751 Priday Ave. I was here at the Executive Council meeting and I was discussing with the engineer about a couple of things and I ran out of time and I wanted to let the Council know of the couple of other things that I had discussed with the engineer.

One was changing the location of the proposed new clubhouse, sliding it up closer to, up more away from the driving range. And that allows you to, whether or not it can be done with the current budget or not, it allows you to expand the actual length of the driving range about 30 yards. And also another thing I had discussed was the possibility of putting a cut through the rows of cars so that you're not walking all the way down to the end. You can actually cut through and get to the clubhouse quicker. I don't know if the engineer had talked to you, Mr. Mayor, about those particular changes but those were a couple of things I brought up to him after the meeting adjourned.

President Sustarsic – All right seeing there are no other individuals coming up to the podium.

Councilman Delaney moved to rise and report; seconded by Councilwoman Mancuso. Yeas: Unanimous.

#### COUNCILMEN'S COMMENTS

Councilman Delaney – Caught me off guard. I'd just like to congratulate the Friends of the Henn on their rained out birdwalk this passed Sunday. Breakfast was excellent. The artist who had done the sculpture of the seagulls roosting at the rear of the mansion gave a, gave a great presentation a talk about their artwork. I couldn't be happier about the success of the public art that went in back there and the statue that's drawn quite a bit of people. What I want to say is that the birdwalk is rescheduled for May the 15<sup>th</sup> at 9 a.m., 8 a.m., I'm sorry, for the walk. And at one time Euclid was, the City of Euclid was a bird sanctuary and every citizen was considered a bird counter. I think we've lost that standing. So that's their goal to try and get that back. It's not all about Cardinals, Blue Jays and Robins. It's about the yellow-billed cuckoo and the tufted titmouse. Thank you.

Councilman Gruber – I like how that rolled off his tongue. I'd like to welcome the new Economic Development Director. I had a short talk with him today. I enjoy his enthusiasm and his vision and I look forward to working with you. That's it.

Councilwoman Holzheimer Gail – I, too, want to welcome the new Director. We're looking forward to good things and looking forward to working with you. I also want to take the opportunity to thank Mr. Gliha. I think he served us very well as Acting Director and it's, I look forward to continuing to work with you again in your capacity. Thank you for everything that you've done.

I, also, want to take the opportunity to remind people that EDCOR, our Euclid Development Corporation, has low interest loans available. We recently received a newsletter so I thought it was worth mentioning to the community. You can borrow for home improvement up to \$25,000 at 3% interest. This is an income eligible program. And seniors who are over 65 or those with physical impairments can have interest only loans. So if you're interested in finding out more about that program or having someone from EDCOR come to your neighborhood association you can call them at 289-4625.

Also wanted to, I have had a couple calls and I thought it was worth taking the time to let the public know as well due to budget cuts our sewer relief truck 200, 500? We do not have someone staffing the service garage over the weekend so if you leave a message or call your Councilperson we can leave a message at the service garage. They are checking messages, although, we've had a glitch the last two weekends and those calls were not received. So I have received calls and I've left messages at the service garage, which have not been received. So I want to thank the residents for their patience in putting up with our lack of phones over there. Hopefully, that situation's been taken care of and we will continue to do the best we can in that regard with the budget constraints we're facing.

I also got a call about the County Sewer District is doing a roundup of hazardous waste materials and Euclid is not a part of that but other communities are. If you have old paint, old oil, things of that nature that you're cleaning out your garage, our garbage removal, Waste Management, will take paint can if you remove the lid and let the paint dry out. And I'm told the two Lube Stations on Euclid Avenue will take used oil during business hours. Correct, Mr. Gulich?

Director Gulich – Yes.

Councilwoman Holzheimer Gail – Thank you, but the other municipalities that are taking part in the Spring Cleanup all Cuyahoga County residents are welcome to participate in those. If you want to get on the [cuyahogacountyswd.org](http://cuyahogacountyswd.org) website you can find out which communities are participating and perhaps in the fall that's something we could look at participating in as well.

I also wanted to take the chance to thank once again the Police Auxiliary. There was a nice recognition dinner for them a week and a half ago and I believe that all of Council was there to

extend our appreciation to them. They do play a very crucial role in our community and we appreciate their efforts.

Lastly, the Euclid Collaborative is an organization of social service, family service and community organizations and residents that have been working together to come up with a plan with the Department of Children and Family Services to help meet the needs of children and family of Euclid. They will be having a kickoff informational meeting May 13<sup>th</sup>. I don't know the exact location, but I'll make sure that Regina gets the time and location. And any resident is welcome to attend that meeting. Council, I believe, all got a fact sheet that we can also make available at the Council office for people that are interested. But this should be a good way, it's there are collaboratives in other communities and they do go a long way of meeting needs of children and family that need additional services.

And lastly, Happy Mother's Day to all the mothers in Euclid.

Councilwoman Hufnagle – I want to, today marks the start of Teacher Appreciation Week. It's always the first week in May so I want to send well wishes out to the teachers of Euclid because we just honored one of Euclid's favorite teachers, Fay Miller. I want to extend that to all the teachers in Euclid. I know how hard they work.

I would like to clarify something that I said at the committee meeting last week on the Golf Course, the Executive Committee meeting. When I spoke about the, I watched the tape of the meeting again, as I always do, I watch the meetings. As I spoke about the MASH unit that was in the basement of the Knuth Center. When I used the term, we, I did not mean that Councilman Sustarsic and I discovered it that I meant the City discovered. Councilman Sustarsic and I came about way after that and we were only curious that's why we were there. The real credit is, should be given to Margaret Hastert-Wolf. She saw the value in what was down there and sought out an organization to donate it to. So I wanted to clarify that.

I would like to thank Kathy Will and Valerie for my tour of Shore. They both spent a great deal of time going over the building with me and I appreciate that very much taking the time out of your workday to do that.

And in the article that Mr. Hilf referred to about Shore, as I noted that there was a report in March of 2003. An Informal Structural Assessment of Shore done by architects Doty and Miller in Bedford. It stated that the results of that report were recorded. So I'm not quite sure who to ask, if I would ask Councilman Delaney or the Administration, but I would like a copy of that report, please.

And I would like to welcome our new Director and say how happy I am and we have lots of work for you in Ward 3.

And then lastly, I would like to wish all the mothers, Happy Mother's Day. Thank you.

Councilman Langman – I, too, would like to acknowledge the Auxiliary Police Dinner. It was a very fine event and all of us were there so I'm sure that enhanced the evening for one and all.

And I'll just wrap up by wishing my mother, Dorothy, and all the Euclid moms a very Happy Mother's Day. Thank you.

Councilwoman Mancuso – Do we a zoning trend or what? A very good zone. Again, I'd like to thank, welcome our new Director. We're going to hope you hit the ground running because we certainly can use you. And Mr. Gliha, thank you for your expertise, I'm sure we're still going to use it. You have, it takes a special skill to write and complete grants, especially Federal and government grants. So I'm sure you'll still be around.

On a more sorrowful note, I'd like to give my condolences to the Yurcich family. Mr. and Mrs. Yurcich have lived in Euclid for 31 years. And Mrs. Pat Yurcich had a business here for over 15 years and she died approximately a week ago. To her friends and neighbors they have been a pivotal part of our association. Going to miss her. Thank you.

Councilman Sustarsic – I'd just like to welcome the new Director. I had the pleasure of attending a meeting regarding the Community Garden. Some great things, it's really a great community project and something we're looking forward to. I attended with the rest of the Council the Euclid Police Auxiliary Appreciation Dinner and the citizens of Euclid truly owe them a debt of gratitude for the time they volunteer to our community. And I'd also like to offer my condolences to former Councilman Michael McTighe and his family in the passing of his grandmother, Bertha Starman. She was an instrumental figure in this Slovenian community here in Euclid and she ran Recher Hall for many years and she'll be missed.

I want to offer Happy Mother's Day to everybody in Euclid, especially my mother and a Happy 1st Mother's Day to my wife. Thank you.

Council Minutes

May 3, 2004

Page 25

President Sustarsic – I, too, would like to congratulate and welcome the Community Development Director. You've got your work cut out for you. And campaign promises have anything to do with anything we'll keep you busy. Not too much pressure, but look forward to working with you.

I was very happy to hear about the improvements at the ice rink. I think Councilman Langman would agree with me that it's a long time coming and with all the participation put in there by all the various organizations league hockey, figure skating, whatever they deserve it because they're part of this community, too.

I did pick up a few seeds for the community garden. I'll be getting involved with that as well. The Auxiliary always the unsung heroes. We'll see them next, if not before, lining the streets at the Memorial Day Parade helping our finest as they participate in the parade.

I'd like to wish everyone a Happy Mother's Day and I'd also like to wish my mom and dad the best as they'll be celebrating their 54<sup>th</sup> Wedding Anniversary this Saturday. So congratulations to them. Thank you.

Councilman Daly – Couple things, last Saturday I was pleased to attend with our Mayor and Law Director the Hall of Fame, VASJ Hall of Fame inductions at Hilton Inn South. And again, I'd like to congratulate John Sheridan, Sister Angela Marie Walderon, John Shinski, Herb Layman, Robert Princic, Fr. Patrick Henry and Timothy Flynt for their induction. Timothy you might know better as Skinny. It was a very nice affair and congratulations to all of them. I did have a chance to talk to the committee and found out that my name is very, very far down the list so.

This coming Saturday for those that don't have plans I think it's ocho de Mayo, May 8<sup>th</sup>. Friends of Euclid Football are having their reverse raffle and I think it's the 2nd Annual. Call the coaches for tickets.

And lastly, another sad note, this morning I wish to express my condolences to the entire Laffey family on the passing of Greg Laffey. The Laffey's are very active long time members of St. William's Parish and my thoughts and prayers go out to that entire family. Thank you very much.

President Sustarsic – Thank you for all those comments. One last thing there will be a Public Service Committee meeting next Monday and that will begin, I believe, with a presentation relative Waste Water Treatment Plant.

Director Gulich – Waste Management.

President Sustarsic – Excuse me, Waste Management as well as I think the cellular tower.

ADJOURNMENT

Councilman Sustarsic moved to adjourn; seconded by Councilman Gruber. Yeas: Unanimous.

Attest:

---

Clerk of Council

---

President of Council