

**COUNCIL MINUTES
OCTOBER 4, 2004**

The regular Council Meeting was held on Monday, October 4, 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

All Present.

Others Present: Mayor Cervenik, Law Director Frey, Service Director Gulich, CS&ED Director Pietravoia, Police Chief Maine, Fire Chief Cosgriff, Zoning Commissioner Torowski, Housing Manager Petkovic, Sgt.-at-Arms Nagy, Clerk of Council Cahill.

Invocation was given by Bro. Vince Gibson from Church of Jesus Christ.
A moment of silence was held for Edward J. Eckart.

COMMUNICATIONS

Council has received the following Communications:

A summary of legislation on tonight's agenda by Law Director Frey
Two notifications of pending legislation for the granting tax Abatements from Deputy Director Gliha.

COUNCIL MINUTES

Councilman Gruber moved to approve the Council Minutes of September 20, 2004. Councilwoman Hufnagle seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik – Today was a grand day. We opened up our Euclid Lakefront Community Center, our new senior center down on the lakefront. It was a very anxious day. There's been a lot of work going into this. Everything is not quite put together yet, but we were able to serve our first luncheon to the seniors and we fed nearly 200 people. It was probably one of the largest lunches they've had in a long time. It went very smoothly. Over the next few weeks we will be getting all the nuts and bolts taken care of there and we do have our senior co-presidents of the Senior Site Counsel here tonight, Kay Lada and Julia Graham, who I would like to call up here at this time so they can tell us a little bit about the public Grand Opening. They will be speaking on the 18th. The Grand Opening is planned for October 24th. Kay & Julia will tell us all about it next meeting. Sorry about that.

As you know there was a major fire on Lake Shore Blvd. at the Sunrise Apartment fire. It has been on the news. Our Fire Department answered the call within 3 minutes. No life or serious injury were spent during that fire. I had the opportunity of talking on Channel 5 News and Ted Henry and his staff were commenting and very impressed with the way the community pulled together. People were on the fire scene to provide clothing and food and support for the victims. The Fire Dept. was fabulous, the Police Dept. was very diligent in their duties to keep the roadways clear while the fire is being fought.

A number of other people such as Pastor Tom Owens from the Living Waters Church of God. The management from River's Edge apartments, Willo Arms and Gateway Retirement Village, as well as the Red Cross, were able to offer immediate assistance to all of the residents that were displaced. There is also a donation fund that has been set up at the Eaton Family Credit Union at 333 Babbitt Rd. That was set up by Sally Hufnagle along with the Credit Union. If you know of any residents that need help from that fire, please contact my office and we will make sure they get that help. Again, it took a tragedy for some people to understand what a great city the City of Euclid really is.

Grand Opening of Outlets USA was held Friday at 10:30. Very impressive. I think I can do my Christmas Shopping this year in Euclid again. You need to go up there and take a good look at it. All sorts of different things to buy, furniture, clothing, just a great time. The owner Ted Lichko and his staff have really put a lot of time, money and effort into that situation. It is only going to get bigger and better as they go on. I urge you all to stop in at the all Kaufmann's at Euclid Square Mall and bring your wallet because you will find something that you'd like to buy there.

If you've read on the paper Saturday, we're very happy to announce that we were able to make the announcement that Marine Mechanical who has been located at the Argo-Tech Building at Heritage Park will be leasing with an option to purchase the former Rockwell International Research Building on Tungsten Road. It is 267,000 sq. ft. of manufacturing operations.

They have outgrown their present facilities at Argo-Tech and needed to secure their own facilities because of the work they are in. They very much considered moving, not only out of the City of Euclid, but out of the State of Ohio. With the help of Frank Pietravoia, Team NEO, the State of Ohio, Cuyahoga County Department of Development and the Cuyahoga County Port Authority, we were able to put together a package to allow this company to be able to move into the Rockwell Building.

Not a lot of new jobs. We'll have 38 new jobs. The key to this deal was job retention. Right now they have 245 full time employees and they pay income taxes of over \$389,000. They are also paying \$211,000 in personal property taxes. They are going to create \$1,900,000 in new payroll which will generate over \$54,000 in new income taxes. Although we will be getting some new income in this whole project, the key here was job retention and being able to let this company grow. I can't tell you enough about the partnership we have formed with the County and all these other organizations. We are going to continue to do that because we're all in this together and I just can't say enough how devastating it would have been if we lost over a half million dollars in various taxes in this community. Mr. Pietravoia again I congratulate publicly you and your staff and everyone else. This is just a beginning, we've got a lot more to come.

Also I have a warm welcome for Pat Krizansky. She is the new Executive Director of the Euclid Chamber of Commerce. Pat has a wealth of business and organizational leadership both in the private sector as well as previously serving as the Executive Director for another local Chamber. Frank Pietravoia, again he has become a board member of the Chamber. He looks forward to working with Pat also. I think the Chamber is on their way to making great strides to help with business development in the City of Euclid.

At the last council meeting we had some complaints about the switchboard not being manned or womanned all the time I should say in this case. I would like a special thank you to Councilwoman Hufnagle, who last week because we were short-handed, one of the switchboard operators weren't able to be here. Sally graciously came in and answered the switchboard all day and did a very good job. We only had one complaint about her and it wasn't a real serious one. We'll let you slide and hope to have you do it again. We appreciate your help. My Service Director has a very important announcement concerning E. 260th Street.

Director Gulich – Resurfacing by Ohio Department of Transportation will start on E. 260th this week. They tell me work will actually start on Thursday. This is what we call a mill-and-fill. We are going to grind off the surface course and they will put a leveling course and a surface course back. The road will be open throughout the entire work. It will be open in both directions because work will be happening from Lake Shore Blvd. to and underneath the freeway. We intend on having all this resurfacing work completed this fall. Come back in the spring and do some necessary ramp work at some of the intersections.

Secondly October is here. October, November and December are the summer sprinkling sign up months. Each year if you're already signed up, sit back and relax. Once you're signed up, you're signed up for good. Anybody's who has recently moved into the City or has heard about the possible savings from this program, please contact my office. We can make sure you get signed up. There is a one-time \$10 fee for our administration cost and I do want to emphasize that savings aren't guaranteed. You do need to use more water in the summer than in the winter if you want to realize savings. I think I'm good for about \$30 in savings so far, I haven't gotten my most recent bill. We'll see what that brings.

Last and certainly not least, this past Saturday was the Euclid Creek Watershed Clean Up Day. It was a little rainy in the morning. We still had 14 volunteers cleaning up from Euclid Ave. all the way to the City line north of Euclid Ave. One of our volunteers is in the room, Dorothy Fike. Here and 13 other able bodied people pulled numerous soiled bags and trash out of the Creek. Probably the most interesting thing was an automobile seat. Dorothy helped pull that out. If there's anyone else in the audience that helped, I certainly appreciate it. Thank you.

Mayor Cervenik – One comment on the passing of Ed Eckart. Ed Eckart was a very large contributor to the political environment in the City of Euclid. We talked about some environmental things, he was instrumental in passing a law that when a developer takes down a tree, he has to plant two. He was very in-tune with what this city needed. He and Joe Farrell were instrumental in getting me started in politics. That may not be real popular thing with some people here, but all in all, he just was all around good family man, all around good business person. Attending his funeral and listening to his son Dennis, who was a United States Congressman for a number of years, talk about his father and how he related to his family and he related to his friends and how he sincerely loved his community, made me realize that public service is an honorable, honorable profession to

have. I think Ed Eckart wore that very well and we do extend to his family our thanks, and our prayers and our sadness along with them as they cope with this loss.

President Sustarsic – Very well said. As a matter of fact, my family, we went back a few years with these people too. There was somewhat of a parallel insofar as the families and what they were involved in, the organizations, the Euclid Veterans Club, the Council of course, the government. Even though we might have been at odds at times, everyone got together eventually when it came down to the end and were looking for the best interests of Euclid at heart. Again, our condolences to the Eckart family.

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Recreation Commission Minutes of August 25, 2004; Board of Control Minutes of September 13 & 20, 2004. Councilman Langman seconded. Yeas: Unanimous.

LOT CONSOLIDATION

Council should approve or overrule Planning & Zoning Commission's approval to allow a lot consolidation of property owned by Benevolent Protective Order of Elks of Cleveland – Euclid Lodge #18, located at 20150 Lake Shore Blvd., P.P. #642-20-012 and 642-20-013, from two single parcels into one.

Councilman T. Sustarsic moved to sustain Planning & Zoning Commission's approval of the lot consolidation at 20150 Lake Shore Blvd. Councilwoman Mancuso seconded.

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

Approved.

Councilman Gruber moved to waive the 24 hour notice and place on the Agenda, Res. (207-04). Councilwoman Holzheimer Gail seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE

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

President Sustarsic – We have 6 items on the Agenda. Items 1, 2 & 3 are first readings. It is my understanding unless there is anything different from the Administration or Council, that these will be first readings and so it won't be necessary to comment on these as they will be coming up in the future.

Mrs. Rebecca Conway – 291 E. 276 St. Question on Ord. (206-04), an emergency ordinance abolishing the position of Sgt.-at-Arms for Council for the City of Euclid. Councilman Hufnagle, I see that you are sponsoring this. Can you read me the job description of the Sgt.-at-Arms per the Charter?

Councilwoman Hufnagle – Per the Charter, no I don't have it word by word per the Charter.

Mrs. Conway – In your own words could you give us a description?

Councilwoman Hufnagle – Sgt.-at-Arms sees to the needs of the Council. He gets the meetings ready for us, gets the water, pulls out the name tags, makes copies if needed. Attends to the needs during the meeting. Opens the building, closes the building and then attends to the needs of Planning & Zoning and I believe Architectural Review Board and any committee meetings that we would have also.

Mrs. Conway – That was much more than I thought. How much is his annual salary?

Councilwoman Hufnagle - \$5,103.

Mrs. Conway – It sounds like he has a lot of responsibilities for that \$5,000 a year and I would hope that Council would not abolish this position. Thank you.

Mr. Vince Riha – 1515 E. 195 St. First of all I question #3, you said this is a first reading, but it says public hearing on here. If this is a mis-print, that's fine.

President Sustarsic – No, no. What it means is this is the first reading and the public hearing will be on November 15th.

Mr. Riha – Okay. #5, I ask currently we're uninsured then as I read this. Wasn't anyone aware that the insurance policy was going to lapse? Have we sent out any quotes to find out if we can get a better price? Thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. I'd like to answer a question on #6 of Mrs. Hufnagle. Why is this so important to do now? Why is this so important to deny a man at least a 30 day notification rather than tonight?

President Sustarsic – I really don't think that, and again with legislative matters as we're addressing them, if it's not necessary a debate session.

Mr. Goodman – I'm not debating. Whenever an ordinance is put forward here, it is explained why it is being put forward. My question is why tonight? Why is it an emergency? Why is the man not even being given a 30 day notification on a non-emergency ordinance?

President Sustarsic – That will be explained during when the presentation is being made.

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

LEGISLATION

Res. (201-04) UDE Elks Lodge

A resolution granting a Use District Exception, pursuant to Chapter 1375 of the Planning & Zoning Code of the Codified Ordinances of the City of Euclid, to Benevolent Protective Order of Elks of Cleveland – Euclid Lodge #18, for property located at 20150 Lake Shore Boulevard (Permanent Parcel #s 642-20-012 and 642-20-013), to allow a UR-2 (Church) use in a R (Institutional) Use District. (Sponsored by Planning & Zoning Commission)

First Reading.

Councilwoman Holzheimer Gail – This is the first reading. There are some concerns about the ability to get into the building quicker so I would like to give notice tonight that it is my intention at the next meeting to waive the three readings and have the public hearing at the next meeting, which will be October 18th.

Res. (202-04) UDE 21877 Euclid Ave.

A resolution granting a Use District Exception, pursuant to Chapter 1375 of the Planning & Zoning Code of the Codified Ordinances of the City of Euclid, to Andrew and Chelsea Pernell, for property located at 21877 Euclid Avenue (Permanent Parcel #646-32-031), to allow a UR-1 (Daycare) use in a U-4 (Retail/Wholesale) Use District. (Sponsored by Planning & Zoning Commission)

First Reading.

Councilman Gruber – I, too, would like to inform the public that I plan on waiving the next two readings at the October 18th meeting. Just so people know. Thank you.

Ord. (203-04) Rezoning 881 E. 222 St.

An ordinance rezoning P.P. #643-13-008 located at 881 E. 222 St., from U-1 (Single Family) use district to U-4 (Commercial) use district and further amending Ord. No. 2812. (Sponsored by Planning & Zoning Commission)

First Reading. Public Hearing November 15, 2004.

Ord. 165-2004 (204-04) Amend Code

An emergency ordinance amending Section 945.05 of the Streets Utilities and Public Service Code of the Codified Ordinances for the City as outlined below. (Sponsored by Councilman Gruber by request of Police Chief)

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

Director Frey – This revision in this ordinance and I'm sure the Chief will have comments on that as well. This revision in the ordinance is to clarify a couple of items that were not resolved in the last revision which occurred in February of last year. There was some confusion left in the ordinance as to at what point a false alarm would result in a charge to the business or property owner for that false alarm. We had unfortunately left in a provision that indicated the first false alarm in each month was without charge. This removes that provision. It also further clarifies when the police department in responding to what turns out to be false alarms can require from that property owner an explanation or corrective measures as to remedying the cause of the false alarm. That was in that revision last year. We've tried to clarify that language a bit. But also indicate that in the event that there is not corrective action taken, the Chief will supply notice by certified mail that the Department will not respond to any further false alarms. Those are the primary changes.

There is one other change and that will to further expand upon the ability to collect false alarm fines by taking civil action. In other words, filing actions in most cases would be in the Municipal Court to collect those fines with interest.

Those are the changes that we made. This was discovered that we had some of these items that needed to be corrected when we were preparing some of the complaints that we needed to file in the Municipal Court on some of our outstanding balances. Chief if you have some additional comments.

Chief Maine – I don't have much to add to what you've already said Law Director. This is basically a housecleaning issue, attempt to clear up some of the language. I can tell you that for the last year and a half this ordinance has been very helpful in helping to reduce the number of false alarms. I would urge its passage. I would be glad to answer any specific questions you might have.

Councilman Langman – Law Director Frey, I think I've sent you an e-mail yesterday regarding a particular situation and you mentioned yourself that the prior language was prior confusing as to whether you get a freebie for a lack of a better term for each month or whether it applies. Given the confusing or confused wording of the ordinance, are we still going to apply it based on the intent, or as the citizen has read it?

Director Frey – We would have to apply it as it was written at the time of the false alarms, which has caused some real discomfort because we've had to go back and try to recalculate what those charges are. Anytime legislative action is taken, ordinances drafted, if there is ambiguity in there and that ambiguity is held against the government. We're making no effort to try to collect other than what the former version, assuming this one is enacted tonight would allow.

Councilman Langman moved to close debate, Councilwoman Hufnagle seconded. Yeas: Unanimous.

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

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

Passed.

Ord. 166-2004 (205-04) City Insurance

An emergency ordinance authorizing the Director of Finance of the City of Euclid to renew the existing contract with CNA Insurance Company, written through the firm of Wichert Insurance Services Incorporated, 1013 Portage Trail, P.O. Box 997, Cuyahoga Falls, Ohio 44223-0997 insuring City-owned property, contents, boiler and machinery, inland marine and against crime for the period October 1, 2004 to October 1, 2005 at a cost of \$79,071.00 (Sponsored by Mayor Cervenik)

Councilman T. Sustarsic moved for passage, Councilwoman Mancuso seconded.

Mayor Cervenik – To address the gentleman's questions, number one, we are operating under a binder through the insurance company, so we are fully insured in every way, shape and form. We've been working to try and get the best rate possible for the City. On the back of your legislation I believe you have the summary of the costs in 2003, 2004 and what it will be in 2005. This represents an increase of roughly \$3,200. Our total property cost of insurance went from \$81

million to approximately \$83,500,000. It is an increase in premium of 4.3%. With the building value being three. We also have an increase because of the senior center. The Senior Center is not in there yet, that will be an addition to it.

Also, we are covered, this includes any criminal or dishonesty activities that come from our employees. The only one that's not covered under this for bonding is myself. The Mayor is required to have a separate bond and that is in good effect right now. This is a very modest increase in insurance and I'll be happy to answer any questions that I can. Director Johnson does send his apologies for not being here this evening to discuss this. He had a tragedy in his family, his brother-in-law had an aneurism and he wanted to spend it with his family because it doesn't look to good for him. I should be able to answer any questions you may have.

President Sustarsic – I would imagine, first of all the question that was addressed by the audience. It is not a matter of us running out, this is an overlap more or less?

Mayor Cervenik – We have a binder. As they were working in September to solve this, we were looking at other quotes. The next closest quote I believe was approximately \$90,000. We operated on a binder knowing that October 4th is the first Council Meeting that Council could act on it. It is a very standard practice in the insurance business and I think Mr. Daly could concur with that. We are covered and if anything happens between now and the time I sign this legislation, we are fully insured.

President Sustarsic – One other note as far as appraisals of the buildings and the contents. I imagine that was an update.

Mayor Cervenik – Yes we had an update. Some of the delay was the original appraisal we felt was an extremely high appraisal, which would have only caused our rates to increase. We had to negotiate those appraisals down and have some things done.

President Sustarsic – We had that problem a few years back.

Mayor Cervenik – A few years back it was the same thing. We ended up increasing only about \$2 million in appraisals by the time it was all said and done. We would never allow the City to go uninsured, Mr. Chairman.

Councilman Daly – Just to talk about an insurance binder. People may note that the World Trade Center buildings were covered under a binder at the time of September 11th when the planes hit. So, I believe that situation was going on for between 3 and 6 months. So us being covered for a few days until was pass this, is fully insured. Thank you.

Councilman T. Sustarsic – Boiler and machinery. What kind of machinery? Like the Waste Water Treatment Plant, that kind of stuff there?

Mayor Cervenik – All of our property, all of our equipment and all of our various buildings. We even have the golf course greens on this. We're well insured.

Councilman T. Sustarsic – It doesn't include the ambulances does it?

Mayor Cervenik – Yes this would include all the operations of our equipment, yes.

Councilman Delaney – On our spreadsheet that covers the three years, is that the same insurance company, Wichert that is on these three years?

Mayor Cervenik – Yes it is.

Councilman Delaney – You had mentioned that we had quotes. Did we have rfp's? Did we have other insurance agencies bid on this work?

Director Frey – Rosanne Evangelista, we spoke about this when we put this piece of legislation together. There was information from a broker by the name of Palmer & Kay. They provided preliminary quotes from two insurance companies Affiliated FM and Lexington AIG. The quotes were in the neighborhood of \$90,000. The representative, fellow by the name of Jeremy Bryant from Palmer & Kay, indicated they would not be able to do better in their quotes than the Wichert

Insurance quote for CNA. There was not an rfp issued on this. I think because of the timing of getting the appraisals done and needing to get the insurance coverage as quickly as we could for this year. But she did solicit quotes from other insurance carriers and they were considerably higher, to the point where this individual representing Palmer & Kay opted not to submit formal quotes.

Councilman Delaney – Every year does Wichert come out and physically look at the buildings, walk around them, go through them?

Mayor Cervenik – I'm going to tell you yes, but we will check into that and let you know for certain. I do know that the buildings are regularly appraised both for our protection as well as the protection of the insurance company. I will get that exact information for you.

Councilman Delaney – You mentioned the time with the appraisals. It took us a year to get the appraisals together? We know we are going to do this year in and year out and its an emergency ordinance.

Mayor Cervenik – We strongly disagreed with the original appraisals we got. We felt they were much higher than appropriate, which would have cost us more in premiums. The appraisals were done in a timely fashion, we just had to deal with the results.

Councilman Delaney – We had appraisal twice this year is what you are saying?

Mayor Cervenik – We negotiated the prices down to where we felt they should be. A simple appraisal is to take property and take the price we were appraised at or we were insured at last year, add the CPI to it and go from there. The appraisals came in considerably higher than that and we didn't feel that was appropriate. That's why it took that much longer. We prevailed at the end and hence force we have about a \$2,200 increase in premiums.

Councilman Delaney – One of the concerns is that it is an emergency ordinance and when you know that you are going to take care of this year after year after year, that's what I think I have raised my eyebrows about. We feel like we are rubber stamping a lot of this. These hard times we have to look very hard into these different rfp's and quotes and find out who we are doing business with and where we can maybe pick up a better deal. But you have it in writing. You have two others. I'm not sure if any others were interested. But thanks for answering my questions.

Mayor Cervenik – We're not asking you to rubber stamp anything. We have any of the paperwork you would like to see between the conversations and the written correspondence between the appraisal and between Roseanne Evangelista and Director Johnson. We just felt to rubber stamp their appraisal would not be in the best interest of the City of Euclid and we fought their values and we feel we came away with appropriate appraisals and an appropriate increase in the premiums.

Councilman Langman – Mayor or Law Director, did you look at changing the mixture of the deductible levels, to perhaps reduce the premium level?

Director Frey – I'm sorry I cannot answer that question. I was not involved at all with the quoting of the insurance either Ms. Evangelista or Director Johnson would have to answer those questions. I apologize for not knowing that this evening. I'm not aware of their negotiating process and what they did to look at the mix of deductibles and whether we needed to decrease coverage in certain areas and increase it in others. I can't tell you.

Councilman Langman – Mayor could you relay the question?

Mayor Cervenik – We will relay the question. I will tell you that Roseanne Evangelista along with Director Johnson spent a good amount of time making sure that our coverages are appropriate and without having it in writing in front of me, my bet would be that yes, they had conversations about various ways to lower our premium, be it by higher deductibles, lower deductibles, dropping coverage on certain things or not, yes. I will relay that message to her. She's very diligent in making sure that we're paying the least amount of money as possible for our insurance company. She's been at it for a long time and I think she does a very good job.

Councilman Langman – Can you speculate whether you think it might be based on previous year's claims experience?

Mayor Cervenik – I would speculate that we have probably the highest deductible that her and Director Johnson feel comfortable with to keep our premiums down. That's the best I can speculate now. We will supply you with those deductibles.

Councilman Langman – I would appreciate it, thank you.

Councilman Gruber – Mr. Mayor or Law Director Frey, could you tell us the amount of actual value of the properties that are covered under this plan for \$79,000?

Mayor Cervenik – I've got a little over \$83 million. \$83,523,906.

Councilman Gruber – For a premium of \$79,000 a year.

Mayor Cervenik – It will be increased for what the Senior Center. Right now the Senior Center is also on the binder, but there will be an addition for the Senior Center.

Councilman Gruber moved to close debate, Councilwoman Mancuso seconded. Yeas: Unanimous.

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

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

Passed.

Ord. (206-04) Sgt.-at-Arms - Committee

An emergency ordinance abolishing the position of Sergeant at Arms of Council for the City of Euclid. (Sponsored by Councilwoman Hufnagle)

Councilwoman Hufnagle moved for passage, Councilman Gruber seconded.

Councilwoman Hufnagle – This piece of legislation that I had placed on the Agenda this evening is in no way an indication of the job performance that Mr. Nagy has performed for us. He has done his job exceedingly well. I don't feel that we could have asked more from him. My feeling on this piece of legislation is simple. The City doesn't have any money and we're asking our employees to do more than what normally is their responsibility and I feel that Council should set the example for that. I think that the duties that Mr. Nagy performs that we could perform for ourselves. I think the real issue would be the closing of the building. I think that would have to be something we would have to work with. Perhaps even put Council on a rotating schedule as to taking turns closing that building.

But, when I looked at the numbers, what Mr. Nagy makes for the year, as I said before he makes \$5,103. When I looked at what a crossing guard makes, Mr. Nagy makes \$151 less a year than a crossing guard. Right now we have a priority in this city and nobody has come out and said, we don't need a crossing guard at Memorial School. Or we don't need a crossing guard at Indian Hills School, or we don't need flashing lights. But we know that we don't have those things and school has been open for how many months now. So, we might have to do without. We might have to be inconvenienced but I think prioritizing the needs in the City, I just don't see that office as a priority at this time.

Mr. Goodman asked why it was an emergency and why not a 30 day notice. I did when I came up with this piece of legislation speak to the President of Council and ask him to speak to Mr. Nagy so that it would not come as a complete surprise to him. I think in the real world when you work a part-time job, you don't get 30 days notice. But I am open to discussion on this subject, or to answer any more questions.

President Sustarsic – I know one of the initial concerns I had would be if in fact this were to happen the redistribution of the responsibilities. As it was mentioned before, its not simplified, as far as pouring water that type of thing. When you consider the liabilities involved as far as securing the building. I know just as far as one point would be with the redistribution of duties. I think that our Council Clerk and Secretary, our Council Office is pretty maxed-out, when it comes to what's on their plate and what they can handle.

The only other thing, if there might be any other suggestions. The responsibility would be pretty awesome I would think as far as again the liability if in fact something were to happen with the building if it wasn't properly closed down. I'm not saying that anyone on Council couldn't do it, but at the same time, wondering if in fact its somewhat of a set price in that regard whereas I would think the issue were to as other communities might either janitorial staffs or possibly somebody from the Building Dept. to come in, we might be looking at overtime. It would be interesting to see how that might compare with this supposed set cost of approximately \$5,000. Are there any other comments or questions on it?

Councilwoman Holzheimer Gail – While I appreciate the interest in saving money, I would not be prepared to support this tonight. I think we could look at it in Committee perhaps, look at different options. There's all kinds of different possibilities from rather than abolishing the position, perhaps it becomes a volunteer position. Perhaps we change the way it is paid to an hourly position. My concern I share with you is, primarily the largest concern would be who is responsible for opening and closing the building. We just approved insuring \$83 million worth of property. That's not all at City Hall but we certainly have a great deal of valuable equipment in the building here. I don't take that job lightly of having to make sure, I would hate for the door to be left open inadvertently and have something happen. I do appreciate the intent to reduce expenses. I think we need to look at absolutely everything we can possibly look at. We will be meeting, I'm assuming soon, for budget hearings. Perhaps we could move this to that Committee and present different options at that meeting for different ways of looking at this.

Perhaps it is having other staff step-in. Perhaps rotating. I think there's a lot of different possibilities that I would hate to get rid of this position and not have something in place to ensure that our property is protected.

Councilman T. Sustarsic – Concerns, as far as the Council manning that position. It is kind of tough, I know for myself, I'm in a rush to get from work to here. I know a lot of my colleagues are too. It is tough, if I'm not here at the exact right time to open the building up, I would hate to have everybody waiting out front waiting for me. Maybe we should look at it in committee.

Councilman Delaney – Thank you Mr. President and I think you had hit one of the points that I was going to make that eventually it would fall on the shoulders of the Building Dept. It would go into overtime and it would cost more.

I would prefer voting this down tonight. I don't see spinning our wheels in the sand, talking any more about this over \$5,000. There is an immense amount of responsibility with opening this building, closing this building, the Architectural Review Board, Planning & Zoning, Council meetings, Committee Meetings. This is a position that is for the people. I'm tired of political grand standing. Comparing the Sgt.-at-Arms to crossing guards. Comparing the salaries. It is time to move on and look at the bigger picture. This is a distraction. This is a Council meeting. It costs money. Why don't we turn out the lights? Why don't we turn off the heat? Well have candles. To have this meeting for the people costs money. This is one of the costs of doing business. I think we get pretty good bang for our buck. There is not rotating Council seats to be able to do this. Quite frankly, if you're not up to your job description and you don't feel like you are doing enough in your Council seat, then step aside and let somebody else do the job. The point is that we have quite a bit in front of us. We have a great deal to do over the budget. Let's vote this down. Vote this down now and then let's work on everything else that we need to do to move this city forward and to get this budget straightened around. Thank you.

Councilwoman Hufnagle – Boy, speaking of political grandstanding. Right now I would like to ask Councilman Delaney to either tell the Principals at Indian Hills or Memorial School that they don't need crossing guards, or to come up with his own idea for \$5,000 to pay for them.

Councilman Gruber – Mayor Cervenik, when you were on Council we had the untimely passing of Ernie Stankus, he was our Sgt.-at-Arms. How long did we go without a Sgt.-at-Arms that time?

Mayor Cervenik – It was a long time. It was a long time ago. It was a long time. We did survive without it. There was some inconvenience. We did survive without it. My only point is, where I'm sitting right now I'm making a lot of decisions, recommendations, suggestions on budget cuts that we'll be presenting next week. A lot of them are in the \$3,000-\$5,000 ranges. Because if you get twenty of those it adds up to \$100,000. I will accept any decision that Council makes on this position because it is certainly your meeting and your position to fill. I don't think anyone should be making political grandstand or any political points out of this subject.

I commend the Councilwoman for discussing it and bringing this up. Maybe you should have had a little more conversation with the members before it was put on the floor, possibly, I don't know. Again, it is your decision, how you do your business. Could the Administration survive these Council Meetings without that position? Yes. Will we make that decision? No, that's completely up to you.

Councilman Gruber – Director Gulich, does this building have the ability to arm itself, lock itself?

Director Gulich – Yes, we have electronic locks and we can set the building to unlock and relock.

Councilman Gruber – I'm sure someone from the administration, such as yourself would be willing to check the building before the doors were locked to make sure nobody was in here? Without paying anyone overtime?

Director Gulich – I do lots of things nobody knows about and I don't get any overtime.

Councilman Gruber – The building does have that ability and there were some citizens that called me saying that it would be a good project for Eagle Scouts or Boy Scouts to maybe attend the meetings and they could make the copies and they could get us the water. There is much more to what Mr. Nagy does and Mr. Nagy is a personal friend of mine and I hate to see anybody lose their job. But I would like to commend the Councilwoman on coming up with an idea to save \$5,000. That's much more than my colleague has come up with so far. You are to be commended for that. I know over the summer we met and we came up with a lot of difficult decisions that were to be made to save the taxpayers of the City of Euclid money. So far all of those have run into brick walls. We don't want to raise any fees, we don't want to raise any taxes, we don't want to cut any positions. That's turning our wheels in the sand. Councilwoman, maybe it would be a good idea to put this into Committee. If you would like to do that, I would make that motion. If not, we'll let the folks vote on it.

Councilman Gruber moved Ord. (206-04) into Finance Committee to review. Councilwoman Holzheimer Gail seconded.

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

Placed into Finance Committee.

CEREMONIAL RESOLUTION

Res. 164-2004 (207-04) Memoriam Ed Eckart

A resolution in Memoriam upon the death of Edward J. Eckart, former Euclid City Councilman.
(Sponsored by Mayor Cervenik & entire Council)

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

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

Passed.

COMMITTEE OF THE WHOLE

Councilman T. Sustarsic moved to go into the Committee of the Whole. Councilman Gruber seconded. Yeas: Unanimous.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. I'm a member of the Euclid Hunger Center and on behalf of the Hunger Center I would like to thank one of the city's residents, member of the Euclid Awareness Committee. He took on his own behalf, he talked to us first, he went out, South Lake Shore Blvd. to Lake Shore Blvd., 200 Street to 222 and passed out leaflets that a week later he'd pick up food. Through his efforts we received well over \$500 in food. I would like to thank the residents that contributed. It seemed like some went out and bought food just for us. We really appreciate it. We've got a good community.

The other thing, November's voting. Get out and vote. Don't let somebody else decide your future. It is up to you. Saving money. I've saved a lot of money. \$30,000, a lot of our senior citizens which they had that much of an income. So anybody making over \$30,000 in the city, over, longevity, no longer in existence. I know it's a hard thing to say, but there's a lot of citizens out

there that don't get \$30,000 a year to live on in their old age. No more longevity. I'm not asking, I'm saying, do it. That's a cut you can make. As a Director you make a lot of money. I haven't even talked about anybody making over \$60,000 what you can do. So think about it. There's a lot of cuts that you can make. Don't hurt the city though, thank you.

Mr. John Conway – 291 E. 276. I would just like to take a couple of minutes tonight to make a few comments on a couple of things that I've been observing over the last couple weeks. The first thing I'd like to clarify, Mayor Cervenik, on November 19, 2002 as a member of Planning & Zoning Commission, you voted against the lot split request for the Hillandale Project. You stated that you were hesitant to vote in favor of rezoning this location without seeing a better description of the proposed lot sizes and a definitive plan.

I was amazed when I reviewed the new floor plans that were submitted recently as part of the law suit. In that resubmittal, only two of the 13 plans are over 2,000 sq. ft. I thought the only thing we agreed upon with the Hillandale Issue was that this City needs upscale housing. I hardly think two plans out of 13 constitutes upscale housing.

I can only imagine how much time will be spent in Planning & Zoning when we need to review all of these variances. I certainly cannot imagine at this point in time that any of those variances would not be approved.

Though I'm sincerely glad that you personally feel that you have received enough information to change your mind when you voted no, I just don't understand why everybody is having so much difficulty for those individuals who have not achieved that same level of comfort as you have and still want to vote no on this project.

Additionally, I think there's an incredible point here to point out. The Religious Land Use and Institutionalized Act of 2002 was enacted prior to you voting no on this project. So again I ask, why are you against anyone else who still feels that they should vote no on this project?

Secondly, it is amazing to me how people like to hide behind the fact that they are a party to the federal law suit and cannot comment on the Hillandale issue, especially when they are being asked the questions that they don't want to answer. But it seems to me that you are not having any problems being quoted in the paper, and going around to other homeowner's associations scaring people that we are going to lose in Court for several millions of dollars. I just can imagine what a meeting is like in Sheldon Berns' office with himself, Paul Taylor and Pastor Maiden. The discussion goes something like this. What do you think we should do with the law suit? They go, I don't know, the Mayor is telling everybody we'll win for millions of dollars so let's go for it.

What is most ironic about this entire situation is that people are going around the city saying we will lose millions of dollars and making comparisons to Costco case. When in reality even in the recent Cleveland Magazine article, Sheldon Berns is quoted as saying that he predicts the Church will only win hundreds of thousands of dollars in damages due to lost business opportunity.

I wonder if at the end of the day if we do a comparison as to how much money the city wasted on the golf course clubhouse plan that never got implemented versus what we could potentially lose in the Hillandale suit, which one will have the greater impact to the city?

Finally, I've heard several members of Council and your Administration going around making the following comment. Why would you want to see a factory up on that hill? The last time I checked and somebody can clarify this for me, a factory hardly fits the description of Light Industrial.

Finally, just to wrap things up tonight, on November 2nd, we all have a very incredible, important decision that we need to make. What's really important here is not necessarily what I say, but that each individual voter does their due diligence and understands the subject. Whether you are for the project or against the project, all that I can ask is that people make an informed decision. If you feel that this project is good and you agree with the rezoning, vote yes. If you feel like I do and many others, simply vote no on Issue 33 & 34 on November 2. Thank you.

Mr. Matt Sarver – 26550 Shoreview. I'm going to piggy-back a little bit on what Dennis Berzinkas said because I think its worth repeating. On behalf of Euclid Awareness Committee, I would like to take this opportunity to thank the 50 plus households that donated much needed provisions to the Euclid Hunger Center last Saturday. The estimated dollar amount of the food collected exceeded \$500. To all of you that contributed, thank you so much.

I'd also like to announce that Euclid Awareness Committee will be doing another food drive to benefit Euclid Hunger Center, Saturday October 16th. We will be covering the neighborhood between and including E. 264 to Eastbrook Dr. north of Lake Shore Blvd. We look forward to this food drive being at least as successful as last weekend's and again a heartfelt thanks to all of you that contributed.

I would also like to make the residents aware that the Euclid Awareness Committee has lawn signs available pertaining to the Hillandale Issues, Issues 33 & 34 on the ballot November 2nd. If you'd like one, please contact us at 732-8241. Give us a call and we will expedite one to you. Additionally this evening I would like to respond to some comments made at the previous Council Meeting. Councilwoman Hufnagle, you inquired as to whether or not the residents of Euclid could be back-charged for the legal fees resulting from the Providence Baptist Hillandale Law Suit. This buffoonish request is a slap in the face to not only those of us who did sign the Referendum Petition, but to every resident of this City. Let us not forget that Euclid's Charter gives every resident of this City the right to seek a ballot Referendum. I have a better idea, why don't we look to Providence Baptist Church and their attorneys to compensate the city for these legal fees that are incurred.

Since I have some time left, I wasn't going to talk about this, but I wanted to discuss the possible abolishment of Mr. Nagy's position. This has gone into Committee and who knows what's going to happen at this point. But Councilwoman Hufnagle you asked why a 30 day notice. Because that man deserves it. He is a man of character and quite simply he deserves it. If it does come to pass that he is let go, he deserves at least a 30 day notice. Thank you.

Mr. Harvey Hutter – 1446 E. 204 – Proud member of the Heritage Park Community Association and the Euclid Awareness Community. Mr. Mayor, thank you for accepting our invitation to attend the Heritage Park Association meeting held on Tuesday, September 28th at the Euclid Central Middle School in the Cafeteria beginning at 7:00. We appreciate you taking time out of your busy schedule to meet with us, as you indicated you had to leave before 8:00 for something else. You have always been welcomed at our meetings.

After you received your Certificate of Appreciation for support of our special project of outdoor electric pole lights. You spoke on the economics of the city, also that of the State. You indicated cuts would be made and proposals are being made to the Euclid City Council for tax increase to the residents. Then you mentioned the Hillandale Issue which will be voted on November 2nd and also the Euclid Awareness Committee. Heritage Park Community Association has always been respectful and cordial toward you. When our President Pearletha Taylor asked you not to continue to speak on the Hillandale Issue, you ignored the request and continued anyway. You did however allow for some questions from those present. As you can see some Euclid residents still have numerous issues with the Hillandale Project.

Some of the concerns brought up at the meeting were: 1) This will be upscale housing possibly with low income and retired occupants. Perhaps we really don't know how much to expect in income taxes from these people. 2) Could there be unexpected costs to the City of Euclid such as tying into existing sewer system to accommodate the huge amount of run off from the parking lot, new streets and roofs? 3) It appears as though our Police Dept. is already understaffed, how will the city's finest deal with the additional neighborhood. 4) It appears as though there are 3 parcels of land involved in the Hillandale Project. The church apparently owns two, who owns the third? What will the environmental impact be on the area?

Some of the questions went unanswered. Others were not answered to my personal satisfaction. As I pointed out to you, the majority of those who complained about Hillandale at our meeting were black. This indicates to me that Hillandale is not a racist issue as some of your administration have said at prior meetings and to various publications.

Promotion of Hillandale seems to be smoke and mirrors. Frankly the whole project sticks like a bag of two week old fish heads. Mr. Mayor, what have you gotten us into? I for one will vote to reverse Council's previous decision to rezone the Hillandale area. I strongly encourage all Euclid residents to do the same. Thank you.

Mr. Vince Riha – 1515 E. 195 St. The only interest I'm here today to represent is myself. I want everyone to take a good look at me. I'm one of almost 5,000 people that signed that petition. I am what is referred to in the Cleveland Magazine as a racist. Get a good look at me because unlike the Grand Dragon, I'm not wearing a hood. I have lived in Euclid since 1964. I have lived in an integrated neighborhood for over 20 years. My children and my family befriended the Blacks that moved in. My sons were beaten and called nigger-lovers when they first met these kids. So don't call me a racist. You painted us all with a broad stroke. Did I come here and say you're all politicians, you've all got an intern in the outer office? I wouldn't do that and I don't think you should have. If you think I'm upset, maybe its because I'm diabetic. Does that cut some ice around here too?

I think what you need to look at is all the complaints and the finger pointing. The Mayor said at the beginning what a lovely city this is to what? The 50 people that are here.

Yet, in a magazine of how many thousand publication, he paints us as a racist, standing across the river with our torches, waiting to stop them from crossing Jordan.

Has anybody asked or cared what a lot of these people want out of this? No. You make it a racist issue and maybe it is. Because if I visually recognize most of the City Administration attended a program called Crossroads. Which was held to deal with diversity and it was called the systemic racism. Which they call racism from the top down. Which I have no control over. Systemic racism is no different than the owner of the plantation, the way he treated his slaves.

Over the years we've been told by Administration, I should say Administration, people in the City that that's what Blacks do move. I haven't moved. I haven't found that. So I don't see where painting us as racist when almost 25% of the people that voted in the last election signed that petition. Are we all racists? I think the people that did the article and talked to the people that wrote the article, they should question themselves. Because they didn't leave a chance and they used a public forum to berate its citizens. I think it needs to be looked at. In the article it talks about how we have a church in our symbol next to a house. Somebody should have defended that. Because I remember that nobody here told the ACLU to go pound salt when they made us take the church out of our symbol. That is not a church. That's a house with a steeple on it, so don't sell it as a church.

I have nothing against the church coming in. I told the Mayor I felt performance bonds, that's what is needed to be done. Put their money on the table. You rent a car, you put your credit card down to show you got the money to pay for it and that's all anybody has ever asked. I've been around long enough to see these projects come, beautiful renditions and never happen. I saw a beautiful 3 story office building. The very next day they broke ground and built an Arthur Treachers, because nobody could stop them.

You said at the beginning that Eckart passed an EPA thing for every tree that was taken down, two were replaced. Will this hold for the Church property too? Thank you.

Ms. Janet Santorelli – 560 Hemlock Dr. That'll be a tough act to follow. Mr. Mayor, President of Council and members of the Council Committee. Erick Trickey asks in an article entitled Promised Land, who in God's name would want to keep a church out of their neighborhood? The answer was Euclid does. He creates a Sunday afternoon in Providence Baptist Church on Kinsman Ave. If you were looking at the world through rose-colored glasses, this lovely scene would be inspirational, however we exist in reality. Hillandale is a reality with far reaching repercussions affecting all of the people of this city. Erick Trickey is a reporter for the Cleveland Magazine. His primary job is to gather information. If he is worth his salt, he uncovers all the facts both pros and cons which are pertinent to a pending article with responsibility and resolve. However, Erick Trickey was negligent in his performance. His article was not objective, nor impartial. It offers no opportunity to weigh all the facts. The opposition was represented with levity and sarcasm. How unfortunate that your comments reflected the same disrespect that you accused the EAC of having towards the Mayor.

The information was more of the same. The same old swan song. Hillandale, Oh Hillandale, you will be the City's salvation. Come and cover us with your benevolence. Yeah right. Did Erick Trickey investigate past potential buyers in projects which never came to fruition on the Hillandale parcel? Did Erick Trickey question Paul Taylor's credibility? Taylor proposed that 110 homes would be built at \$150,000-\$180,000 price tags and available to anyone with a \$35,000 annual income. Then he recanted and the homes will be built at market-rate value. Was his Columbus-based company investigated? Did Trickey investigate the 147th Street Church that American Church Builders failed to complete? The site was inspected and found to be extremely dangerous because of its faulty construction. Did Erick Trickey investigate Rev. Rodney Maiden's credibility? What are his credentials? What's his background? What reason does he give for leaving his congregation of 1,400 to cross the River Jordan into Euclid? Did Erick Trickey let his fingers do the walking through the Yellow Pages to determine the number of churches and denominations in Euclid? Euclid's population of 51,260 citizens have 26 churches in the city and 16 churches in close proximity. Did Erick Trickey investigate the topography of the land, the sewer system, can it accommodate water run-off from that parcel? Did he investigate the initial cost of Hillandale to the City? The increase taxes because of it. Will Hillandale be beneficial to the economic growth of the city? What benefits, if any, are directed to the growth of this city? Did Erick Trickey investigate the increased costs for police and fire protection? Did Erick Trickey discuss with the School Board classroom overflow, safety measures, busing expenditures due to an increase in population? Did Erick Trickey research Hillandale's mortgage lender or lenders? Is it funded with federal funds? Is it no money down? Are there tax abatements attached to these properties? Did Erick Trickey research individual mortgage default? Will Providence Baptist Church have first options to buy said properties and would said properties come under the auspices

of the church and therefore become tax free? Did his research uncover new taxes, increased taxes the people of the City will be faced to pay? But most importantly did he research the impoverished of the city and the increased hardships they face with increased taxes? Sheldon Berns claims that this is not a political battle but a suit against illegal, racial discriminations. Come on Shelly, you can do better than that.

Will Sheldon Berns prove to God and Federal Judge illegal racial discrimination? Maybe to the later Shelly but to former you ain't got a snowball's chance in Hell. To all the people of this city, don't be complacent. That's what the opposition is relying on. Get out and vote. Don't be swayed by articles, by rhetoric or your next door neighbor. Don't be afraid to speak out for what you believe to be right and just. Thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. At the last Council Meeting, Councilman Daly issued a challenged. I am not a lawyer and I am giving nothing more than one man's opinion on our legal stand. Thanks to Law Director Frey, I now understand the Providence Baptist Church's law suit. It reads, that the City is in violation of the Religious Land Use and Institutionalized Act of 2000. That our zoning ordinances are illegal and unconstitutional because there is no zoning code exclusively for churches. That they are contesting our ordinance that now requires new home construction of 2,000 sq. ft. and that they do have a valid use of the land.

In answer, in violation of the Religious Land Act which I will refer to as its acronym RLUIPA. I have the actual act right here for anybody to read and see. I shall summarize the Act under Section 2, subparagraph B, entitled Discriminations and Exclusions. No government shall impose or impede a land-use regulation that 1) treats a religious assembly less equal than a non-religious assembly. 2) discriminates based on religion or denomination. 3) excludes or limits religious assembly within its jurisdiction. The City of Euclid is not in violation of any issues of RLUIPA. They have not granted a non-religious assembly the right to build where they deny a church. They are not guilty of imposing or impeding any zoning regulation based on religion or denomination. And they are not preventing Providence Baptist Church from building a church within the city.

Providence Baptist Church purchased these parcels with the full knowledge that they were not zoned for their desired needs. The City did not pass any zoning after the purchase to impose or impede a churches use. If any official of the City of Euclid at that time or after the purchase of said parcels made any assurances that zoning and Council approval would not be a problem, then they had no authority to do so. No City official can guaranty such assurances. In fact, such assurances would border on illegal use of authority.

Next, that our zoning ordinances are unconstitutional as they provide no church zoning. Could we not be sued by a church who disliked the parcels set aside for them and claimed discrimination for their right to build on any parcel? This is a damned if you do/damned if you don't argument. The City of Euclid has a long history of working with all religious groups in helping them secure reasonable parcels that are mutual to both the religious organization and the city.

As was explained to me by Director Frey every request by a religious organization is a variance. If a city does not have the right to zone its land as it deems beneficial to its citizens, then all cities will cease to exist and organizations and its developers will have more authority than the city itself. This issue is the most important of the law suit as it challenges our city's right to zone.

The third issue, challenging the new 2,000 sq. ft. ordinance on new home construction. This could be in respect to their desire to build reverse-mortgage homes, which my wife will cover in more detail. Since when can't a city pass a regulation to improve the quality and diversity of the homes within it? Shall we all individuals to determine our square footage?

Final, they say that they have a fair and right use of the land. Here I don't totally disagree with them. I think that the proper use of the entire land might just be new home construction and the church then be offered ultimate parcels in which to build their house of worship. It seems to me that this church must be built on that property or nowhere. I find this a strange argument. All new home construction will bring the City of Euclid much needed taxation on all of the land.

To the Providence Baptist Church I issue a plea. There is still time before the November ballot to meet and mediate. Does litigation serve either side? This is an has always been an issue about the best use of land. Cannot the church sit down and negotiate in good faith with the city and its citizens thus creating a welcomed addition to our community whose presence will add to our religious diversity and our general fund. Did it in 5 minutes. Thank you.

Mrs. Audrey Kaplin Goodman – 20201 Glen Russ Lane. At the last Council Meeting the method in which an ordinance is presented to Council was explained. That method is simply that a request of support is made of a Council member who in turn sponsors and presents the ordinance.

In light of that, tonight I am submitting on behalf of both my husband and myself an ordinance which I shall present to our Councilman, Christopher Gruber. We eagerly look forward to Councilman Gruber's support and presentation of this ordinance at the next Council Meeting on October 18, 2004.

The ordinance reads as follows. An emergency ordinance that requires that the City of Euclid turn over all existing City Council, Planning & Zoning Commission, Board of Control and any other video tapes city government forums to the Euclid Public Library. All current and future tapings are to be turned over within 48 hours of the event. The City has the choice that we either turn over the original and/or copy. The Euclid Public Library will use these video tapes for the good, welfare and education of the community as reference material only. End of ordinance.

My husband has already spoken to the Euclid Public Library who is in complete agreement and has already sent a request to the media department for the said tapes. In the past, the City did voluntarily turn over the video tape copies, but the process has not been on a continual basis. This ordinance guarantees the people's right to view how exactly our government works. As it has been pointed out of Euclid's nearly 50,000 citizens only about 10,000 of them have access to cable. We also request the support of the entire Council on this ordinance.

Now let me turn my attention to the issues of the day. The Providence Baptist Church came before this body and stated that a proportion of the homes to be built would be funded by reverse mortgages. Certainly reverse mortgages homes designed for people age 62 and older would not need 2,000 sq. ft. minimums as now required by this City. But this is all mute for by the law you cannot fund newly constructed homes in this way. In order to be eligible for reverse mortgage you must meet all the following 4 requirements. 1) you and any current owners must be age 62 or older and live in the home as your primary residence. 2) your home must be a single family residence in a 1-4 unit dwelling. 3) your home must be at least 1 year old and meet HUD's minimum property standards. 4) finally you must discuss the program with a counselor from a HUD approved agency. The law clearly states that you cannot purchase a newly constructed home using reverse mortgage as it does not meet the one year old requirement.

So how can the Providence Baptist Church offer newly constructed homes in this way? Mr. Council President, members of Council, I have worked in the mortgage lending business for the past 6 ½ years. This is not how reverse mortgages work.

Lastly as a point of interest concerning RLUIPA. Although RLUIPA's basic purpose is clear, its future is not. The constitutionality of the law is being challenged in over 30 cases across the country. There are those who believe that like its predecessor it is unconstitutional. RLUIPA will almost certainly be decided by the U.S. Supreme Court once one or more of the pending cases finds its way there. I would like to give Mr. Nagy the copy of the ordinance that we'd like present.

Mrs. Ann Raukar – 246 E. 272 Since World War II, America and American corporations helped many other countries develop their own industries and we lost many of our own industries to their cheap labor. However times were still good as home building and related industries fueled our economy. It was a golden area. In the last 25-30 years our industry dwindled away as other countries caught up with us and dumped their cheaper products on us as they went merrily on their way. Places like Euclid lost much of its tax base. So today we compete with each other with tax abatement for scarce jobs. Often the tax abatement helps developers develop other properties they own and get tax abatement there too. Thus enriching themselves double at our expense that leaves us with less income to pay our expenses.

There are companies with large real estate holdings and investments in all nature of business, who import people by the hundreds even thousands to fill their vacant, to fill their vacancies to be consumers of their products. Just recently there was a forum on immigration and how it grew the economy and increased our population. That's part of our problem. We were doling out our tax dollars to grow and produce the wrong thing. I think Euclid had some of these immigrants. I never did hear how we made out on that deal.

We have enough needy of our own to take care of and there will be more as poverty is on the rise. Our schools are preparing to ask for more money. Our City leaders are looking for ways to charge us for services because we are flat broke. The Hillandale project under the name of a church has the nerve to state, mind you, to state and not ask for 23 acres of tax-free land. We have our own expenses to meet. Our free-wheeling, newly elected and two previously elected members of Council voted to rezone Hillandale, now have to abolish the handy services of the Sgt.-of-Arms position to save a few bucks and still saddle the future generations with 23 acres of tax-free land. These are your children and your grandchildren and on. The paid pied piper you followed has a nice easy well-paying job while the good citizens of Euclid are holding the bag for \$60,000 to date and a lawsuit on a very questionable Hillandale project.

I heard Councilman, Councilwoman Hufnagle say the citizens should pay the cost. I say the promoters of these, the promoters and those who voted the zoning change are responsible for all costs and bare the shame of their cocky behavior in spite of knowing there was a strong opposition to the whole setup.

The prepared scripts are entirely my own. I have no one to consult or discuss things with. I would tend to ramble if I did not write it down. I was a victim of cheap politicians, who puked all over their solemn oath of office to show me, a little old lady, the power they had. This includes former Mayor Oyaski, his Law Director Pat Murphy, Magistrate Syracuse, Judge LeBarron, Manager Erik Tollerup, Engineer Department Jim Piscitello, and to a lesser degree Bob Apanasewicz. It is my duty to speak out so this hooliganism does not continue as the normal way of conducting government business.

President Sustarsic – Thank you, Mrs. Raukar, your 5 minutes is up.

Mrs. Raukar - I stood alone before.

President Sustarsic – Thank you, if you would please escort...

Mrs. Raukar – And now I have someone to support, the Euclid Awareness Committee and those who approve...

Councilman Gruber – I don't think she can hear you, Jerry.

Mrs. Raukar - And those who oppose the garbage that went on under the leadership of former Mayor Paul Oyaski.

President Sustarsic – Mrs. Raukar, Mrs. Raukar your 5 minutes is up.

Mrs. Raukar – Thank you.

Mr. Tom Cooke – 25641 Edgecliff. I'm not going to talk about Hillandale. I am going to talk about, I want to talk about taxes. Just a few comments regarding the need for additional revenue, i.e. garbage fee, lighting fees. Long, short of it, in my book, any time local, state, federal government takes money out of my pocket and puts it in their pockets, it's a tax. You can dress it anyway you want, but it's a tax. I am an employer. When an employee comes to me and asks me for a raise, for whatever reason, cost of living increase, he wants new car, new boat, whatever, the first thing I ask is have you earned this raise? What have you done to earn this raise? Have you made me, the employer, more money through increased efficiencies, increased sales, more customers? How have you contributed to this organization to make this, to make it a better place to work for all involved? Based on my evaluation of an employee's performance, I will determine what raise or bonus will be given. All employees, whether you are union, non-union, you will go through the same performance evaluation process.

Members of City Council, Mayor Cervenik, the residents of the City of Euclid are your employer. I am your employer. Everyone who sits up there works for me and the rest of the residents of the City of Euclid. City Council and the Mayor have already floated various avenues of revenue enhancement or taxes via the garbage pickup and lighting fees. Basically, you're looking for a pay raise. So far I have seen no presentation from Council to help me evaluate your performance so I can determine how much of a pay raise you have earned.

Before I endorse, basically, before I endorse or am in favor of a fee or tax, I would like to see a presentation by the City to answer the following questions. What are the City's priorities? List for me in order of importance from greatest importance to least importance the departments and the services they provide. All departments are not created equal. Some are more important than others. The safety of the residents and protection of personal property is primary. Second is businesses and their interests. Third, streets, sewers carry a priority over recreation. Certain recreation events carry priority over City-sponsored events. What departments have been reorganized? How have they been reorganized? Quantify and qualify for me the benefits of the reorganization. What departments have been cut and by how much? Qualify for me in lump sum numbers cuts in personnel and dollars saved. Show me the percentage change separately in departments and as a whole. Dollars saved and personnel consolidations and cuts.

There's not a single person in who this community who can go to their boss and ask for a raise without first presenting a comprehensive case for justifying their request for additional compensation. The City of Euclid is no different. You are the employees; we are the employer.

It is time for you to start making a case for additional needed revenue. We, the residents of Euclid, must see accountability and effort on your part before we sign on for new taxes, whatever they may be. Everyone here is a salesman and a saleswoman. It is time to hear a good sales pitch, a consolidated comprehensive presentation. That's all I have to say regarding that issue. Thank you.

One question I do have regarding the officer that was outside. He's no longer there I noticed. What's the reasoning there?

Mayor Cervenik – It's due to overtime.

Mr. Cooke – Is that a cost issue?

Mayor Cervenik – It's a cost savings, yes. We felt it was unnecessary under the circumstances to pay a police officer overtime to be here, especially when we have the Chief of Police right here that can handle any responsibilities that may come our way.

Mr. Cooke – Okay. I can understand that. I can't necessarily agree with it. It makes me a little nervous when there's a lot of people in this audience. And there's a lot of people here. And I feel better when there's an officer outside carrying a fire arm as opposed to one that's, that's deep in here carrying a fire arm. Needless to say, I'm looking at worst case scenario. It just makes me nervous. That's what I mean about priorities and the presentation of the departments in order of importance. Thank you.

Chief Maine – If I can respond to that and I appreciate Mr. Cooke's comments. That was a recommendation that I made to the Mayor. It was something we could do to try and impact our overtime budget and believe me, if we needed the cavalry here, they could be here in a second. Thanks.

Ms. Ellen Ivory – 21690 Kennison. We are a City faced with a lot of challenges. I was given one very early this morning and it was no support would be brought to this podium regarding City employees who have opted to terminate employment due to tentative decreased benefits. I'd like to say we are saddened that our City is in such a state that this change is deemed necessary. Know however, that you have been our good friends and far more important you have been good friends to the City of Euclid. We will miss all that you have to offer and for the many years you have served us so well.

Secondly, our challenge as President of the Euclid Hunger Center, we were invited, the volunteers of the Center, to a luncheon, a volunteer luncheon downtown this Saturday by the Hunger Network. They are the organization that gives us our grant money.

These are the grim statistics 22% of federal aid has been cut. There's no financing from the State. Cuts from the County were made, cuts were made from the County and locally and a 33% cost increase in UADA food is coming. Our lowest paid workers are not eligible for benefits. In the October 1st Plain Dealer the headlines are area food bank starts charging 4 cents a pound for USDA food. Beginning today the Cleveland Food Bank will charge local agencies and pantries for food it previously distributed to them for free. So we at Euclid Hunger Center are challenged by increase in clientele. We've gone from serving approximately 700 residents a month to 770. Our grant money has remained the same and all this funding is being cut to our agency.

The quote given at the luncheon was the moral test of a government is how we treat those with the most need. So we come back to the other quote it takes a village. The only way the Euclid Hunger Center and the many organizations in this City is for the residents to step up to the plate and support those in need. The residents have done it so well. The holidays are coming. Last year we spent almost \$5,000 on turkeys for our families. We expect that to well exceed that this year.

The good news from the Center, we have a new Manager and that's Sue McGinn. She's been working for us for several months. She is our only paid employee. She is a dynamo. I'd like to go through our Board real quickly. Linda Erb, our secretary, she's instrumental in the running of the organization; Brian Palisin, also School Board member, is our treasurer. We've just completed our second audit. Our angel, Jeff Anger, legal counsel, works pro bona. Carol Bechtel, School Board member; Dennis Berzinskas, who always reminds us hunger doesn't take a holiday. New member, John Conway; my friend, Ed Dixon, who gives a lecture to anyone that walks through those Center doors. Ron Emser, who's just completed our very first newsletter. I'd like to leave some in the lobby for you to pick up. Jim Ranglin and David Tarantino, our auxiliary police also. We ask you to continue to support our Center as it is getting more difficult to make ends meet.

Third, I want to thank the Euclid Police and Euclid Firefighters when I came back to my job at St. Robert's the other day there was smoke billing out all over the place. To watch a fire is chilling. To be in the traffic that that caused was amazing. They did a remarkable job.

And finally, I snuck by the new Senior Center. Whether you like the project, don't like the project, support the project or not, peek in the windows. It is an absolutely beautiful facility. And when we are challenged with so many things in our City, let's take pride in what we have here. And I want to thank the prior Administration and those who served on Council who put that through and let's make the best use of it that we can. Thank you.

Mr. Harvey Mlachak – 23831 Lakeshore Blvd. I feel very inadequate here and I don't know whether I belong in the same arena with you people on Council and the Administration and the people who spoke before me. But at any rate, it's been a while.

But it's been, it's refreshing to see all these handsome, intelligent, well-educated, articulate people here. That's our Council believe it or not. However, it dismays me to find you tripping over your inflated egos attempting to intimidate, embarrass each other. Each faction telling the other how wrong they are all the time. One cannot be all wrong all the time. Even a clock that stopped is right twice a day. Enough said.

I'd like to talk a little bit and I guess it's going to get worked to death on a Mr. Meister and fiasco. It amazes me that no one spoke up, although Madeline Scarniench touched on this briefly at the last meeting and said that Mr. Meister had a constitutional right under the First Amendment to express his views and opinions without fear of repercussion and without fear of being gavelled down by you, Mr. Council President. Thereby revoking his rights to freedom of speech unless you give up these rights by working for a political or governmental agency. I don't think so. My point is, if I didn't already make it clear, Mr. Meister was well within his constitutional rights to come up here and voice his opinion. And those of you who hadn't already spoken are welcome to come to the mike and give Mr. Meister your best shot or wait until the next Council meeting and give him your best shot.

And those of you who screamed for Mr. Meister's scalp, a word of caution. Do you think Mr. Meister's boss could satisfy hiring him because of what he said and because he exercised his constitutional rights? The right of free speech, regardless of how revolting, upsetting, disturbing, distasteful they are to you, he had a right to say them. Now when you ask for his scalp, be careful what you ask for. You might get it. Some time ago I think a lot of you people, if not, I'm sure Chief Cosgriff is aware of the case in Wickliffe of the Fire Chief there. Where a mayor went to the hills of Pennsylvania or some place and hired this fire chief. Later on for some reason or other, conflict of interest or clash of personalities, she fired him. Fire chief said you can't fire me. I have job rights. He went to court. In the mean time there was an election and the mayor who hired the fire chief got defeated. The new mayor let the thing go to court and the court decided in his favor to give him back wages, attorney fees, give him his job back. The new mayor and the council didn't want to pay the fire chief. He went back to councilmen and said look, the court says pay me. That bantered back and forth and the law director said no, we're going to appeal it. The mayor said let's get this behind us. The law director said we're going to appeal it. The mayor fired the law director. The mayor said let's pay this man to the tune of \$250,000, his job and whatever and his attorneys fee and so forth. So let that be a lesson to you people who are screaming for somebody's scalp. You can't always get it. The irony of the whole thing is that a couple of weeks after the chief got paid off he quit.

So end now saying for what I'm trying to say about Mr. Meister. Now I'm not too sure who said this, but a man at one time says I may disagree with what you say. And I believe this firmly and it can apply to me. I may disagree with what you say with your stance, but I will fight to my death for your right to say this. Thank you.

Mr. Tod Guntner – 390 East 257. First, amazing job the Fire Department did during that tragic event when the Sunrise Apartments were almost complete demolished. I would like to send my warmest wishes for a speedy recovery to the injured fireman.

Two weeks ago I came up here and I told you about a black Lab that was hit by a car over on Rockwell Avenue. I also told you about one of our citizens well above and beyond the call of duty in going out to her employer and her co-workers and raising \$325 to pay for the surgery for this animal. This Lab needed two more surgeries. She was not healing well. She kept breaking open her stitches. She's a very hyper animal. She's a very loving animal. That came to additional \$200. Last week Jennifer Gruber came in to me into the Animal Shelter with an additional, in addition to the \$325 that she raised, an additional \$440. This brings the total I think to 765. Half of that was a dollar to dollar match by her employer, Lake Erie Abrasive and Tool. At this time again, I would like to thank Jennifer Gruber for her efforts and her fund raising; her co-workers for putting the

money together and to Lake Erie Abrasive and Tool for matching dollar for dollar. Again, ladies and gentlemen, thank you very much. We greatly appreciate your efforts.

Next, I want to remind everybody of our 4 Paws Clam Jam & Boo Bash being held on Friday evening, October 29th from 6:30 to midnight. Tickets are \$40; 100% of the net proceeds, which means we have to pay for the dinners out of the money you give us for the tickets, but 100% of the net proceeds goes directly for animal care. Now I want to remind everybody that everyone in Euclid Pet Pals is a volunteer. We do not get paid. We do not take a salary. Everything goes towards the animals. So I appreciate everyone's support in the past and hope everyone will come and buy a ticket. I have tickets available right here. Everyone that was here last year can attest what a great time they had. It will be a better time this year. If you can't make it, and some of you have told me you can't, think about buying a ticket for someone who can't afford to. Have a great evening.

Mrs. Madeline Scarniench – 1511 East 221. I don't know how you top Harvey, but this, short and sweet. Can somebody tell me what is inland marine on the insurance? It says \$10,000. What exactly does that mean? Anybody know?

Director Frey – I believe that that covers all of the computer, computer network equipment and other equipment. Do not ask me to tell you why it's called inland marine, not an insurance guy, so I couldn't answer that. But I believe that is some of the property that is covered in that section.

Mrs. Scarniench – Okay, thank you. I would like to thank Councilman Gruber. Last week I received a phone call concerning the Indian Hills School voting place and the person who called me knew that 2 years ago I was instrumental in stopping voting being taken out of that school and having it reinstated. I called Chris and he immediately got on the phone with the Superintendent of Schools and came up with a plan so Indian Hills will still be opened for voting in November. So thank you, Councilman Gruber.

I want to do plugs, too. This Saturday, the 4th Night at the Races, Euclid Police Athletic League. It's a lot of fun. Tickets are only \$25. I have them; the Chief has them; Councilwoman Holzheimer Gail has them. It's a lot of fun. Beer and wine's included with your dinner. There's dancing afterwards. It's just a lot of fun so anybody who wants to come and support PAL they do wonderful things for our kids all year long and this is our only fundraiser. Please talk to one of us.

The other thing I'd like to plug is tomorrow evening at 5 o'clock. We're having the grand opening of the Northeast Cuyahoga County Democratic Campaign Headquarters. The address is 21932 Lake Shore Boulevard. If you'd like to come, you're more than welcome. Please park at Shore Center parking lot. If you're a Democrat, support any Democratic issues, this is the place to get signs or whatever else you want, to sign up for anything. So please join us. Thank you.

(Anonymous voice) – Go George.

Ms. Pearlitha Taylor – 1495 E. 193rd St. I'm here tonight to talk about some of the things that my Councilman, Ward Councilman Gruber stated last week in the meeting of September the 20th. He stated that he was really acted and responsible for E. 193rd Street to be re-paved. I have documentation and also information that a group of Heritage Park, a community association, went to the Council last year in 2003 and asked for help because we was not getting any help from our Councilman Gruber. We had asked him several times about things, banners, to go on Euclid Avenue. Also, about the re-pavement of 193rd Street. We was told no because it wasn't enough money. I have documentation here. If you want, you can have a copy of it and it'll show that Ed Gudenas e-mail Hank Gulich on May 11, 2003 asking him when we talk in your office about this street, you indicated that we do, we will do something with it this year. Then I picked up the reply in the mailbox and there appeared there will be no intention of work this year. I hope we can do repairs there this year, especially since we already had the curbs, the curbs in. Thank you. Hank Gulich re apply, if the street need it, I will do it. We'll stretch out the dollars as best as we can. This is a copy of that. That was e-mail.

And also we have a letter that from Heritage Park that we did send to Mr. Ed Gudenas thanking him for helping us with our project. Because he was able to get that completed before he left office. So I just wanted to let, just correct Mr. Gruber, Councilman Gruber, that you was not instrumental in getting that street done or not even putting the banners on the street, which we had asked several times.

Councilman Gruber – You're absolutely right. You are correct.

Ms. Taylor – Okay and also...

President Sustarsic – Okay, Mrs. Taylor, excuse me a second, but we're at that point in time where we have to change tape. So if you could withhold your comments for say like around 5 minutes so we can take a break. Thank you.

Ms. Taylor – Also I wanted to ask Councilman Gruber, were you a councilman in 1997 in Ward 4?

President Sustarsic – Mrs. Taylor, this is primarily comments. We are not going to debate.

Mrs. Taylor – Okay, I'll go and make my comments then. My comment is based Mr. Gruber stated that he was instrumental in putting sidewalks in the Heritage Park area. Okay, fine, we did get sidewalks and aprons but we had to pay. We was the only community that had to pay. We had to pay for our sidewalks and aprons. Also we had asked Councilman Gruber about a fence to block the children from Cleveland coming over the railroad track. We have not had any satisfaction yet because they're still coming over destroying our property. The reason I'm bringing up most of these things, after looking at the Cleveland Magazine seeing Councilman Gruber standing up with hands, praising this land and yet he's not doing anything for the area that he's in charge of now. We have grass growing everywhere. Our playground is a mess. Yes he stated that we had children, teenagers or someone to come out for the playground on 193rd. Yes, but they came in the morning. Our children doesn't start playing until the evening. So it was no supervision down there at evening.

We also, Mr. Gruber, we have a lot of work in Ward 4 that need to be done. This City has a name of Euclid. We live off Euclid Avenue and it is one of the worst streets in Euclid. No one have paying any attention to this City that most and the majority of its citizen travel from different cities, Euclid Avenue. It is a shame. We only have one drug store. Yes, we have car lots. But where's the grocery stores? Where's the stores that you can shop? Look at your area, Councilman Gruber. Put your attention to things that need to be done. This, the reason I wanted to say something. How can we handle Hillandale and you cannot handle the area that you have now?

City and people come out to vote. Come to these meetings and see where your tax dollars are going and what your Councilmens are doing for you. Thank you.

Mrs. Rebecca Conway – 291 E. 276th St. I'd like to submit 327 more petitions opposing garbage fees, lighting fees, rainwater fees, any fees or taxes that the Mayor has spoken about in the paper. I understand that you go into budget meetings next week so I hope that you will take into account over 700 residents thus far in a little bit over 2 weeks are opposed to this. And I'm sure we can find many other thousands in Euclid that are opposed to this too.

I was at the fire and you guys did a great job. When I was leaving the fire, I saw Miss Hufnagle, Mr. Gruber was there. And I offered services to any families with children at the fire. Formula, diapers, car seats, toys, gadgets, clothes, I mean we have two children and I have a lot of networks that I can use for children's items, baby items. Miss Hufnagle responded by saying that the Red Cross was called in. I was glad to see that the Mayor was quick to act on that because the Red Cross is superioring, is superior in what they do. But I would still like to offer, if there's anyone out there that needs any type of children or baby items to please call me. I can get you what you need.

I would hope that the Council takes seriously Mr. and Mrs. Goodman's ordinance that they spoke of tonight. I think that's a great idea to have the Council video, meeting videos in the library so people could borrow them. I think that's a great source of the citizens of Euclid.

Mr. Nagy, I hope that you keep your job. From the salary that was quoted it's a little less than a hundred dollars a week and from the job description you have many, many responsibilities that just anyone just couldn't do. Running in, opening a building, closing a building and there is a lot of liability on that.

And my question to the Council is we had \$35,000 worth of fireworks that was nice, not a necessity. We have flowers on 222nd and Babbitt by Wendy's, not a necessity. And I can go through a list that aren't necessities. He's a necessity in my opinion. He just doesn't do Council meetings. We heard he does Planning & Zoning, Architectural Board meetings, many, many, many meetings. Please consider keeping him. I think he does more than, you know, people understand. Maybe you guys do, we just see him give water and things of that nature, but from the job description that was given tonight he has a lot of responsibility and I think that the City can't afford less than a hundred dollars a week. Or maybe everyone up here and including the Administrators over there would take a \$10, \$20 pay cut in order to keep this man's job.

And I am going to spend a little bit of time talking about Hillandale. We heard many times through the Law Director, Councilman Gruber, Councilman Daly, that when you're voting to rezone land, you have to look at the health, safety and welfare. And if it doesn't impact the City or the citizens, then you should rezone it. Down on East 147th and Lake Shore, American Church Builders botched a church down there horribly. These poor people are left without anything that they paid for.

Christian Fellowship Church should have gotten a masonry structure, a balcony and a steeple. What did they get? They got a metal corrugated building. They got no steeple. They don't have a balcony. The Christian Fellowship Church stopped payment, naturally, because they didn't get what they paid for. It is in litigation right now.

Cleveland came in and shut the project down because it's dangerous to anyone who would have been inside. Cleveland said that, not Christian Fellowship Church, not their lawyers, the City of Cleveland did. So when we're talking about the health, safety and welfare, we have a neighboring church down the road a few minutes from us that can't use a church a) they didn't get what they paid for; 2) it's dangerous. So I think we need to look at that when we're voting. Who are American Church Builders? What do they really build? Is it the metal corrugated building? They promised us we wouldn't get it, but here a church got it when they didn't pay for it. Thank you.

Mrs. Bernadette Walsh – 651 East 266. And I decided when I came here tonight I would talk about something positive in the City of Euclid. And I listened to everybody and want to positively tell you and I want to remind the Law Director. It is a federal law that you cannot replace a paid staff person with a volunteer. And I would question using Eagle Scouts if you had confidentiality statements. I don't know Mr. Nagy. I don't have any ties to Mr. Nagy, but you cannot federally replace him or Mr. Nagy could sue you. And I hope you sue for more than \$5,000.

The second thing I, positively I want to thank one particular Councilman. I had a problem, my first problem was Labor Day. I e-mailed all the Council. I didn't know which ward it was in. What the problem was on a borderline I thought. I excuse Ms. Mancuso because she had her laptop stolen so you're out of the fray. But this Councilman jumped the line, did the deed and I'm sorry but I want to thank Chris Gruber for coming into Ward 3 and solving my problem and writing me such a beautiful e-mail today that that was your job. And thank you, Chris Gruber.

Incidentally if each Councilperson took a \$622 pay cut they could pay that man's salary and they wouldn't have to go get the water. Might be a good idea so think about it. Grass always looks greener and it always looks so easy to dust the chairs and so forth.

I want to spend a couple of minutes on Hillandale. I thought about it and I thought what Mr. Sustarsic, Sr. said about me being a racist, the residents being a racist. And I thought there for a brief moment that maybe I was a racist because Cleveland Magazine said I'm a racist. The Plain Dealer said I'm a racist. The Administration said I was a racist. So then I looked at my 11 grandchildren and 6 of them are biracial. So as a good bubba I don't think I could be too much of a racist. But I think the Council should understand that for 31 years I lived in a house that was Hillandale. And I'll tell you about my Hillandale.

The houses in 1970 were going for \$35,000. There were 9 built on the street. They did not sell. They were built by Ryzbka Realty, Associated Estates. The next block of houses were FHA 235. They were 242. That was my house. We barely got in because of the income. For 30 years including 2 years after my husband died, I paid every cent of that escalating mortgage off. I lived Hillandale and then the tricky part. They gave a plot of land to the Jewish Federation, who sold the plot of land to CMHA and 9 CMHA houses were built because the 242 weren't too popular. This was Cleveland in 1970. I paid the house off. I moved to Euclid.

So I studied all the things that you're talking about and I said maybe I'm a racist because I don't like Hillandale. But I listen to the rhetoric and I listen to the arguments and I listen to the I don't care attitude and, you know what? I'm putting on this button and am proud to say I'm voting no because I lived it and I paid off \$24,200, which amounted to almost a hundred thousand dollars by the time we paid back the subsidies and everything. I lived it. I am not a racist nor am I anti-Semitic. I lived it and I know what I'm talking about. Thank you. God bless.

Mrs. Penny Riha – 1515 East 195th St. I, too, am a racist because the City says I'm a racist. Forget about I've lived in an integrated neighborhood for 30 years. I guess I'm a racist. Nevertheless, I'd like to know from Mrs. Hufnagle just exactly where you're going to put a crossing guard at Indian Hills School?

Councilwoman Hufnagle – The principal at Indian Hills School e-mailed us. I don't remember the intersection, but she questioned the need for it. I sent the e-mail onto the Chief. I don't remember the intersection because I'm not that too familiar with Indian Hills.

Mrs. Riha – I'd be real interested to see where that is exactly.

Councilwoman Hufnagle – Pardon me.

Mrs. Riha – I'd be real interested in seeing exactly where they need a crossing, I can see where they would need a crossing guard at Memorial School.

Councilwoman Hufnagle – Councilman Gruber is reminding me that it's Grand Boulevard and Glenridge.

Mrs. Riha – What about the kids that cross Euclid Avenue? Do they need a crossing guard?

Councilman Gruber – I agree.

Councilwoman Hufnagle – I would agree with that.

Mrs. Riha – I would think so. Well, I have a suggestion...

Councilwoman Hufnagle – Are there children from Indian Hills that cross Euclid Avenue?

Mrs. Riha – You bet.

Councilwoman Hufnagle – Okay. I would agree then.

Mrs. Riha – For the last 30 years they've been hoofing it.

President Sustarsic – Okay, I'm sorry, we'll have to cut this. If you want to continue the conversation outside after the meeting but do you have any further comments?

Mrs. Riha – I certainly think that there's a lot to be dealt with in considering the children in our area in Ward 4. Another incident, another area that seriously needs attention is the kids that come and go from Euclid Central on Euclid Avenue. Nobody plows. The ones that do plow, plow their snow up over the sidewalk where the kids cannot cut through. Now on any day in the winter when there's snow on the ground those kids walk from Euclid Central to the border in the street. Now, I think it's deplorable and I think it's about time that somebody in this City addresses that situation before we have to scrape them up off of the pavement. I think that's a very important issue. Just as I think the kids that cross Euclid Avenue are more deserving of a crossing guard than the ones that have to wait for traffic to show up to cross Glenbrook, Glenridge. There isn't any cars up there except when they're being picked up from school. So I think our priorities are a little bit screwed up where these kids are concerned.

And as far as the Legal Department, I think we can make some cuts there if we're paying lawyers and we have to hire a lawyer for \$60,000 from the outside to defend us. Why don't we get rid one lawyer? Buy crossing guards. Thank you.

Mr. Joe Udovic – 21371 Naumann. I'm ill-prepared to speak this evening, but this evening I'm not going to speak as a resident. I'm going to speak as a business owner. One thing I noticed last week, two weeks ago at the Council meeting is how this City is divided. But like I said I'm speaking this evening as a business owner.

As a lot of people know, I have a couple small businesses in this community. Not only is this Council and Administration divided. This City is divided. There's no equal balance between north and south. I'm talking north of the freeway and south of the freeway. North of the freeway we have one movie theater. We do not have no movie theater south of the freeway. North of the freeway we have the CoRal Group and what everything they have to do to build beautiful homes and projection homes on 205th. South of the freeway we have American Church Builders. There is a completely, there's no balance between what's happening north and what's happening south.

Other options I noticed that the differences north of the freeway we have a store where you can buy clothing. Until recently the Mall just recently opened up. South of the highway there is no place where you can buy clothing. As one resident mentioned, there is no grocery store south of the

freeway except for Save-a-Lot. I've been in Save-a-Lot and I know they do not bag their own groceries. North of the freeway we have two upscale grocery stores. I don't understand why there's all this unbalance in this community. Why so much attention is north versus not enough attention to the south.

At the last Council meeting, Mr. Gruber mentioned our beautiful wall on Grand Boulevard. Today I was on Euclid Avenue and I noticed the west side of the wall and the east side of the wall once again is misaligned. It needs to be realigned. I'm assuming someone's moving the blocks or hitting the blocks as they're making their turns up and down Grand Boulevard.

Some resident mentioned or Ms. Taylor did mention that a lot of attention needs to be put on the south and I do agree. I think this community needs more cosmic balance. There's too much of an imbalance here. Possibly if more people would work together, more issues would be solved. We have a lot of vacant land on the south and maybe that's what we need to focus on. How to improve. I've not heard no type of planning or plans being brought forward for the former incinerator site.

I was at the former K-Mart building on Babbitt Road has a huge availability sign. I thought that issue was solved some months ago. Maybe someone can address this issue why that former K-Mart building is once again up for availability. Yes, Kaufmann's is opened up at the Mall, but is it really upscale shopping? That's another opinion. But what I'm looking at right now, where's the cosmic balance lie and how we as citizens and Council and Administrators are going to fulfill this cosmic balance that is lacking in our community?

I'd also like to address Mr. Nagy's position. I do know Lou Nagy through Euclid Awareness Committee. I think he does a very important job in my opinion. Some people might call him a go-fer. Some people might call him a Sergeant-at-Arms. What I would like to ask Mr. Nagy, how many hours do you put in for your salary? Obviously, for what you're being paid, you're doing a lot of work for this community for every meeting you need to be here. Yes, we can get a volunteer; but as someone mentioned, a lawsuit can occur if you replace his position with a volunteer position. We need to look at what's more important. Can a Councilperson do his position? I don't think so. I think he's doing something grand and we ought to clap our hands to what he's doing and give him a round of applause. Thank you. Have a good evening.

Mr. Jerry Corbran – 24250 Maplewood Dr. Besides asking Mr. Frey about my, the answer to my question, I have something else that's a little change of pace. Over in the old Ramada Inn property next to the retention basin they've been doing a lot of piling of dirt over there and I'm just wondering just what's going on. They've been doing it for some time. I'm assuming that there's some sort of permit required when you change grade elevation. So can somebody let me know? I hope they speak up because I lost, I miss my hearing aid. Thank you.

Director Gulich – Mr. Corbran, yes, there was a plan submitted to our previous engineers at the time, CVE. They met with the person that proposed that filling and we asked them to modify their plans considerably. ODOT was involved with that as well with the planning process because they have, I think, there's a lot of people aware, a huge sewer that goes under that lot. And also we were concerned because we do have sewers along the edge of the lot. We made the contractor televise those sewers and they will have to do so after the grading project is complete. So yes, there was a thorough review of the work that you see going on.

Mr. Corbran – Thank you. I didn't get it all, but I'll listen to the tape. Thank you.

Mr. Lou Nagy – 1483 E. 250th St. I am the Sergeant-of-Arms. That's been my position here. In last December 1st, I was nominated by President of the Council and was voted on and accepted by on affirmative action by all the people on the Council to do this job.

My job description says that I will do all necessary to the best of my abilities to serve Council, the Council President and the Administration. In that capacity I open up the building, get the water jugs, fill them with ice, ice water and nothing else. That's and after the Council is finished I clean up the, I wash all the coffee cups, rinse out the jugs and put them away. I put out your nametags. I put them back in your drawers.

Miss Hufnagle, I thank you for that raise in pay because I was under the understanding that I was something like a thousand dollars short, less than what you said. I'll have to go check my pay stubs on that one.

I've been asked about, I've been, somebody has said something about politicking. I'm not politicking. I'm not even, I'm talking about my job. I'm not talking about losing it or gaining it. That's up to you not up to me. I'm your employer or employee, excuse me. I didn't hire you; you hired me. So whatever you have that's what you make up your mind on.

Someone said one time when my neighbor is laid off that's a recession. When I'm laid off, that's a depression. And it's very depressing, believe me, I've been that way. Mr. Udovic, to answer your question a little bit, I come in here an hour before Council and I leave about an hour and a half after they leave. I do lock up the building and I do open up the building. Does that answer your question? I hope so.

When we come up for Council, I will excuse myself so you can not have any prejudice in your positions. When you come up for the vote on the ordinance, I will again excuse myself for the same reason. I said before this is your decision not mine. It's all I've got to say about this. I don't want nobody else politicking or standing up for me or anything else.

I do have one more part to say, though. Yes, my job is to keep the peace within this confines of this room. And that also means to reject or quiet down the unruly people. I happen to be 66 years old. I might be able to throw Dorothy Fike out.

Mayor Cervenik – I don't think so.

Mr. Nagy – But some of these young dudes here like this young woman, she'll throw me out, though. This is what my job entails and I try to do it as my best apologies, excuse me, my best abilities. Like I said earlier, this is your decision. I ain't saying no more about it and I hope nobody else will until this is resolved. Thank you.

President Sustarsic – Okay, seeing no more comments from the audience.

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

COUNCILMEN'S COMMENTS

Councilman Sustarsic – I'd just like to give my sympathies to the Eckart family again. I mean I'm the young whipper-snapper up here. I wasn't even, I remember when Mr. Eckart was a councilman. I mean, after sitting here and learning everything in the history of Euclid, I mean, his contribution and the contributions of the Eckart family to this area and community are immeasurable. He will be missed.

The Sunrise Apartment fire, how's the firefighter doing that was injured?

Chief Cosgriff – He sustained some burns to the back of his neck. He's recovering right now. He is off work at this time, but he's expected to recover fully.

Councilman Sustarsic – You did guys did an excellent job. I mean, any fire you can walk away from, you know, you're doing all right. Police Department, they did a great job as well and the Police Auxiliary as far as directing the traffic and everything. Keeping that area secure. Thank you, again, Chief.

Friday, I had the opportunity, I took the day off of work and I was at the grand opening of Outlets USA. I want to thank Ted Lichko taking a chance on Euclid Mall. I mean, it's a piece of property that's been discussed for many, many years. He's creating a retail revolution here in Euclid. It was refreshing to see life at the Mall on Friday. It was just a grand ceremony with the Euclid High School marching band and they did a fantastic job.

I'd also like to say that although I disagree with terminating the Sergeant-at-Arms position, I commend Councilwoman Hufnagle for her efforts on trying to reduce the budget. There's a lot of arguments as far as a 30-day notice for termination, but I believe that's a moot point. I'd wish these people back here were talking about this last year when me and half of the Streets and Sewer Department got laid off.

In closing, Wednesday is 50th birthday for good friend, Mayor, here and I want to wish you my very best. Thank you.

Mayor Cervenik – Thank you.

President Sustarsic – Oh, you're just a kid yet.

Mayor Cervenik – Yes, I am.

President Sustarsic – You've got to earn it yet. I also attended the opening ceremonies at Outlets USA and it was generally nice. For many years on Council previously, I was always told that there was no future for retail in the City of Euclid. This is a cornerstone now with it. I look forward to much more success with Mr. Lichko and that he will keep things above board and top shelf, so to

speak. It was interesting because I think there's been a slight increase in traffic, too, on the other portion of the Mall, which is Dillards, which, again, it serves the people well of this City. I think very affordable clothing and it just and the availability is just terrific. I'm always looking for those sales and they always have those sales.

Also, condolences to the Eckart family as well. Going to high school with Dennis, watching his career grow and like I said, the parallel of the two families involved with the community and government, it was a pleasure to know him and you learned a lot. So he will be missed, he definitely will be missed.

Alluding to what the Mayor said before relative to the Sunrise Apartments fire, it was nice to see very, very, very reaction on the part of the media indicating that the community did, in fact, come together. And that's what Euclid is all about. It's the people helping people. And it, unfortunately, it takes a tragedies like that to happen. But at the same time, fortunately, again, people do come together.

And on one last note, we will have the budget hearings coming up as was said earlier. And I believe it'll be on Wednesday, October 13th at 7 p.m. There will both be the General Fund update and the 2005 budget. And the following week, which would be Wednesday, Jan, excuse me, October 20th. So that will be the 13th and 20th of October, there will be budget hearings. Thank you.

Councilman Daly – Couple comments, Madeline Scarniench asked about inland marine. Before you could buy insurance coverage to cover specific goods going from one port to another, but once it arrived at its destination, the coverage ceased. So people wanted to cover from the port to its eventual destination inland so inland marine insurance was created. So that's that.

About, I would like to congratulate Councilwoman Hufnagle for bringing forth her, her legislation. And I like Lou Nagy and he's been a great Sergeant-at-Arms, but this City just a few years ago had 615 employees. Now we're down close to 400 and all 250 of those people that are no longer around had faces and had names. It's just that we have Lou here with us. And all of those cuts are devastating to the person that's cut. And when we had the resident come to the podium last, at our last meeting and pleading with us to find money for a school guard and some flashing lights. I mean, you know, Councilwoman Hufnagle came up with a solution and I appreciate that. And they're all tough. You know, do we need to rotate? I don't know. We do have other City employees who come to this building, open it up to film these meetings so that we'll have the tapes available, hopefully, at the Library. And at the end they close. Maybe that could be part of their duties. So whatever we do, you know, we'll discuss in committee. But you know, it's nothing against Lou; but in our situation, we're going to have to make some tough choices. And the situation's to where it is that this might be, you know, something we have to do.

Lastly, I'd like to thank Mr. Goodman for responding to my call. I don't know if it was a challenge, but it was a call for residents to start to talk about the issue, the legal issue surrounding Hillandale because we are in a federal case, a federal lawsuit. And while we're in there, you know, we're going to have to, you know, are we going to win this and on what basis? That's what I want to hear. He said he wasn't an attorney, but if you look at the Cleveland Magazine article, which I recommend people do, there is a section there that says the law passed in 2000 makes it very difficult for cities to use zoning to keep a church out of town. Providence Baptist has a strong case says William D. Rich, University of Akron Law Professor, who studied the federal law since Euclid doesn't have any empty land zoned for new churches. His opinion coincides with some opinions that I received from attorneys I interviewed during that whole hearing process.

So we brought up issues, such as, they knew what the land was zoned at the time of purchase. That argument's already been decided. That's a non-issue as far as the courts are concerned. Reverse mortgages, tap in fees, the effect on police and fire. We discussed that with the Police Chief and Fire Chief. They saw no concerns, but then again in the zoning issue, you know, we have to restrict ourselves to what arguments are we going to make. It sounds like EAC wants to see houses there. The Master Plan called for houses there. Providence Baptist wants to have houses there. The problem is we only have one Zoning Code, U-1, which is single family. We don't have a Zoning Code for U-1-A luxury homes. So, but I appreciate his efforts. And we may not lose millions of dollars, but if we lose hundreds of thousands of dollars, it's dollars that we do not have. So again, thank you.

Councilman Delaney – I, too, would like to send God's speed to the Eckart family. Ed Eckart was a, one of Euclid's fathers.

Two weeks ago I was invited to speak with the Euclid Trio Neighborhood Association, which is Crystal, Priday and Fuller. After a few brief statements about different things that have gone on in the City, much of their question period had nothing to do with our business but it was basic dilapidated housing, absentee landlords, condition of the streets, overall crime that happened in the

neighborhood. It was a little overwhelming, but I think everyone here on Council has been at those meetings all over the City. Usually they wind up, people come to the meetings. They haven't complained to the City yet. They bottle up their frustration and that's a great forum for them to let it out.

After I had taken down about a half dozen or so complaints, I decided that what I intended to do was meet with them the following Tuesday and walk their neighborhood with him. I informed the three Directors and the Police Chief of the experiment. And I'd like to thank Hank Gulich for attending; Ron Petkovic for attention; Chuck Comiskey for attending and Patrolman Mike Walsh and our Ward 1 Councilwoman Holzheimer Gail, of course, was there. It was, it was a pleasant evening. It was pretty remarkable at how we were able to sweep through the streets and really point out a lot that may take a lot of time. We invited Don Miller, the President of the Short Ivan Association in Ward 3. And there were also people invited from Heritage Park in Ward 4. And they are going to consider doing the same.

Hopefully when we come back in a month and the Euclid Trio Neighborhood Association is debriefed on the different challenges that are there, the solutions, what's been done to date. We might be able to comprise a model. There were also a lot of good suggestions about duplex conversion. There were different incentives that the City also offers that needs to be marketed and brought to our residents. So I'm looking forward to continuing on with this and I'm inviting all the rest of the Council members to speak to their neighborhood associations and I think this is something that can be done on an annual basis to have everyone walk their streets, walk their neighborhood. We had about 20 people that walked through. And it seems that could be a great tool as far as helping the Administration gain access to where those issues are and help resolve them as quickly as possible because a safe, clean neighborhood is what we all want. And I'm looking forward to those results and I'm sure that I will share them with everybody.

And one last thing, I'd just like to say, Happy Birthday, Mayor.

Mayor Cervenik – Thank you, Pat.

Councilman Gruber – I have a couple items this evening. First one was, I agree with my colleague Councilman Delaney that it is important to get with all these groups, the Housing Department, the Police Department and all them. In fact, that's how I met Erik Tollerup when I was Chairman of the Building and Environmental Commission with the Indian Hills Association. We got in the car, went for a ride. We took care of complaints and we continued that relationship for quite a while and it works very well. So I encourage other Council people look into doing that stuff. The only problem with that is the Building Department being understaffed as it is, they might have trouble keeping up with the paperwork and the flow and things might take a little longer than people expect. But it is a good forum and I congratulate you for continuing that.

Couple of items about a resident that spoke earlier. I'm not going to get into debate. The banners that were requested at that time were to specifically say Heritage Park Association on them and I have the e-mails. We did not have the money for that. The generic Euclid banners were put up and that could have been done by anyone. The fence was installed. Now the kids are cutting through down a little bit farther. I was not the Councilman when they were charged for their sidewalks and curbs. That was Joe Dallos. Call him wherever he is.

I said Euclid Avenue was paved not her street. And I did not take credit for the street. I said it was paved, but we didn't charge for streets and curbs that time. A grocery store, it's all about demographics. There's two reasons why there's not a grocery store on Euclid Avenue. The demographics do not support it and #2, it's a dry precinct. No major chain grocery store will build a grocery store in the Heritage Park area because it is a dry precinct. Therefore, they are not able to sell beer and wine. The residents in that neighborhood voted that in and that's the biggest stumbling block to a grocery store in that area.

On to other items, I, too, was at the fire on Friday. As some of you know, on Friday, September 24th, there was a devastating fire at 23450 Lake Shore Boulevard. Eighteen units were lost. One of them was my mother's. At this time I would like, aside from minor injuries, thankfully, no one was hurt. At this time I would like to make some first hand observations on the events of that day. I got a call a little after 1 o'clock from Tom Ott of the Plain Dealer telling me he just drove past my mother's apartment and flames are coming out the roof and the Fire Department is arriving. Not knowing the whereabouts of my mother, I called her apartment and got her answering machine. And I did what you should say, hey, Mom, you're apartment's on fire. Get out. I left a message the building was on fire and she should get out. I called the Mayor and I asked him if he had heard about the fire on Lake Shore. He told me that the Fire Chief had just left his office to respond to the fire.

I was coming from downtown and as I got off the freeway I could see the smoke. I called my wife at work, who saw the smoke as well. She left to go to my mother's apartment. Knowing that Councilwoman Hufnagle lived a short distance away from my Mom, I called her and asked if she could go over there. Without hesitation she was on her way. Upon arriving at the scene, I could see the entire roof was ablaze. Spotting the Fire Chief, I asked him if everyone got out and he told me what I wanted to hear. Yes.

I saw my Mom's car was not in the lot so I called her at work and someone went and got her. I told her what was going on, as cool as she could be, she said, okay, I'll be home in a little bit.

Growing up in Euclid I always knew it was a special place, but on that Friday I found out just how special it really is. I would like to thank the following people for their professionalism, kindness and concern shown not only to my mother but all to the victims of the fire. The Euclid Fire Department, the Willowick Fire Department, the Richmond Heights Fire Department, the Willoughby Hills Fire Department, the South Euclid Fire Department and others that helped fight the fire and man our stations while our firefighters were on duty. Councilwoman Hufnagle, Councilman Daly, Council President Sustarsic, Mayor Cervenik, Councilman Langman, who has called and e-mailed me several times asking how my mother's doing. Law Director Frey and Colleen from the Mayor's Office, the Euclid Police Department particularly Chris Barnowski from the Auxiliary Police. Mr. and Mrs. Harvey Mlachak were very kind and offered us to come to their home and have coffee and sit for a minute. Pat Gallagher and Jim Pajk and the dozens of people that have called or offered help or support. The Eaton Family Credit Union, Doug Price at K & D Management, Bob Zorn from Royal American Management, Sharon Moester, Rev. Thomas Owens and Living Waters Church, the American Red Cross, John Fox, Rebecca Conway and I'd be remiss if I didn't thank the most patient and helpful person I know, my wife, Jennifer. But most of all I'd like to thank God that everyone was okay. What I found out that day is that no matter where you stand politically in Euclid, when tragedy strikes, Euclid stands together and that's what makes Euclid special.

I'd like to thank everyone, one and all. Chief, your guys did a great job; and Chief, your people did a great job. Thank you very much.

Councilwoman Holzheimer Gail – Director Gulich, I think we got an e-mail that Snow Plow applications are available at the front desk, is that correct? Could you give us, give the public information about that please.

Director Gulich – Yes, we haven't changed anything from the way we've been running the program last year. Again, we have gone out for bids. The contractor will be the same contractor this year as last year. I believe the price, don't quote me on it, I think it's up \$5 from last year. Yes, the Mayor acknowledges it is up \$5 and, of course, anybody that wants to be part of this program will have to take up that entire cost. Yeah, the applications are here. Please come in and get that taken care of.

Councilwoman Holzheimer Gail – And there's no income eligibility and there's first priorities to seniors but...

Director Gulich – We're starting out with the first priority. We limit this to 600. We've never really gotten too much more than 400 people. The program's worked real good. We haven't needed to turn anyone away.

Councilwoman Holzheimer Gail – And we had mentioned earlier the Indian Hills and the voting situation. Mayor, I know we spoke about the other voting locations and I understand there will be notices put on the Cable Station. I don't want to put you on the spot.

Mayor Cervenik – They, they...

Councilwoman Holzheimer Gail – The other voting locations, Memorial School will not be one?

Mayor Cervenik – According to the gentleman from the Election Board that I've talked to that Memorial Park will not be one of those voting locations and many of those locations were going to be moved to the Euclid Square Mall. Now that the voting is closed, they told me probably within the next week or so they will forward us a list and it's also the Board of Elections' intention to notify each and every voter with a postcard where they're voting. Not just in the City of Euclid but throughout Cuyahoga County. So especially there's been a big effort, push on to register new people to vote and I would strongly suggest to those people that registered to vote, if you don't get that card by a week or so before the election, give the Election Board a call to make sure that

everything is okay. And the other thing you need to remember, if you go to the Board of, if you go to your election place, please fill out a provincial ballot and then we can, then the Board will be able to determine what the problem is. But don't walk away empty handed, use the provisional ballot so that your vote does count. But they've assured me all residents will be receiving a card so, hopefully, that'll be the case.

Councilwoman Holzheimer Gail – We'll make sure we have a copy of the voting locations in the Council Office and your Ward Council people, I'm sure, will have that so people can call us if they need that information. Now that the new Lakefront Community Center's open voting will take place there, correct?

Mayor Cervenik – Yes.

Councilwoman Holzheimer Gail – So make sure people take that time if you don't get the postcard. We'll remind you again at the next Council meeting and it, hopefully, will be on Channel 23.

Mayor Cervenik – It will definitely be on Channel 23.

Councilwoman Holzheimer Gail – I also want to thank Councilman Delaney. He invited me along after going to the initial Trio meeting and I've had the opportunity to meet with them on several occasions. But it was, it's a great example of the neighborhood associations wanting to help. They, you know, they come together at the meetings and you hear a lot of complaints and it's easy to say oh, we have budget cuts and we can't do that. But these people want to help. They don't want to just complain. They wanted to be a part of the solution. So I want to thank Pat Delaney and I want to thank specifically the Euclid Trio members that were a part of that walk. It's really, when you put minds together and when we work together, we can come up with some great ideas. So I look forward to good ideas that not only will help Euclid Trio, but we can then use beyond to the other neighborhoods.

Madeline mentioned it, but I just want to re-announce the PAL, the Police Athletic League Night at the Races, this Saturday, October 9th at Tizzano's starting at 6. Tickets are \$25 and it goes for a great cause.

And one other event, if you're looking for a way to help celebrate Christopher Columbus Day or honor your Italian Heritage, the Shore Cultural Corporation is sponsoring an Italian night also Saturday, October 9th at Shore Cultural Centre. It will include entertainment by the Gigolos, food and beverage, pastries and Dolly Luskin and Evelyn Strowd from the Shore Board are both here. Wave your hands in the audience. They have tickets or information. Tickets are \$25 and it goes, proceeds go to help the Shore Cultural Centre Corporation. Dolly can be reached at 261-0967 or tickets can be bought at the Shore Cultural Centre office at or call them at 289-8107. And, Mayor, Happy Birthday.

Mayor Cervenik – Thank you.

Councilwoman Hufnagle – Chief, I can't say enough about your department and the way they handled the fire and it was awesome and I was very proud of them. Just being on the sidelines it traumatized me. It stayed with me for a long time. I know that that's what you guys train for and you make a decision to go into that profession. It was an incredible fire and I cannot say enough about what your men did and the surrounding neighborhoods, the cities that contributed.

There were many people to thank for that day and one reporter interviewed me and asked me if I was surprised by the generosity of the people. And I said no, I was not. I wouldn't expect anything less from the citizens of Euclid. Mrs. Conway is right. She approached me. Councilman Gruber and I discussed it on the scene. We needed someone to coordinate efforts. We called the Pastor at Living Waters Church of God. He is coordinating donation efforts and he is and that is still ongoing so if you have items, please contact that church.

I was also approached by an employee of the Eaton Family Credit Union to put together this fund. So if you care to help out in that way because you know there's always things that don't get donated or the Red Cross don't take care of and you feel that that's route you want to go the Eaton Family Credit Union is on Babbitt Road.

So there was a woman who came up to me on the street and just had bags and bags of food from Wendy's and said can you get this to the firemen and to the victims? Can you help me get this? She said she went to Wendy's to buy the food and when she told them what she was doing, they just gave her food. So it was just an outpouring and it was a wonderful thing to see.

And I would like to thank Mr. Gruber. As Mrs. Walsh had mentioned, she sent an e-mail out about a situation and I sent it to the wrong department, which sometimes happen because I'm still learning who does what. But thankfully, Mr. Gruber was there to send it to the correct department. So I would like to thank that.

Also, just an update on a questions that Mrs. McGinn asked me a couple of weeks ago about the insurance costs because 3 of us approached the subject of canceling or not allowing health care for Council members in the next turn. She wanted current figures on this Council. So it might be interesting to think about this, this evening. This Council, since we've been elected, 6 of this Council has elected to take health care benefits and they cost the City on an average \$1,000 a week. As Mrs. Walsh had suggested, if we take a pay cut of \$622 we could pay Mr. Nagy's salary. I'm just merely pointing out that if 6 people didn't take health insurance for 5 weeks they could pay Mr. Nagy's salary. If they didn't take it for 10 weeks, they could hire Mr. Nagy and a crossing guard and I think we get the picture there. So I just wanted to give you an update on those figures because I think it kind of puts things in perspective. And I would like to thank Mr. Nagy for his very professional and gracious comments that he made. Thank you.

Councilman Langman – I think it goes without saying, Chief Cosgriff, that your men did a fantastic job handling the fire at Sunrise. I had the opportunity to speak with some of the men at Station #3 on Saturday morning. They took me through a tour of the basement to show off the new fitness equipment and the repainting of the basement. And hopefully, that will stop some of the water seepage that has plagued that particular station and some of the older stations also. But it was very enlightening, as always, to talk with some of the firefighters.

And speaking of that, Director Pietravoia, I notice there's some demolition and hopefully reconstruction efforts underway at Sunrise. Do you have any information on that? How it's going? How it's going to proceed?

Director Pietravoia – I would ask Mr. Petkovic if he could give us an update?

Manger Petkovic – I talked to the owner about a week ago and he, I believe he's from Bosnia, he speaks very broken English. But I did understand what he was saying. The third floor is totally gone. The second floor and the first floor water damage and smoke damage. I talked to our department inspector and asked him if we needed to get a structural engineer in there to determine the integrity of that building and he said it was not needed. The damage was not that bad.

This is his retirement. He's very concerned about it. And he and I talked about insurance. He's very worried the amount of insurance that he's going to claim he wants to make sure that he gets that amount quality. Repairs are being made. There's dumpsters being filled up. Removed, filled up. They have steel shoots coming down from the top of the building. So progress is going forward.

Councilman Gruber – They're going to rebuild it, Councilman. He is going to rebuild.

Councilman Langman – Oh, fine. And a question for the Mayor of rather serious consideration, is it birthday cake or birthday pie?

Mayor Cervenik – Neither, it's going to be a Manhattan on the rocks.

Councilman Langman – Well, enjoy your birthday.

Mayor Cervenik – Chocolate cake. Thank you.

Councilwoman Mancuso – That's a little strong, could we just do wine for your birthday?

Mayor Cervenik – I don't know. I can do that.

Councilwoman Mancuso – Your treat of course.

Mayor Cervenik – Not a problem.

Councilwoman Mancuso – Again, thank you to the Police and Fire. This is why you, gentlemen, are doing the job you do and are trained to do the job you do. I also say thank you to the surrounding communities that responded in very timely fashion to assist us. That spoke very well

for the neighboring communities and the work that is now being done between the communities and you're to be applauded for that.

We have budget hearings coming up. Are we going to receive anything before we actually we come to Committee meetings that we can review?

Mayor Cervenik – It's every intention that you have something on Friday. Mr. Johnson was out of the office most of today and I have not heard about the progress or the lack of progress in the family situation. I will let you know. Our intention is to have budget packets out on Friday.

Councilwoman Mancuso – Okay, thank you. And I would also like to thank Mr. Nagy for his professionalism and very ethical behavior at the microphone. It's very difficult to look at any of these positions. It's truly a very bright piece to hear somebody be quite so professional about the chances of losing the position when it strikes home. So thank you very much. And that's it.

ADJOURNMENT

Councilwoman Mancuso moved to adjourn; seconded by Councilwoman Hufnagle. Yeas:
Unanimous.

Attest:

Clerk of Council

President of Council