

Councilman Delaney moved to sustain Planning & Zoning Commission's approval of the above listed lot split and consolidation. Councilwoman Hufnagle seconded.

Commissioner Torowski – Approve by Council is requested for a lot split and consolidation at 19551 Euclid Ave., owned by Jim Wensink and 1576 E. 196 Street owned by Deborah J. Daniel. The lot split and consolidation is requested due to the irregular property lines separating the two properties. If approved this would create a straight lot line for both property owners. This matter went before Planning & Zoning on October 19th and approved to Council unanimously.

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

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

COMMITTEE OF THE WHOLE

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

Mr. Jerry Corbran – 24250 Maplewood Dr. Regarding #10 the Golf Course Clubhouse. It was mentioned here clearing and approving sites therefore. In the previous meeting discussing this the question was asked, does this include the landscaping, there seemed to be some talk about scraping the existing driving range and dumping it into the hole, into the demolished Knuth building. My question is, is all that part of the contractor's bid, the one million two hundred, whatever it was? Do you get my meaning? I'm trying to find out, is this an extra cost? Or is that included in the original, successful contractor's?

Director Gulich – That was part of the bid package.

Mr. Victor Goodman – 20201 Glen Russ Lane. Tonight's a very special night for me. No Resolution, but it's a very special night that an ordinance that I requested is up for talking tonight so it makes me feel very good.

I don't mean to be a poor sport, but there are a few things within this ordinance that I think need to be corrected and amended tonight so that it can be voted on. I'll tell you why. The first, is simply one word, it's may. Twice it is repeated. Whereas the City may make available, and may make available again, both past and current.

When I served in the United States Army during the 1960's, my religious beliefs were based on the word may. Because the United States Army had a provision that stated that a Sunday worshiper must be given time off by the Commander to worship. But that a Saturday worshiper or other than Sunday worshiper was at the discretion of the Commander. I fought the United States Army for two years and I won because I went to my services because I had a right to go to my services.

When you use the word may, you have stated that it is at the discretion of the Council or the city. I would like to request an amendment of that to simply state, that the City will make available or is required to make available. This means that this is the whole spirit of why I asked for this ordinance. The people's right to view. Of the 52,000 people according to the last census of Euclid, according to facts and figures that I was given by this body, only about 10,000 actually have cable and I'm not really sure if that's 10,000 Adelphia customers or 10,000 combination of Adelphia and Direct. If its Direct or Satellite, they don't get Channel 23. So having these available at the Library gives the people who don't come here or who don't watch TV or have a facility. I would love every bar in Euclid to be able to show this tonight. I bet you they'd sell a lot of drinks every Council meeting. But they don't have that there, they are by dish.

So I ask you, I ask Councilman Gruber or any Council person to please ask for an amendment of this to read, will make available. It is a simple word but it means so much more than may. The only other thing is that as part of the original ordinance, I asked for a time frame. I said 48 hours. But I also think this is a very important point that must be put into it. Again, 9 months from tonight, I don't want this Council Meeting available at the Public Library. What purpose would it have served? Especially, I'm looking at this in both positives and negatives. If you want to get something approved, don't you want

more people out there knowing what you're doing and backing your play as well as vice versa if you don't want something done, you want people backing your play. So if it comes out 9 months later, what purpose have you served. I'm asking also that a simple amendment be made, just to say that on all current product, or current tapes, that these be made available at least one week after date. I don't think that's an abnormal request.

I've heard that there were some comments, there were some things that costs and other things. I spoke with Rebecca McFarland, she gave me permission to use her name. She's the one that has already sent two requests to the media department asking for these tapes time and time again. She told me that there is no problem in A: they would be happy to take the original if you would so give it to them and they would make the copy and return the original at totally their cost. Or, if there is a cost involved if the city wants to do it, they would be most happy to sit down and negotiate that cost with you. She stated to me, you know we buy all our DVD's, CD's, VHS's and books. Nobody gives them to us for nothing. They are willing to work with you, Mr. Johnson, on any item here to make these available. She also stated that once these are available at the Library, the Library will make a major advertising move to let patrons know these are now available.

President Sustarsic – Excuse me, your 5 minutes are up.

Mr. Goodman – I just hope you'll consider those two amendments.

Mayor Cervenik – It is the intention of the administration tonight, 1) to make the recommendation that these tapes would be available within 7 days after the various meetings. 2) we will be asking to strike out, at the city's cost. I don't feel its necessary to charge the Library for these tapes, especially since they will be returning these tapes after 6 months. As far as, may, will, shall, if people are uncomfortable with the wording, put any words in here you want. The Administration has no problem doing this. It should be noted in my discussions with library personnel, when the tapes were made available, there were no requests, maybe one or two requests during that time for them. It just sort of went by the wayside. This Administration will make sure that within 7 days that the Library does receive a set of these tapes. If someone needs to see that tape beforehand, call my office, you can come in and sit down. We have cable here and as you know the council meetings are played Wednesday after the meeting and I can make arrangements for them to sit in my office, sit in the hallway here and watch the tape to get any information they need if they need it before 7 days. We have no problem with this at all and we will be asking one of the council members to make those amendments this evening.

Mr. Goodman – Under the old way that you gave tapes in, the Library did let them go out for rental. This way, the Library is no longer going to do that. They will be strictly used in-house as reference material so that all citizens can view them at any time, rather than they not be there for weeks and weeks and weeks. I just want to make that point.

Mayor Cervenik – What the Library does with these is fine with me. If they need more tapes after that 7 day period, we will accommodate them as best we can. We're talking about a Library that was just rated 4th out of 500 libraries throughout the whole United States for a city of our size. We will do anything to help the Library succeed.

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

LEGISLATION

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)

Third Reading. Public Hearing November 15, 2004.

Ord. (178-04) Vacate Miller Ave.

An ordinance to vacate Miller Avenue in its entirety from the western end of East 223rd Street to the eastern end of East 222nd Street. (Sponsored by Councilwoman Hufnagle and Councilman Delaney)

President Sustarsic – We have six weeks for advertising and we'll have a public hearing on December 20th.

Ord. 187-2004 (224-04) Tapes @ Library

An ordinance authorizing the City of Euclid to make available copies of videotapes of City of Euclid forums, including but not limited to City Council, Planning and Zoning Commission, and Board of Control meetings, to the Euclid Public Library. (Sponsored by Councilman Gruber)

Councilman Gruber moved for passage, Councilman Delaney seconded.

Councilman Gruber – This was brought to us by Mr. Goodman. At his request I submitted it to the Law Department. I found out a little information out on the history from Dennis in the video tape department. He states that he believed copies for library were started in the spring, 2002, requested by Councilman Langman. We had an employee at the time that was handling the project. When the employee quit, he, Denny, continued the project until after the 2002 summer recess, it didn't continue after that. One of the questions that has been brought up is how retro-active would the current item agenda be? How far back do you want to supply tapes? Would we start today and go back a year? That's a question we need to address. He also noted that the time the tapes were over there, they were requested twice. Just for the general public information, minutes from the meeting are available on line at the city web page.

I would like to make a motion to change the two "may" in the first Whereas to shall. Councilwoman Holzheimer Gail seconded.

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

Amendment passes.

Councilwoman Hufnagle – This request did not come from the Library? Did we have any conversation with the Library about this request, has the administration?

Mayor Cervenik – Yes we had some conversation and the Library is more than happy to have the tapes available. We're more than happy to provide to the Library the tapes without charge. The Administration would request another amendment to eliminate the charge and also the amendment for the timing of 7 days. We will try to get them tapes before 7 days. With the cut in the staff, it gives us a little flexibility.

Councilwoman Hufnagle – If we did this before, was it done by an ordinance?

Mayor Cervenik – I don't think it was done by ordinance before, it was just sort of stopped. How the Library works, people in all that time, there were two requests for the tapes. It just went by the wayside.

Councilwoman Hufnagle – Did it start by ordinance?

Mayor Cervenik – No, I don't believe so. I think it started by discussion. Obviously if there was an ordinance in place, we would be remiss in not following that ordinance. I don't think the ordinance is really necessary but because its here, I'll honor Council's wishes and we'll make sure its done.

Councilwoman Hufnagle – Also it says make available. How are we making those available? Are our employees taking them to the Library?

Mayor Cervenik – I'll walk them over. I apologize. I didn't mean it that way. We'll get them there.

Councilwoman Hufnagle – I know it's a small task because we're all in the same complex. But that department is down to two people and I'm hesitant to put a demand on them and a time frame.

Mayor Cervenik – The Administration will be sure that they get there. Again, that was not meant with any disrespect whatsoever.

Councilwoman Hufnagle – I know, that's fine. Do we know if the school system provides tapes of their meetings to the Library?

Mayor Cervenik – I'm not sure whether they do or not. That would be a decision of their Board and the Library would have to reach. But we will make sure all of these meetings, any meeting that is taped in this building, we will make sure it is given to the Library.

Councilwoman Hufnagle – I will not be voting in favor of this ordinance this evening just because I don't think it's something that needs an ordinance. I think that we're all very willing to cooperate with the Library and provide these tapes to the Library and to do it free of cost. I will not vote in favor of an ordinance, I think that's a bit extreme. We can work together a little better than that. Thank you.

Councilwoman Holzheimer Gail moved to amend to remove the item, at the cost required to reproduce such video tapes and Section 1 at the city's cost to reproduce such videos.

Director Frey - I would also recommend that you add a sentence in Section 1 that says video tapes shall be made available in 7 days.

Councilwoman Holzheimer Gail – I'll make that amendment as well. Councilman Delaney seconded.

Roll Call: Yeas: Daly, Delaney, Gruber, Holzheimer Gail, Sustarsic, Sustarsic
Nay: Hufnagle
Amendments pass.

Mayor Cervenik – I'll walk the tape over within 7 days from tonight.

President Sustarsic – No, the question was brought up starting with this meeting. In other words, we're not going to go 6 months back?

Mayor Cervenik – Whatever the Library wants. We communicate quite often. We'll take care of it. Tonight's meeting will be the first one. As was mentioned by Councilman Gruber, if they want tapes from previous meetings, we can do that. Whatever they want, okay?

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

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

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

Ord. 188-2004 (187a-04)

An ordinance amending Section 1359.06 of the Planning and Zoning Code and Chapter 785 of the Business Regulation and Taxation Code of the Codified Ordinances for the City of Euclid by the amendment of Sections 785.01 and 785.02 and the addition of Sections 785.06, 785.07, 785.08, 785.09, 785.10, and 785.11. (Sponsored by Councilman Gruber by request)
(Recommended for passage by Planning & Zoning Commission)

Councilman Gruber moved for passage, Councilman Daly seconded.

Commissioner Torowski – Planning & Zoning Commission has reviewed and suggested modifications to the legislation. First, second sentence in 785.06, the word may is replaced with shall. 785.02(d), an additional statement, if the applicant is not the owner of the proposed property, then said when releasing this property must also comply with 785.02(b). In 785.02(b)(7), the word “intimate partner” shall be changed to another. 785.07(g), reporting time for loss of a firearm, was reduced from 48 hours to 24 hours. 785.08(7)(d), that shall avoid all thefts, changed to, to avoid all thefts.

With the review completed, Planning & Zoning unanimously forwarded to Council.

Director Frey – The purpose of this piece of legislation was to fill a gap in our business and zoning regulations by requiring a special use permit for the sale of firearms or other deadly weapons and to so limit that business activity to the U-4 Commercial districts. The affects would be to require an applicant seeking to sell firearms or other deadly weapons to come to Planning & Zoning, as well as through the Police Department and the Mayor’s Office to seek the necessary permits to sell firearms or other deadly weapons. They would only be permitted in commercial districts by special use permit.

The legislation would further broaden the information required by the applicant to the police department to include a lease or ownership documentation for the building. Information from other jurisdictions where request to sell firearms had been granted or denied or once granted has been revoked. Will requires as well a certificate of insurance and fingerprints of the individuals seeking to operate that business.

Building safety was a further concern in this legislation. This legislation would require that the operator of the business, not to permit anyone under 18 years of age without a parent or guardian to be a customer of the business. It would require any sales of firearms to be equipped with gunlocks. As Andy had mentioned, report any thefts from the business within 24 hours. Would require certain building features to avoid or prevent possible thefts, break-ins or certainly deter those, including steel bars on the interior side of the windows and doors, if the doors have windows at all. It would also require security measures to be taken in connection with the ventilation and air conditioning units to prevent break-ins through there. And in the building itself to require the storage of firearms and ammunition in locked cases, not available to the customer.

There were certain steps involved. This was not intended to prohibit a business from coming to the city seeking to sell firearms, other deadly weapons and ammunition, but to require to go through appropriate zoning review and review of police department and Safety Director so that those businesses can be placed or directed into locations that are suitable for that type of activity. I’ll be glad to answer questions on the proposed changes.

President Sustarsic – So at least in Euclid we would know where to look for deadly weapons.

Councilwoman Holzheimer Gail – Does it limit it other than commercial districts? Are there enough reasons that the Planning & Zoning Commission can turn down a specific site based on its surroundings?

Director Frey – It is limited just to commercial districts, U4 commercial districts. It is not a permitted use in any other district in the zoning code. The proximity to other activities, playgrounds, parks, or schools, would be reason why Planning & Zoning could cite to those reasons and saying that is not a suitable use in that location even though it maybe a commercial use district. As Council is well aware, that decision is subject to review. But there is a basis to be able to make that determination.

Councilwoman Holzheimer Gail – I appreciate you bringing this forward to us. One other question, this issue of the steel bars on the doors. I certainly believe that we need to be very conscience of security of the store that would be selling weapons. Is there a way to do that? To require the bars inside the window? I noticed it is required inside the door, on the inside of the window. I remember we had discussions when the jewelry store was going in on Euclid Ave. & Chardon Rd. and they wanted to put bars on the outside. They ended up doing something that looked much better but was actually inside the panes of

the glass. Are we able to, mandate that or state a preference to something that would look better than bars on windows?

Commissioner Torowski – Planning & Zoning could make conditions that would allow bars to be on the inside or between the panes of glass.

Councilwoman Holzheimer Gail – what I'm looking for is the least blighting, in terms of look. I don't quite know how to say that or if that is something that we can amend into this ordinance. I'm looking specifically at requirements of a secured facility in 785.08, both section 1, sub section 2 talks about steel bars on the interior of the door. Then #3, the windows must be covered with steel bars. I just don't want to be in a position that we're going to have something that stands out as an eyesore.

Director Pietravoia – We do agree and I believe that was the intent of the language. It is varied in the wording. But both 2 & 3 refer to, in the case of 2, to interior metal grate and 3, every window must be covered with steel bars on the interior side of the location. It is actually requiring that they be on the interior. I would share the same concerns you have. We want to make sure that from a visual appearance, we're not creating a negative situation by having the bars and grates.

Councilwoman Holzheimer Gail – My point is, even if the bars are on the inside and you can see through it, I don't know if the technology is the same of the grates that are actually inside the two window panes, inside the glass of the windows. Perhaps that's something we could look at on a future date and ask Planning & Zoning. I'm sure they'll be aware of that. I know that they are concerned with aesthetics and how businesses fit in the neighborhoods. I just wanted to bring that up as an issue that may come up and if there is something that we can do to prohibit the unsightliness of metal bars.

Director Pietravoia – Some way to disguise that even though it is required on the interior.

Councilwoman Holzheimer Gail – I absolutely don't want to get rid of the requirement to have the secure facility. I just want to make sure that, avoid the eye sore, what that could potentially look like.

Director Pietravoia – We will ask both P&Z and ARB for some insight on how that might be accomplished.

Councilman Gruber – I do believe we have something on the books requiring that burglar bars I believe was referred to in the ordinance is on the interior. They are not allowed on the exterior windows in commercial businesses in Euclid. We have to maintain and monitor that.

Councilman T. Sustarsic – In Specially Permitted Uses, its got race track, archery range, etc. Does that include pistol and shooting ranges too? 1359.06.

Director Frey – No, I would say archery range would not be a pistol range at all.

Councilman T. Sustarsic – Would it be necessary to add that in there, maybe?

Director Frey – I would suggest that's probably not a permitted use at all.

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

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

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

Ord. 189-2004 (225-04) Bids-Towing

An ordinance authorizing the Mayor, as Ex-Officio Director of Public Safety of the City of Euclid, or his designee, to enter into a contract after advertising for bids for towing of vehicles that are junk, abandoned, or that otherwise must be removed, at the direction of the Euclid Police Department, within the City of Euclid for the years 2005 and 2006. (Sponsored by Councilman Gruber by request of Police Chief)

Councilman Gruber moved for passage, Councilman Delaney seconded.

Councilman Gruber – This is an ordinance to help keep our neighborhoods clean of abandoned, junk vehicles. Chief Maine some comments?

Chief Maine – I would like to say thank you to the Council. This is an ordinance that we put out every two years to enter into a contract for vendors who do the towing for the police department in the city. As Councilman Gruber eluded to, this is for junk and abandoned autos, as well as any police tows for vehicles that are involved in either arrests or motor vehicle accidents.

One thing that we're going to try and do this year, because the city doesn't actually make any money on this. All the money goes back to the vendor, is to try and get more than one vendor so that it will hopefully shorten the time. That's going to depend on whether they can meet the requirements in the specifications that are in the bid specs. We've been very happy with the vendor we've had so far, but we'd just like to, hopefully this would be an added service for our community. That's about all I can say unless you have specific questions.

Councilman Gruber – How many cars were towed last year?

Chief Maine – I believe it was, all the vehicles we had towed last year, I'm sure it was over 1,000 with arrests and motor vehicle accidents and abandoned.

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

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

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

Ord. 190-2004 (229-04) Emergency Sewer Repairs

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the hiring of a contractor to be used to make emergency repairs, when needed, due to unexpected and unanticipated damage to City of Euclid sewers, sludge lines and streets for the year 2005, with an option to renew the contract for the year 2006. (Sponsor Councilman T. Sustarsic by request of Service Director)

Councilman Sustarsic moved for passage, Councilman Daly seconded.

Director Gulich – For about the last 16 years the city has been going out for bids on an annual basis in order to obtain a contract to see who has the best price. In the event of an emergency perform repairs to our sludge line, other sewers and pavement as necessary. It is a program which has worked very well. Again, if nothing breaks, and I certainly hope that's the case in 2005 we will not have to resort to using this contract extensively. So far in 2004, out of \$50,000 Council approved in 2004 capital budget we have used \$23,000 for the repairs that we've been unable to complete in house with our own people, our own equipment. The funds to pay for this come from the appropriate fund, whether it be the Waste Water Treatment Fund, Creeks & Sewers fund, or Street Repair Fund.

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

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

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

Res. 191-2004 (226-04) CDBG Plan

A resolution approving the Annual Action Plan for the FY 2005 Entitlement Year under the Community Development Block Grant Program of the United States Department of Housing and Urban Development as recommended by the Citizens' Advisory Committee appointed by the Mayor of the City of Euclid. (Sponsor Councilwoman Holzheimer Gail)

Councilwoman Holzheimer Gail moved for passage, Councilman Gruber seconded.

Councilwoman Holzheimer Gail – It has been my pleasure to serve as the Council representative to the citizens advisory committee that reviews the community development block grant program. I'd like to let Director Pietravoia or Deputy Director Gliha start with some comments.

Deputy Gliha – With the approval tonight of our annual action plan for fiscal year 2005, we will be receiving for the 31st year community development block grant funds. It is kind of hard to imagine 31 years has passed so quickly. In 1975 the City received \$178,000. We peaked in the year 2000 at \$1,233,000. Over the last 4 years we have slowly decreased to an average of \$1,220,000. That figure is what we are budgeting on this year. Due to the election and the uncertainty Congress has not acted on any programs so we do not expect a firm budget from HUD until Congress reconvenes in January.

Just a little note, if the grant stayed up with inflation and current day values, the City should be receiving approximately \$2.1 million. Our needs are every growing or remaining the same and our dollars are dwindling as the program goes on. It is very important program that is geared by a process of citizen participation and the citizens' advisory counsel and our council rep, Councilwoman Gail. The Citizens' Advisory Counsel helps us implement the citizen participation process which determines the programs to be funded. I'd like to recognize tonight the members of the this counsel: Mr. Ed Dickson, Mrs. Madeline Scarniench, Ms. Alice Yatsko, Mrs. Ellen Ivory, Mr. Cameron Zwagerman, Ms. Candice Jones. And last but not least, I've been doing this now for, this will be my 30th year of working with the citizens' committee and working with the block grant. There's only one person in this room that has been here all 31 years and has seniority on me. That is Mrs. Dorothy Fike. I would really like to thank her for her dedication over the past 31 years to this process. Thank you Dorothy.

During this process 5 meetings were held. Two of the meetings were in the form of public hearings. At the first public hearing, reviewed past performance and we solicited potential new programs that were proposed. From that process the Committee got together, reviewed various proposals, discussed the budget and formulated the budget. It is important to note that over the past 31 years, this Committee has solicited the wants and needs of the community and has helped the city fund and develop programs, core group of projects that address the social well being and the physical well being of our citizens and our neighborhoods. That is the key important ingredient of the community development block grant program.

This year, there was one new program the committee felt needed to be funded. The Police Department through Weed & Seed made a proposal to us to help them fund the construction of the new mini-station in the southwest section of Euclid along Euclid Avenue. The Committee felt a \$20,000 program or award to that program would be most beneficial to that area and to the police. That would be our only new program to be funded this year. If there are any questions, I'll be happy to answer them. I once again thank Councilwoman Gail for her help.

Councilwoman Holzheimer Gail – I thank Deputy Director Gliha and Jim Sonnhalter who put in a lot of time at the staff level to make this happen. My thanks also to the

Committee, they take their job as a volunteer very seriously. They ask good questions and make suggestions. We had quite a debate about funding levels and waiting lists and program priorities. I want to thank them as well for their interest and their work in this.

The Block Grant dollars are very important. They serve a vital need with two main priorities of eradicating slum and blight and serving low to moderate income folks. Each of the program areas, this sets out a general budget. Each contract or each item that is over \$15,000 will come back for Council's approval so we will see many of these throughout the year. Some of this helps supplement senior programs. It helps provide some home repairs, weatherization to low income home owners. Many of the face-lifts to the storefronts throughout the city are made possible through some grants through the Storefront Renovation Program. Many of these projects wouldn't be available to us without the help of the Block Grant dollars. I hope that council will join me in supporting this Resolution.

Councilman Gruber – I would like to thank the Committee too for the \$20,000 grant to the Weed & Seed program for the mini-station in that part of the city. It has been long needed and we look forward to working with them to get that started as soon as possible. Thank you.

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

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

Res. 192-2004 (223-04) Eaton Credit Union Delinquent Taxes

A resolution authorizing the City of Euclid to enter into an agreement with Eaton Family Credit Union to permit City of Euclid taxpayers to electronically transmit payments for delinquent taxes to Eaton Family Credit Union on a bi-weekly basis. (Sponsored by Council President Sustarsic by request of the Finance Director)

Councilman Daly moved for passage, Councilman Delaney seconded.

Director Frey – This is a piece of legislation that I apologize should have been in with the information we presented at the last Council Meeting. We have a group of employees of the United States Government, or a branch thereof, that apparently their employer will not withhold city income tax. It has created an ongoing issue with the collection of city income tax from those individuals who live or work in the city.

We have made arrangements through the tax collection department with Eaton Family Credit Union for the Eaton Family Credit Union to serve as the depository for those money. So by payroll deduction or automatic transfer to the Credit Union, those particular individuals who are delinquent in their payment of city income taxes can pay into the Credit Union or have it deducted directly from their check. It will accumulate in the Credit Union, and be paid over, I believe annually to the City with whatever accrued interest is made on that and credited to the delinquency the employee carries.

It is a viable way for the City to help that individual taxpayer become current in their payments. There is no cost to the city for operating this. It is a way to get those delinquent taxes collected. Director Johnson has other information and I'll be glad to answer questions.

Director Johnson – I'll be glad to answer any questions.

Councilwoman Holzheimer Gail – Does it have to be only for the delinquent tax? Or as we go forward could these same employees utilize this to withhold it throughout the year?

Mayor Cervenik – We intend to use this system as we advance our own collection of delinquent taxes. But for this group of taxpayers the federal government has a policy, I believe its, unless there's 75,000 employees, it is some astronomical number of employees in a community before they will actually hold tax for that community. We're

just making it very easy for these employees to be able to stay current and make their tax. We will be using Eaton Family Credit Union for more of our delinquent program.

Director Johnson – There is a possibility that employees that have employers that won't withhold, we've also explored that possibility of collecting.

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

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

Ord. 193-2004 (179b-04) Compensation Ordinance

An emergency ordinance setting the benefits and compensation to be paid City of Euclid personnel, other than employees of a collective bargaining unit, and rescinding Ordinance Nos. 227-1996 and 288-1998 and all amendments thereto, and all other legislative enactments or administrative directives inconsistent hereto, and enacting in lieu thereof the within ordinance to be known and cited as the 2004 CONSOLIDATED COMPENSATION ORDINANCE. (Sponsored by Mayor Cervenik) (Recommended for passage by the Executive Committee)

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

Director Frey – We introduced this piece of legislation to replace the earlier versions of the consolidated compensation ordinance. We have suggested or recommended to Council a significant change in this legislation in part in the pay-out of accumulated sick leave, that would be Section 14 on page 8 & 9.

Listening to the comments of many long-time city employees and with input from members of Council, the Mayor asked that we craft a different version of the pay out of accumulated sick time upon retirement for the city employee. I wanted to note that as this ordinance is before you tonight, any employee hired on or after the first of January 2005 and thereafter retires from the City of Euclid would be entitled accumulated sick leave pay out in an amount not to exceed 240 hours. That is the State Codified minimum pay out municipalities, of course home rule municipalities can deviate from that as you see in the Section above that. But for anyone hired after the first of January, 2005 they will be entitled to no more than 240 hours of accumulated time or 30 days, roughly.

What we've tried to do in the section above that is to recognize that there are many individuals who have worked for the city for a number of years that will not be retiring in the next several years, but will continue to work for the city. Some of those individuals have accumulated significant number of sick hours. What is proposed and in front of you tonight would provide for a maximum number of sick hours to be paid out upon retirement based on the number of years of either service to the City of Euclid, or accumulated service to what we have defined as qualified public service. That would be service to the State of Ohio or in a political subdivision of the State including the City of Euclid. So in taking an individual with less than 5 years of service with the City or 10 years of service in the qualified public service, they could receive a maximum of 320 hours of accumulated sick time pay out upon retirement if they retire on or after January 1, 2005. You can see how that scale graduates up so that someone who has 20 or more years with the City of Euclid or 25 or more years of qualified public service would be entitled to receive a maximum of 960 hours of accumulated sick time.

We tried to both recognize the long standing employees with the City and yet make a fiscally responsible reduction. As you are aware and as stated in the section below that, an individual working for the City of Euclid who retires on or before December 31, 2004 is entitled to a maximum of 1200 hours of accumulated sick time at full hourly rate, plus \$20 per 8 hours for every hour above the 1200 hours. There is a significant decrease in those employees who stayed with the City after January 1, 2005. That cap is not only the \$20 per day gone, in excess of 1200 hours, but the 1200 hours drops for someone who would have 20 or more years to the City to 960 hours. Realize it takes a little digesting to work through the steps.

That is the most significant change in the ordinance. I want to point out so we are not missing something, Section 27. We accepted from the repealed ordinances specifically so that there was no question about this, Sections 131.04; 141.09 and 143.07

of the Codified Ordinances. Those ordinances cover the benefits and ratio of pay for the Chiefs in the police and fire as well as the Asst. Chief in Fire and the Executive Captain in the Police Department. Those pay ratios would remain as they are in the codified ordinances and the 4 individuals occupying those positions, their benefits would be defined by Section 131.04.

Those are the significant changes since you saw this piece of legislation last. We also made some revisions to Exhibit A, the Described Positions of the Permanent Full Time positions. With the help of the Police Chief we removed some of the positions that were, it is the intention of the Chief and the Administration that those positions would not be filled again. Those positions were lined out. You'll note that the Police Chief, Fire Chief, Asst. Chief in Fire and Executive Officer of Police were also lined out. That was done because we made this language change showing that those codified ordinances were still in effect. There is no reason to repeat them in that particular exhibit.

I'm sure I thoroughly confused the issue. I'll attempt to unconfused it.

Mayor Cervenik – I would just like to add, I've had a number of conversations and meetings with Councilman Daly who was very helpful in coming to this resolution. This is not inconsistent with what I talked about during the committee meeting. I explained that for this round I would like the number to be 960 and we have that in here, codified. We are going to look at this each and every year. This ordinance should be reviewed each and every year for content, for classifications, for pay raises, right down the line. It just hasn't been done consistently in the past.

This is actually more restrictive than when Council eliminated longevity pay for employees. Each and every employee will be foregoing at least 240 hours of sick time, plus any excess at \$20 hours a day. Which means effectively on average, anyone who retires will receive at least \$5,000-\$7,000 less in payouts than they would have received if this ordinance was not put into place.

I do know most of you also received an e-mail talking about voting against this ordinance because of the medical contributions are not strict enough. That has nothing to do with this compensation ordinance. I proposed to you at that Committee Meeting the contributions we are going to require the employees to make starting at \$60, \$100, \$150, \$200 graduated over the next 4 years. We are going to begin that January 1, 2005. There is no legislation that is needed for that. If Council feels that we are not being aggressive enough, then you can pass legislation requiring more to charge more. As I explained to you at that meeting that we are trying to get the bargaining units, everybody to be on the same page. The only way to do that is to bring it in gradually over 4 years. I'm very confident that if we stick to the plan that I presented to you at that time, that we will get the collective bargaining units to go along with this also and at the end of 4 years, our savings in our medical plan will be over \$1.6 million. That is not a part of this tonight. I strongly ask for your support. I think this is a very fair way to treat our existing employees and we again eliminate a practice for new employees that really isn't needed anymore.

I'll answer any questions you have.

Councilman Daly – I would like to thank the administration to take the time to meet with me and I'd also like to thank Councilman Gruber. We met with a group of employees to go over these changes. I also would like to thank Councilwoman Hufnagle and Councilwoman Holzheimer Gail for their input on these changes as well.

Councilman Daly moved to close debate, Councilman Delaney seconded. Yeas: Unanimous.

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

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

Ord. 194-2004 (231-04) Bond Golf Course Clubhouse

An emergency ordinance to provide for the issuance of not to exceed \$1,275,000.00 bonds for the purpose of constructing, furnishing and equipping a Golf Course Clubhouse, and clearing and improving sites therefore. (Sponsored by Council President Sustarsic and entire Council by request of the Finance Director)

Councilman Gruber moved for passage, Councilman Sustarsic seconded.

Director Johnson – This particular piece of legislation authorizes us to issue bonds rather than the normal procedure that we follow for a number of years which is to issue notes until construction is completed and then roll those notes into bonds or more permanent financing. Part of the reason we are doing this, this piece of legislation and the next two pieces of legislation is to roll all of our current outstanding short term debt into long term debt for a number of reasons. We hadn't intended to do it at this particular point, but Moody's has contacted us and told us that they wanted to rate us. This was an unsolicited rating. Because there would be a charge if we did eventually roll this into permanent financing, we felt that we would take advantage of this opportunity for a rating and rolled into permanent financing and hopefully not have to go through the bond markets for several years. I'll be glad to answer any questions.

Councilwoman Holzheimer Gail – Director Johnson, the figure indicated, \$1,275,000 is higher than the number that is in the legislation at last Council meeting. Could you explain that?

Director Johnson – This piece of legislation and the next two, the amounts that show in here are going to be slightly higher than the amount that we want to net. Because we do have underwriting costs, bond counsel costs, costs of going to market, particularly with this project because we wanted to clear \$1,250,000 we allocated some of the cost of issuance to this particular issue.

Councilwoman Holzheimer Gail- My other question, the budget that we went over last week, there's sufficient money to pay for these new bonds? That was indicated in the budget?

Director Johnson – We did not discuss this in the budget. This would be paid by the permanent improvement fund over the next 20 years. We didn't discuss it specifically in the budget, but yes it will be included in the appropriation ordinance that is going to be presented to you.

Councilman Delaney – Now will you explain to me please the difference between the eight-hundred or so thousand dollars that was uncallable that was issued for the golf course originally? The \$1.2 that was issued already.

Director Johnson – Those are going to be notes that are going to be apart of the next piece of legislation that is going to be presented to you. What we're going to do is to retire \$917,000 that we told you we were going to retire. We will do that when we do this deal. We're going to actually issue about \$238,000 that would be part of the \$8,730,000. In expenses that were originally incurred the first time around.

Councilman Delaney – Councilwoman Gail had asked my other question about the price is going up. This is topical. Law Director Frey, I had questions that I e-mailed you, do you have those answers?

Director Frey – I don't have those tonight, I apologize to you Councilman. I will get that response to you just as promptly as I can.

Councilman Delaney- Those questions were specifically if we are following a legal process. We had one committee meeting and an estimate on bids. Those estimates weren't met. There were changes to the plan. Price went up. Legislation was written. My biggest problem is I can understand if after the bids were cancelled by the Board of Control if an ordinance was acted upon within a month, but it went a full year. As the ordinance is written, that is not a timely fashion. I don't see how those votes even hold

up. I don't think we can continue with this. This process is, it just doesn't hold up. You haven't explained to me why the original bids were inconsistent as you said. Those questions need answers before we can go forward. I feel very bad about this and it's the process. I think that there is a great deal of people in the community asking the same questions and their questions deserve to be answered as well.

Director Frey – I will get you those answers Councilman. I apologize for not having those prepared for tonight. I will remind you that last meeting Council approved a piece of legislation that repealed, explicitly repealed prior pieces of legislation regarding the golf course. Those pieces of legislation whether or not they were acted on are no longer, they have no force. In the piece of legislation that was enacted at the last meeting is what is operative at this point for the administration and the city to go forward with it if it does at all.

Councilman Delaney – Those are my comments. I don't believe those votes are valid. You can't answer me and you're asking this body to vote.

Director Frey – I don't see that they are necessarily related. I understand for the golf course financing, I don't think your questions that you posed by e-mail are necessarily determinative of whether or not this Council approves the issuance of bonds tonight.

Councilman Delaney – It's the process of, Council's voted, the bids came in, the Mayor signed it. That legislation instructed the Mayor, whether it was Mayor Oyaski or Mayor Cervenik, to act within a reasonable amount of time. I think you could agree with me that one year was not a reasonable amount of time.

Director Frey – I apologize to you. I will get an answer but I don't think the answer to that question determines whether or not the bond should issue, whether that project as approved at the last council meeting ever goes forward, the issuance of these bonds and the purpose of the bonds may require them to sit unused, but it doesn't deprive you or the other members of Council to determine whether or not these bonds should in fact be issued. I don't believe there is anything about the handling of the golf course project. I know it has taken seemingly forever, but I don't think there is anything in handling the golf course project that would make this piece of legislation in any way invalid. Nor do I believe there is anything occurred that would have made last council meeting's legislation approving the budget of I believe it was \$1.25 million as an invalid exercise. I would respectfully disagree with that assessment. I will get you the basis for my answers.

Mayor Cervenik – I would like to add. I came to this body and I asked this body to give us some time to readdress the direction we were going in the golf course. This body informally gave me that discretion. At any time that this body felt it was taking to long, a resolution could have been presented and voted on telling me that they decided not to give me that time. I believe we kept this body informed of what we were doing. I respect the time and courtesy that you gave myself and this administration. I thank you for the vote that we received to go in the direction that I felt was best. Please do not confuse any of those actions and anything that has been said to this legislation tonight. This legislation saves us money because Moody's will be here as we do this. If we do not issue these bonds, we will have to pay Moody a fee. Its costly and we have to go through all the motions again so there's time constraints to reduplicate what we are doing now during the bond rating to issue these all at the same time. I commend Director Johnson, as well as our bond counsel, no underwriter, underwriter, Mr. Bauccho for suggesting that we do this at this time.

Councilman Delaney- What are the fees Moody's would charge us? How much is that?

Director Johnson – We don't have all those fees. It is dependent upon the size of the issue.

Mayor Cervenik- That is the other point here, the fact of doing this all now and having this size of an issue going out, economy of scale saves us a considerable amount of money too. If I would have known these questions would have been asked tonight, ahead

of time I could have had our bond counsel to answer those questions for you. If we truly want these meetings to be informative and our questions to be answered, it is always nice to know ahead of time when we need to have an expert here, that we hire and pay good money for to know what those are. If you called me at noon today and said you wanted to know the costs here, I could have called Mr. Baucco and I could have called Harold Babbitt up and I could have had all of those answers for you in writing as you sat down. In the future it really does help with questions like that are asked ahead of time because then we can get the answers for you.

Councilman Delaney – Mr. Mayor, I asked the Law Director questions over two weeks ago and they weren't answered to this day. The fee about Moody's, you just made that point. You made that a point of this legislation that we would have to worry about that. I worried about the \$300,000 that was already spent on the project. I worried that the rent that we paid at the Euclid Square Mall was already spent and the seniors didn't have to leave after this. I worried about the \$35,000 that might have been saved if we'd of done both projects at the same time. I can appreciate your appreciation of the time and courtesy but there was a compromise plan that was put down that was dismissed out of hand. There were a couple of suggestions made that weren't considered. The problem is that we have to live by the law and we have to be the checks and balance. Although you asked for a year to be that, as a courtesy we also have to use the ordinances that govern the city. This is my problem. Those are my questions and I don't see legally how we can vote on this tonight and rush this through once again and have ourselves explain this in the future.

Councilman Daly – Just wanted to double check. These next three items our bond counsel has recommended that we pass these at this time?

Director Johnson – That's correct Councilman Daly. Mr. Delaney, to answer your question previously, our fund counsel underwriter fees should be about \$7.50 per \$1,000. So you could do the math on that. Councilman Daly, if you have any other questions, I'll be glad to answer them.

Councilwoman Holzheimer Gail – Director Johnson, do we determine at this point the length of the bonds?

Director Johnson – The maturities are going to be set by our bond counsel. For instance in the second piece of legislation, I would assume the maturity on this piece of legislation would probably be about 20 years. All this is set by, first of all, our bond counsel sets the limits and based on advice from our underwriters as to what the market will bear, will determine what the maturities ultimately end up being. I would assume on this piece of legislation the maturity would be about 20 years.

On the next piece of legislation because there are about a half dozen different notes, there are various maturities. There is one note that is \$360,000 note that is part of that issue that has a maturity of 5 years. There are two notes in there that are park improvements, street municipal property improvements which are ten years. The senior center, Beverly Hills Drive and the \$282,000 of the previous golf course project is 20 years. They'll have different maturities that is set by bond counsel based on the type of the project.

Councilwoman Holzheimer Gail – All three pieces of legislation are paid back through the bond retirement fund?

Director Johnson – That's correct.

Councilwoman Holzheimer Gail – Mayor I appreciate the answers to my questions about the golf course after the previous meeting. I am interested and you indicated a willingness to pledge money from the golf course fund. That probably we could do with separate legislation. Perhaps at the next meeting we would look at doing that. But I wanted to make sure that we do pledge up front to pay back a good portion, as much as we can with the golf course funds from the golf course enterprise fund.

Mayor Cervenik – We do intend to do that. What we don't want to do is make it a finite number each and every year because the enterprise fund such as the golf course, if you have a really, really wet summer, their fund balance is going to go down. I would like to sit with you and the golf course and Kathy and come up with a formula that will trigger a contribution when the income from that fund reaches "x" number of dollars, it would make a contribution. The other problem you have with the enterprise fund is that we do know the irrigation system is getting there and that would be a large expense and therefore we just don't want to cripple the golf course fund. Our intention is each and every year as possible to put money into the bond retirement fund. I'll be happy to sit down with you and go over that.

Councilwoman Holzheimer Gail – Thank you. I'll make sure we do that. My final point, just a clarification, we're not approving the borrowing of this money. This money has been borrowed. This is putting it into long term borrowing rather than what we currently have it in is short term.

Mayor Cervenik – Exactly. By putting it into long term we will know what our payments are each and every year for the next 15 to 20 to 30 years depending on what the bond counsel and our underwriter recommend. It would actually be a better way to budget what we have in our bond retirement fund and permanent improvement fund. Thank you.

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

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

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

Ord. 195-2004 Bonds

An emergency ordinance to provide for the issuance of not to exceed \$8,730,000.00 bonds for various purposes. (Sponsored by Council President Sustarsic and entire Council by request of Finance Director)

Councilwoman Holzheimer Gail moved for passage, Councilman Gruber seconded.

President Sustarsic – I would suspect similar comments would be directed towards this.

Director Johnson – Same comments Mr. Chairman.

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

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

Ord. 196-2004 (233-04) Bonds

An emergency ordinance to provide for the issuance of not to exceed \$4,430,000.00 bonds for the purpose of advance refunding a portion of the City's various purpose general obligation Bonds, series 1995, dated September 1, 1995. (Sponsored by Council President Sustarsic and entire Council by request of Finance Director)

Councilman Daly moved for passage, Councilman Delaney seconded.

Director Johnson – This particular issue is an advance refunding. This is a bond issue that was issue in 1995. It was a 20 year bond with a 10 year recall. At the 10 year recall date, our underwriters did an analysis and discovered that if we advanced refunded this and in essence renewed the balance of this issue, that we would save about \$41,000 a year in the bond retirement fund. Based on that advice, we are recommending this legislation tonight. This would save the bond retirement fund about \$41,000 a year over the next 11 years.

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

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

Res. 197-2004 (230-04) School Funding Reform

A resolution urging Ohio Governor Robert Taft and the Ohio State Legislature to meet regarding school funding reform as set forth by the State Supreme Court. (Sponsored by Mayor Cervenik and Councilman Langman)

Councilwoman Hufnagle moved for passage, Councilman Gruber seconded.

Mayor Cervenik – Councilman Langman is absent, but I appreciate his co-sponsorship of this resolution. As you know there's a serious shortfall on school funding on the State as well as the Federal level with the No Child Left Behind. This is just a resolution urging elected officials and the county and state boards of education to pay attention to what the Ohio Supreme Court set which is to come up with a proper constitutional correct way to fund our schools in the State of Ohio. It needs to be done and I strongly urge passage.

Councilman Delaney – I certainly would like to add my name to this resolution and open it up to all the council members. I think we should all be on this piece.

Mayor Cervenik – It is noted and that will be done.

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

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

CEREMONIAL RESOLUTIONS

Res. 185-2004 (227-04) John Clapacs, Euclid City Schools

A resolution of congratulations to **John Clapacs**, Business Manager for the Euclid City Schools, for being recognized as **Business Manager of the Year** by the Ohio Association of School Business Operators. (Sponsored by Mayor Cervenik and the entire Council)

Res. 186-2004 (228-04) Euclid Hunger Center

A resolution to encourage continued support of the **Euclid Hunger Center**, and to recognize the accomplishments and efforts of its programs. (Sponsored by Mayor Cervenik and the entire Council)

Councilman Sustarsic moved for passage, Councilman Daly seconded.

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

COMMITTEE OF THE WHOLE

Councilman Daly moved to go into the Committee of the Whole. Councilwoman Hufnagle seconded. Yeas: Unanimous.

Councilman Daly – Before we go into the Committee of the Whole, I am going to serving as an election official tomorrow so I have a pre-election meeting that I have to leave. Just wanted to let you know why I was leaving.

Mr. Todd Guntner – 390 E. 257 St. Last Friday evening Euclid Petpals held their 2nd Annual Clambake, which was called the For Paws Clam Jam and Boo Bash. We had a few less people this time than last time. But we still made over \$2,000. All this money goes directly to helping the animals at the shelter. I would like to thank everybody who attended. Everybody that sold tickets. I'd also like to thank the following businesses for donating prizes: Dairy Queen Euclid; Euclid Family YMCA; Studio 200 Hair Salon &

Day Spa; Beach Club Pizza Bistro; Driftwood Gallery; Big Bouquet; Euclid Floral Center; Euclid Great Clips; Briardale Greens; Holiday Inn South; Cleveland Browns/Cavs/Indians/Force/Barons and Lake County Captains. Giant Eagle Shoregate; K&D Group; Barbershop; Dreamspa; AGS Custom Graphics; Mike's Marathon; Mama Catena's Pizzeria & Restaurant; Wilson's; The Auto Shop; Finishing Touch; Walmart; Waterfront Café and the Animal Hospital, Inc.

I'd also like to thank the following persons for their cash and/or merchandise donations. Martha Bishop; Janet Brennan; Audrey Champa; Dan & Robin Chan; Claudia DeFlun; Jan Gayda; Gina Harmon; Erik Heinemeyer; Bill Crimnovner; Karen Knaus; Fay Miller; Barb Nelson; Colleen Ruffing; Barb Savage; Lynn Wilcoff; Kathy Will; Don & Fran Willis. Again, everyone thank you very much for your continued support of Petpals and the Euclid Animal Shelter.

Coming up November 7-13th is National Animal Shelter Appreciation Week. We're going to have gifts everyday, Tuesday through Friday that week, just for stopping in. We are going to have a membership drive on Saturday November 13th. We urge everyone to come in, sign up, become a member. It is only \$20 per year and we'll have special gifts for all the members. We're going to have some food. Come down and take a tour. You'll have a lot of fun and we're going to have some pretty cool door prizes.

Next thing on the agenda, we have a fund raiser and we are working with the Westfield Malls. These malls are Belden Village, Franklin Park, Great Northern, Midway, Richland, South Park. What they are doing is opening up the mall on Sunday, November 16th from 6:30-10 PM. This will be by ticket only. It is a \$5 admission. What they do is give non-profit organizations tickets to sell. The \$5 is kept by the non-profit organization. We have 100 tickets. We stand, if we sell all these tickets, \$500. We have an option of getting another 100 tickets to make a total of \$1,000. At this point there is over 125 stores at South Park Mall alone that will be giving anywhere from 10-50% discounts on their merchandise for that evening only. I urge everyone to buy a ticket and go shopping.

We have been able to purchase at cost an electric scooter. We will be raffling this off. We have already started and made \$142 at the Clambake. The drawing will be held December 20th. Tickets are \$1 or \$5 for 6 and I think its \$20 for 25 tickets. This will be available just for Christmas. I do want to remind anyone who wants to buy a ticket, you must be a licensed driver to operate this motor scooter. I don't want people to buy tickets and win this thing and say, hey, nobody told me. I want to make sure everybody knows upfront that this is something that you must be a licensed operator to operate this.

I would like to thank everybody in the City of Euclid for their continued support. We take care of the animals because you request us to. We enjoy it. We love it. We want to keep doing this for a long time. We thank you for your support and appreciate your continued support.

Mr. Mike Mihalich – 101 E. 202 Street. If you did nothing this weekend other than read the Plain Dealer, we are a pretty busy city. One person who's really busy is Fred Lisy. I would like to congratulate him and Orbital Research for their placing in a recent nano-technology competition, they faired rather well.

Other things other than the Plain Dealer, there was a mailing that went out across the City. Thank you Mayor. Though it opposes my no vote for Issues 33 & 34, I do agree with one thing the Mayor's flyer says, voters must face facts. Here are a few that were failed to mention. The submitted plans have never been certified by a registered engineer from the State of Ohio as required by Euclid's codified ordinance 1311.07. Bill Cervenik while serving on the City Planning & Zoning Board did not approve the very same plans he is pushing today. The flyer only mentions the housing portion and fails to mention Providence Baptist Church, American Church Builders and 22 plus acres of tax exempt land. Though Snavelly Builders has a strong reputation, the fact is they do not hire union labor for their projects. Ask your neighbors who are electricians, carpenters, painters and laborers.

No tax abatement. The only person who waived tax abatement on the project is Paul Taylor of American Church Builders. Not Snavelly Builders or the potential homeowners. Shore Bank, the lending institution American Church Builders claim was on-board with the project, step forward during the deciding council meeting this past February and denied the loan was secure. They were not in a position to move forward until there was significantly more information from this builder.

As far as attracting middle and upper income tax paying residents. American Church Builders boasted that persons making upwards of \$30,000 a year, those seeking reverse mortgages, along with 55 and over empty nesters were the target homeowners. Expensive litigation, perhaps. Though at this point hypothetical, not factual. There are lots of holes in RELUPA, yet our Law Department and their hired guns can't seem to find them. The reported expenditure of \$60,000 defending a losing battle, are the words of our Mayor and our Law Director. Which begs to ask some questions: perhaps we hired the wrong attorneys. Is there skill set up to the challenge? Are those attorneys taking our money with one hand and waiving off the possibility of victory with the other. Lastly and most important, the administration failed in their pursuit of a settlement thus defeating their quest for denying you the voters of Euclid the right to vote and determining the future prosperity of the city. The facts still support a vote of no on Issues 33 & 34. Thank you.

Ms. Laverne Wallace – 1501 E. 193 Street. I'm reading a letter directed to Mr. Frank Pietravoia, Director of Community Services and Economic Development from Heritage Park Community Association and it states. Dear Mr. Pietravoia. Thank you for meeting with Terry Baldrige a licensed electrician from Heritage Park in August regarding his assistance in the installation of the outdoor electric light poles for our Heritage Park Association's special projects. The members who participated in the project were satisfied and their friends and relatives have also complimented them on how nice the lights look. This project help beautify the neighborhood and made it safer and more secure. We are very pleased with the outcome.

We also had the understanding that Terry Balridge would receive some type of recognition from the City of Euclid for assisting us with this project. To date he has not received any type of recognition. In Ward 4 there aren't any shopping areas or restaurants such as Appleby's; Olive Garden, etc. We used to have a Ramada Inn with a restaurant, a Kmart, and Euclid Square Mall and surrounding stores and restaurants. We have to drive to the Lake Shore area or Lake County to do our shopping. Are there any plans for Walmart, Target, Kohls, Walgreens, or any shopping stores for Ward 4?

It is apparent we need to keep the revenue in Euclid and assist in creating more jobs for our city. We also are concerned about the deterioration of Euclid Ave. near where our association is located. At the end of E. 193 Street, there is a vacant car wash with tall grass which is unsightly. The green area across from Sherwood Plaza has not been maintained once it was planted which is unsightly. The basketball court at 2001 Euclid Ave. is not up-to-date with others in the City and does not even have a sign indicating it is a basketball court. There is currently an Odds & Ends store located at the corner of 193 Street and Roseland right next to the playground. But the store does not have a parking lot. In addition, the playground is not maintained, swings, the mulch and no fence around the playground. These are just a few of our concerns and a letter of response would be appreciated. Thanks.

Mr. Tom Cooke – 25641 Edgecliff. I would like to respond to the recent developments regarding the Hillendale project. I welcome the negotiations that have occurred between Providence Baptist Church and the City of Euclid that have just developed late last week and been made public. What I understand and please correct me if I'm wrong, the many concerns that Euclid residents have had and now have been addressed favorably such as a commitment by the church for a brick façade on the front elevation and understanding that half the acreage, approximately 10 acres will be tax exempt for the church in lieu of the original 23 acres creating more taxable land. A straight up commitment by Providence Baptist that Snavely Building Company will be the sole builder on this project. The commitment of approximately 5 acres exclusively for green space. The creation of two out lots to be used exclusively for the purpose of light industry. The understanding that although not all the new homes would meet the 2,000 sq. ft. minimum city requirements, the average of all homes would meet or exceed the 2,000 sq. ft. requirements.

What I see here is a legitimate good faith effort on behalf of Providence Baptist Church to address the concerns that the residents of the City of Euclid and this is good. I see a willingness on the part of Providence Baptist church to negotiate a resolution on the issues of concern regarding this project and this is also good. The City of Euclid must also reciprocate and negotiate in good faith the settlement that benefits the city of Euclid and Providence Baptist Church. As long as both parties to this issue understand that

neither will get exactly what they want, however, both will get some of what they want. Then a resolution to this issue is at hand and the art of negotiation and compromise will have succeeded and bring residents of the City of Euclid and Providence Baptist Church together.

My only regret regarding the efforts to negotiate a settlement to the law suit is that the details were not made public soon enough so that the residents of Euclid could have had adequate time to understand and digest all the information involved. I want to shift my attention to comments made last Saturday in the Metro Section of the Cleveland Plain Dealer regarding the letter sent by Auxiliary Bishop Roger Gries to all 5 Catholic Parishes in the City of Euclid addressing Issues 33 & 34 regarding Hillandale and Providence Baptist church.

Bishop Gries claims that a majority of no votes on Issue 33 & 34 regarding the rezoning of the Hillandale land for the church and single family home use will threaten religious freedom and set a precedent that could be used against other religious institutions. In the same article in an interview with Rev. Patrick Henry, interim pastor of St. Christine's church, Henry said that he remained neutral but, but wants opponents to reconsider their motives. He said the City should welcome new residents as its black populations grows. Translation, all of you who oppose Providence Baptist Church project are a bunch of racists and should reconsider your racist motives. Henry goes on to say and I quote, my concern is that there is a lot of un-churched people out there, end quote. Not only is anyone who opposes this project a racist, you are also an atheist. It is clear that both Bishop Gries and Rev. Henry's intent is to influence the decision of the Euclid residents on the large scale basis via the use of scare tactics and making race the focal point of anyone who is in anyway opposed to this project.

Let me set the record straight once again. The majority of Euclid residents who oppose this project do so for a variety of reasons none of which involves racism. Although there maybe a very small minority that opposed Providence Baptist Church simply because the church is black, the majority does not. Therefore opposition to this project should not be labeled as racist simply because of their position as comments by Bishop Gries and Rev. Henry imply. This is no less different or unfair than labeling the majority of priests sexual predators because a miniscule minority of priests fall into that category. Nor can you label the majority of opposition to Hillandale Providence Baptist Project racist because a minute minority maybe racist. I'm sure you can understand my analogy.

As far as being un-churched, to use Rev. Henry's term of Hillandale opponents, Rev. Henry should visit the book of John 3:7. Jesus bent down and started writing on the ground with his finger. As they persisted with their question, he straightened up and said, let the one among you who is guiltless be the first to throw the stone at her. Also the Book of James 3:1. Many of you should become teachers my brothers. You should realize that those of us who do so will be called to a stricter account.

President Sustarsic – Your time is up.

Mr. Cooke – I'm close to completing. May I continue?

President Sustarsic – I'm sorry, we have others.

Ms. Kate Wenrich – 294 E. 264 St. I just wanted to come tonight and say thank you for the crossing guard for Memorial Park School. He started I believe last week. That's wonderful. I was unable to get a hold of Mrs. Knight to find out if she has crosswalks yet? She does. Thank you. I just wanted to urge people to get out and vote tomorrow and I'm voting no for 33 & 34, but please just vote. Thank you.

Mr. Leon Vencius – 21801 Priday Ave. Not really good at public speaking or anything but first I wanted to start of, I was unaware of Eaton Family Credit Union handling the delinquent taxes for the city and I have 6 years experience as far as commercial and consumer debt collections. I didn't know who to talk to or where to go and this is actually my first council meeting that I've attended. I feel a little undressed, so I apologize.

What I wanted to get to is as far as you might want to consider when I was watching about \$1.5 million in back taxes owed to the City. You might want to consider maybe a third party collection agency or maybe hiring somebody like me to work for the

city and help you out. I lost my job a year ago, so I'm looking for another. Other than that I just want to thank the City also for addressing a matter with some dilapidated garages, structures around the area which, I'm a taxpayer, I'm a homeowner, and I just want to say thank you for cleaning up the area.

A short break was taken.

Mr. Harvey Hutter – 1446 E. 204 St. First of all let me say that it seems to me that the Bishop and the good Reverend have enough skeletons in their own closet. It seems to me what they should be doing is paying attention of cleaning their own house and just forget all the rhetoric against us people who are just standing up for what we believe in. Okay, I got that out of my system.

This is a nice piece, I agree. Well done. Nice paper, good piece. But I have a couple of issues with it. Under what yes votes on Issues 33 & 34 mean to Euclid. First thing is, yes means \$400,000 each year for Euclid City services and schools. A month ago that figure was \$300,000. It went up \$100,000 in time for press.

Yes means land that has been vacant for more than 30 years will start generating revenue for Euclid. I walked some of that property and I guaranty its been vacant for thousands of years. Who cares.

Yes adds 100 in the \$180,000-\$250,000 range to Euclid's tax base. My understanding is that these homes are going to be slab homes. They are not even going to have basements. Who in their right mind would spend \$250,000 for a slab home?

Yes means Euclid's major single family housing development 40 years, who cares. Yes is good for Euclid today and for our future. Boy that sounds good. According to Providence Church's Euclid property overview, they don't have to finish these houses for approximately 36 months from the time that it gets rezoned. Which means that we won't see any tax revenues from them possibly for three years or more. Approximately, who knows what that means.

Now, I still have issue with the sewer systems. My concern is what the cost to Euclid is going to be to set this property up so that it can be built up and whether or not the existing sewer system will handle it. I'm told that Euclid has a wonderful sewer system and that there is no problem tying into it. I recently found out that Willoughby Hills has been told by the EPA that they must eliminate their septic systems and build a super-sewer system to accommodate all the housing and buildings in Willoughby Hills and it is going to dump into Euclid. This is a done deal. Now, what about tying Hillandale? Is it all going to be capable of handling all this fresh sewerage? Boy I hope so because long before we start seeing tax revenues from these \$250,000 homes, we might very well be socked for millions, try to prepare for it. Where are we going to get the money?

Providence Church. As far as I can see they bought the property that wasn't zoned for their intended purpose. Is it me or does it just seem kind of dumb to buy property that isn't zoned for what you expect to be zoned for and assume that it is going to get zoned after you buy it. If this thing doesn't get rezoned, as far as I can see it is on them.

American Church Builders. I visited their facility that they built for the Fellowship church on 147 and Lake Shore. Pretty impressive building. It's huge. Kind of looks like a pole building. It's got windows on one side, it sets back from the Lake about 150-200 ft. It's got windows only on the lake side. It only has doors on the front side. The unfortunate thing is the people, I'm told, I maybe wrong, but I'm told that the people thought they were going to get brick and stone construction and they got a warehouse. I wonder what the Fire Marshal thinks about having doors only on one side. It doesn't make any difference because the doors are boarded up with 4x8 sheets of plywood. The reason I'm told is that the building is out of code. The structure is not built according to code for the distance that it is towards the lake. So now the building sits there because it is going to cost \$300,000 to retrofit it so that it is inhabitable. American Church Builders refuses to do it and the poor people can't afford it. That building will be there 30 years from now.

I asked Mayor Cervenik, President Sustarsic and Council members to join those of us who are standing against these bullies who are invading our community to vote no on Issue 33 & 34.

Mayor Cervenik – Due to the fact that there are a lot of people standing in line, if Council so allows, I would like the administration to answer some of those comments that were made so that they fit right in currently until waiting until the end, if I have your permission to do that? I'm not cutting into the people's 5 minutes, I would like to answer currently the questions that were just brought up, rather than waiting until the next 15 people speak. That's up to Council. Okay, thank you very much. Director Pietravoia, would you like to answer some of those questions. We won't be able to answer all of them, but some of the important ones I think need to be brought out here.

Director Pietravoia – A couple of points that were raised just from the information that was submitted by the Church as part of the court case. I want to provide some facts in response to some of the statements that were made. There are now proposed 106 homes not 100 and the prices range from \$191,000 to a high of \$264,000. The statement about there being now basements, the material that was submitted makes a commitment that all of the single family homes would have basements as a standard feature and the senior single family homes and the attached single family units would have basements as an options. So the statement that they are all built on a slab is incorrect based on the information that was submitted to us.

The Department of Community Services & Economic Development did an assessment of the revenues that could be generated by the project based on the latest submission. I apologize I'm not familiar with the earlier \$300,000 figure, but the figures that we prepared and this is a conservative estimate if all of the homes and units were built at the low end of the range that was provided by the builder. The real property taxes that would be generated, we estimated at \$367,000, a little over \$367,000. Then the income taxes that would be generated from all the units at about \$67,000 a little under \$67,000. For a total of \$434,000, a little over \$434,000. Council has asked for this information. I provided it to them verbally. Just wanted to reiterate that tonight for your information.

So my estimates from our department that we've calculated are actually showing over \$400,000 and that is on the conservative end if all the units were built on the low end of the price range. I'd also like to comment on the material issue, windows, doors, etc. The plans that were submitted that I have in front of me as part of the notebook of information that was submitted by the Church, show windows and doors on all 4 sides of the building. The materials proposed are full masonry material, first ground level, first floor of the structure and in the front entry area, the main entry of the church. The upper level would be a material that's referred to as dryvit, it is a cement base-board which is very commonly used in construction today. No pole building. No steel structure. It is a masonry and dryvit structure. That's proposed with windows and doors on all 4 sides.

Mr. Cooke mentioned a couple of remarks in his comments that I just wanted to speak to. The latest proposal has reduced the amount of acreage that would be non-taxable for several reasons. They have no dedicated two outlots for commercial use that total a little over 3 acres. They have dedicated 6 acres, let me make sure I'm getting the figures right before I continue. From the book, they have dedicated almost 6, a total of almost 6 acres, 5.7 to be exact, to the City that would become an extension of the Hillandale Park. In addition to that, of the 22 acres that the Church, that is zoned for church, 6 additional acres are dedicated to permanent green space as part of the church property. Those areas would be open and accessible to the public, but they would be owned and maintained by the Church. This is in addition to the 6 acres that would be dedicated to the City as part of Hillandale Park.

When you remove the acreage for the park, the unbuildable area on the buffer. I think all of you are familiar that this land sits up high and there is a hillside area that totals about 3.6 acres that you can't build on. So when you remove those types of unbuildable areas, the parks, the green space, etc., the portion devoted to the church building and parking is about 9 acres, a little over 9 acres, and then the 6 that I mentioned they would dedicate as permanent open space the church would own and maintain.

We're down from 22 to about 15 that the church would own and maintain as part of their church campus. Additional 3.5 that would become taxable commercial properties, two out-lots. I think I covered most of the points that Mr. Cooke and the last gentleman that just spoke. I'm sorry, there is one other point on the square footage. The builder has committed to an average on the single family homes of 2,000 sq. ft. I think that might have been mentioned by Mr. Cooke, but I just wanted to clarify that.

Mayor Cervenik – I would like Director Gulich to comment on the capacity of our sewage treatment plant.

Director Gulich – You heard mention of a large sewer being constructed in Willoughby Hills. As a matter of fact that sewer is long done. It is already contributing to our system. That was as a result of endless negotiations with the City of Willoughby Hills. Our engineers sat down with their engineers, our attorneys and their attorneys drafted an agreement. That flow has been coming to Euclid and it was determined that we do have that capacity and of course we do have the capacity to take this additional flow.

Mr. Dennis Berzinskas – 20890 South Lake Shore Blvd. Lower Lake Shore Dr. does sound better though. Mr. Gulich, I wish you can get something on Channel 23 about people putting their leaves in the street. They are all over the streets again. Some of the tree lawns are only about 2 ft. wide, I can see why they can't get them on there, but they're in the streets causing problems. We used to have a booklet that would go out to the homeowners. If you can find time and find money on simple repairs, things that you used to have, I've got an old one at home. Some people don't know how to take care of or what to do with a home. They've been apartment owners or in apartments so they don't really know what to do.

I wanted to say something on voting. I don't care who you vote for or how you vote. But, after you do vote, after the election is over, keep up your fervor. Keep up after your legislature. Because that is what we need to do. Not just every 4 years, we need it constantly. You have to be ever diligent, living in this city, this country, we don't just vote and forget about it. Keep after your politicians. Make sure they fulfill their promises.

For the Hunger Center. I want to thank the parents for Orr Arena who donated food. We picked it up twice and each time it was well over \$100 worth of food. I really appreciate it. As soon as we get it in, it goes out the door.

The people at the Library you're fantastic thank you. We've been making a lot of pick-ups there, it's really been appreciated

The Euclid Awareness is dropping literature off at a few streets. We're going to make a pick-up on Saturday morning. We really need the food, there are a lot of hungry people out there. Like I tell people at the center, hunger doesn't take a holiday. There are people that are hungry everyday. We run out of cereal, a basic thing like cereal. Children need to have a meal to go to school. I know they get some meals at school, but you would like it on the days you weren't going to school and on holidays. We need people to care about other people. We had a guy come in on Saturday, he gave us food and said he got it for free. I said what do you mean. Coupons. They have double coupons in the paper. Stores will double the coupons. If you don't buy it, clip it out anyway. You go to the store, use the coupon, donate the can or whatever food products. Anything from feminine napkins to diabetic food, anything, we need it. We have a need for baby diapers, all sizes. People that are incontinent. There was one woman who has been in bed for 20 years. We need that, please.

I've got a plaque in my kitchen, it's got Santa Claus on it. On it it says, may you keep the Christmas spirit through the rest of your life. I'd like to try to treat people that way. So the Christmas spirit that you feel at Christmas-time or the Holidays, try to bring it out throughout the year, thank you.

Director Gulich – Mr. Berzinskas hit on a lot of important items. I'll just echo on one that pertains to the Service Dept. He's right, this weekend we had a lot of leaves come down and I see them out in the street. I really would like cooperation from people and get as many as you can on the tree lawns. We will rake them out into the street just before we pick them up. It keeps the neighborhoods looking a lot neater and safer. Please it is leaf pick-up. It is not brush pick-up and grass cutting pick-up. When people add extra curricular it only slows us down even further. If we could get cooperation on that, that will help us get around and get your neighborhoods cleaned up.

Mrs. Audrey Kaplan Goodman – 20201 Glen Russ Lane. I'm here tonight to urge every citizen of Euclid to vote tomorrow. No matter what you've read, no matter what you've heard, your vote matters, you matter. Do not allow an 11th hour ploy to alter your vote. Send a message that can never be misunderstood that you can't and you can create change.

Please remember that the proposed settlement with Providence Baptist Church is just that, proposed. Under the proposed settlement, Euclid's ordinance that requires all new home construction within Euclid to be 2,000 sq. ft. minimum will be meaningless. The proposed settlement will allow the Church to build the following with all speed and no delays. The Church's new plans call for the following.

First, 64 single family homes will collectively have an average of 2,000 sq. ft. and a minimum of 1700. They'll be 4 floor plans offered for these homes. There will be 24 senior homes which collectively will have 1490 sq. ft. and a minimum of only 1400 sq. ft. Finally there'll be 18 cluster condominium homes which will collectively have 1675 sq. ft. and a minimum of only 1382 sq. ft.

I now ask this question. Does this fit Euclid's Master Plan? By the way, at the last Council Meeting a Councilman asked the Law Director if there was a zoning code for upscale housing. His answer was no. Part of the Church's lawsuit contends that there is no zoning code for churches in the City of Euclid. If no zoning code exists does that mean upscale housing and a church cannot be built? Please council people let's ask real questions and not silly political ones.

To illustrate how very important each and every vote is, let me take a moment to tell you of a true life story. In November 2003, my daughter a music teacher in the City of Nordonia Hills, was informed that her job would be eliminated if the school levy failed. The levy failed and she was dismissed at the end of the school year. In June 2004, an emergency election was held that includes a re-issue of the school levy. If you ever doubt the importance of a single vote in a local election, please, please, please listen and learn. By a total of just 22 votes, my daughter's job was restored. Your vote always counts. Vote tomorrow and send a message loud and clear. You matter. You count and your voice will be heard.

I leave you tonight with one more comment and one final question. At the last Council Meeting Mayor Cervenik made a major statement. He admitted on the record that 10 years ago he voted incorrectly on the Bennington Hamlet assessment issue that for those same 10 years caused undo hardship upon those residents. With all due respect, can this city really afford to wait another 10 years for the same admission on Hillandale? Thank you.

Mr. Goodman – Victor Goodman, 20201

President Sustarsic – Excuse me, hold on, just a moment please. Mr. Frey.

Director Frey – Thank you. The 2,000 sq. ft. ordinance would be every bit as valid in the development of homes, single family homes, or other residential development within the city. If this matter were resolved as proposed by Providence Baptist Church, it would have no impact on the efficacy of the 2000 sq. ft. zoning requirement for new construction in the city.

Secondly, there is a zoning code for churches. There is no land not presently occupied by a church that is zoned for churches. There is a big distinction between those facts. There is a zoning code for churches, however there is no property that is not currently occupied by a functioning church that is zoned in that manner, except for the parcel that Providence Baptist Church acquired that that zoning classification is now on hold, or that change is on hold. Thank you.

Mr. Goodman – Victor Goodman, 20201 Glen Russ Lane.

President Sustarsic – Hold on one second sir.

Councilwoman Hufnagle – She also mentioned Bennington Hamlet and just to reiterate what we did last week. The situation with Bennington Hamlet was ...

Mr. Goodman – Since when did this become a discussion? You say this is not a discussion and a debate. What the hell are we doing here? I'll sit down until everybody is finished.

Councilwoman Hufnagle – The situation with Bennington Hamlet was that the City built the street and paid for it and assessed the property owner. I believe that with Providence

Baptist development we are not building the street or assessing anybody for it. The developer is taking care of that on his own. Thank you.

President Sustarsic – Next speaker please.

Mr. Goodman – Okay, Victor Goodman 20201 Glen Russ Lane. I might as well throw this out. I'll just answer these questions. Mrs. Hufnagle, what in God's name does your statement have to do with anything?

President Sustarsic – Mr. Goodman,

Mr. Goodman – Excuse me. Oh, I can't debate, I understand.

President Sustarsic – No, no, no, thank you.

Mr. Goodman – That's right, that's right. They can butt in, they can interrupt, and they're good issues. Okay. As long as they can answer the public, the public can't answer them. You're marvelous, okay.

I come up here because I'm a concerned citizen. If my concern annoys anybody, tough. Councilman Gruber stated that 25-30 people were never to be pleased. It is a shame that he misunderstands the concept of what creating this country. America was founded on the concept of decent, the right of the people to say no, not good enough, not just, not right, to their government. I find it ironic with all due respect, Mr. Gruber, that you wish to quell dissenters except when you are the dissenter. Then you wish to be heard loud and clear.

Dr. Suess created characters from wonderful books that taught us the difference between good and bad, right and wrong and how to get along. One of his greatest characters was that of the Grinch that stole Christmas. Not the literal Christmas, but the joy and the warmth of what that time of the year brings. I have come to realize that in this city we may very well have our own Grinch. He along with his aids are thinking about stealing our single greatest gift of American democracy and what is that gift? The right of everyone to vote and voice their opinion. That Grinch could be our very own Mayor with our very own Law Director and possibly with some of our council members.

Mayor Cervenik, you may attempt to silence the voice and void our vote, but I guaranty you that will never succeed. What will you do when it comes this time next year and this Council is up for re-election? May I remind you sir of the famous saying of a Japanese Admiral who planned and carried out the attack on Pearl Harbor. And when informed of his total victory, he turned to his aid and said, I fear I have awakened a sleeping giant. Mr. Mayor, I am wide awake and so are hundreds, if not thousands of Euclidians. There is another comparison I wish to make to complete my thought. It is the 1919 Chicago White Sox baseball team. A team that laid down their chance to win a series for their own gain. They let down their fans, their city and their state. The proposed settlement of the pending law suit brought by Providence against the City of Euclid reeks of a total lay down and a total sell out of this administration, if it is adopted. I have the proposal here tonight for anybody to read and then you make your decision.

I am also reminded of one of the heroes of that 1999 team, Shoeless Joe Jackson. I feel like that little boy who tugged on his sleeve, looked up at his hero Jackson and said, say it ain't so Joe. Well my Joe Jackson unfortunately is Mr. Gruber, who showed me at the last Euclid Villa council meeting that he would remove my hand from that jersey and state are there any other questions here except from Mr. Goodman. Your remark not only embarrassed yourself, but it showed a side of your personality that I'm sure you have kept hidden from that group. Oh yes, you did chuckle afterwards and you said you were only kidding, and you mentioned that I was an active Euclid citizen. But everyone there knew you were not joking in the slightest as many people came up to me at the meeting then and asked, what was that all about. Based on the proposed settlement I must call for all Euclid citizens to vote no now for the very first time on Issue 33 & 34 tomorrow. The Hillandale project is wrong for Euclid's future and growth. Your no vote will also send a crystal clear message that you will not allow this administration to void your right to vote, the people of this fine city will not tolerate politicians who attempt to steal that precious gift. I want to make myself available tomorrow for any citizen that needs a ride to vote. I don't care how you vote. My phone number is 486-1326, you need a ride, you call me.

Now I just want an answer. Mrs. Hufnagle, the Mayor made a simple admission that he made a wrong decision. The comment made was that can we afford another wrong decision. It had nothing to do with anything that you said. And, how can any developer come into the city, Mr. Frey, when you have given Providence Baptist Church the right to build 1400 sq. ft. homes, 1300 sq. ft. homes, 1700 sq. ft. homes and now you're going to insist that they build a 2,000 sq. ft. home. I have a feeling you'll be in a lot of law suits.

Director Frey – To answer Mr. Goodman's question, other builders have come to the city and have received variances to build homes less than 2,000 sq. ft. It depends on the circumstances. It depends on the place.

Ms. Linda Keith – 1446 E. 204 St. On a lighter note, Heritage Park Community Association is making a donation of \$100 tonight to the Euclid Hunger Center. Heritage Park encourages other community associations, clubs, as well as individuals to donate to this worthwhile cause.

At our last meeting in September we also collected 4 bags of non-perishable goods which we donated to the Hunger Center and we will also be doing that at our November meeting. Helping those less fortunate than us, than anyone, gives us all a good feeling.

Mr. Jim Braddock – I'm currently a resident of Mentor. I was a Euclid resident for 30 years. I have been a corrections officer for Euclid City Jail for over 13 years. Recently it was suggested that 11 correction officers, 8 full time and 3 part time are to be laid off. As a correction officer I make less than the police officers, less than the dispatchers, but I am no less important.

We are responsible for the care, custody and control of criminals of this city as well as federal and other law enforcement agencies. It is often one correction officer per 30 inmates. We do not have guns, pepper spray, apses, to aid us with unruly inmates, we have each other.

The joke was made earlier about giving city workers the day after Thanksgiving off. I personally will be 16 hours the day after Thanksgiving. We spend a lot of our holidays in jail. I have two children and in the 13 years that I have been a corrections officer, I have spent maybe two Christmas' at home with them. We all make sacrifices as correction officers, but our safety should not be one of them. Thank you.

Mr. Kevin Kinsella – 26491 Farrington Ave. I'm a corrections officer at the Euclid City jail. I've worked for the city for 11 years and currently have a supervisory rank of Corporal. I'm here tonight to speak in regards to the proposed elimination of the women's cell block at the City Jail and the consequential lay off of 8 corrections officers. First I would like to thank all members of Council for acknowledging e-mails and asking questions of the Chief of Police, Jail Warden and Mayor at the budget meeting held October 25th.

As a brief overview for those watching at home and the residents in the audience who may not be aware, a proposal has been made to eliminate the female cell block from the Euclid City Jail. Consequently 8 corrections officers will be out of work. Allegedly this closure will save the city \$325,000 as quoted directly from the budget meeting held last Monday. Recognizing that the city is faced with serious financial hardships, I can see why a quick look at the proposed savings would appear to be a huge financial relief. However, once all the intangibles are taken into consideration, I can guaranty you that the savings realized will be substantially lower.

Currently the administration is unable to provide all answers as there are just too many unknowns. What will happen when a female is arrested in Euclid? Where will she be housed as the Euclid City Jail will no longer be an option? What would be the cost including medical services to house her in another city's jail? \$325,000 proposed savings recognize the revenue that will be lost by not housing female prisoners for other communities? How much will it cost for Euclid Police Officers to transport her to and from court, in and out of the City of Euclid? Will the Police Department's manpower be increased as officers will be taken off the streets of Euclid in order to transport female criminals out of the city for housing in other jails.

It is certainly going to take some time to come up with the answers to these questions. I only ask that Council make an informed decision based on facts and figures

before voting on this budget. If the savings is substantially less as I predict, do we really need to shut down the female block, put a burden on the Euclid Police force, weaken the safety and security of Euclid streets and eliminate 8 jobs? I truly feel that our police force is the finished around. If you call for police assistance, you can rest assured that help is right around the corner. With the proposed elimination of the female cell block, two things will most certainly happen. One, as many as two police officers will be pulled off the streets of Euclid in order to transport a female criminal to another community. Two, a message will be sent that female criminals will be treated with leniency. By this I mean that many female criminals will be ticketed and released back on the streets for crimes, rather than being arrested as is the current practice.

Each of you make tough decisions on a daily basis with the best interest of the City of Euclid in mind. I'm assuming that none of you are necessarily thrilled of laying off any city worker. I merely ask that you continue to ask questions that will hopefully provide each of you with facts and figures rather than speculative numbers. A savings of \$325,000 would certainly be hard to dispute. At this point in time, however, there has been no proof given that such a savings would be realized. Without such proof, passing of the budget would seem irresponsible.

It has been eluded to that correction officers have never faced a lay off. The jail population is booming nation-wide and Euclid is no different. Euclid police are hard at work 24 hours a day, keeping Euclid residents safe and secure. In essence, the proposed closing of the female cell block will take the handcuffs off the criminals and put them onto the police officers preventing them from doing what they do best.

In conclusion I would ask that dialogue begin among the administration and the correction officers' bargaining unit. It is quite possible that the people who work in the jail will be able to provide some cost reduction measures that could potentially avert some of all layoffs. I would certainly think that all would be in favor of such talks if layoffs are in fact a last resort. Thanks for your time.

Mr. William Hilf – 891 E. 237 St. Euclid. Hadn't really planned on speaking tonight considering I thought there was a rule on talking on things on the election, but however my beliefs are on my shirt and my hat and I would also like to encourage Euclid citizens to vote no on Issue 1 because the legislation is a farce.

Also I think there should be more of a separation between church and state in this city and in this state. Seeing to many of the local churches getting involved in the local campaigns and I thought there was some sort of separation there and that wasn't supposed to happen.

But really not the reason why I came here tonight. I see many familiar faces both on the this side of this railing and out here in the audience and some things need to be said that no matter how the votes go tomorrow, for President, Senator, Representatives, Issues, whatever number they maybe, that at some point the people on whatever side they are, this railing, this side of the railing, whatever side of the issues you're on, are going to have to start working together. Because this city is not doing well. We are not in a position financially, we are not in a position with our economy, we are not in a position with our industry to be playing games and to be spending more of our energy creating a lot of light and heat with no real energy for this city. So no matter what happens with tomorrow's vote, whether it be for President, for the issues, at some point, we're going to have to start working together if we want to get anything accomplished in the city. Whether that be on zoning, whether that be on the future of buildings in the city, whether that be on layoffs, if the city is going to succeed, it is going to take people working together and we have not seen that over the last several years. Going back to previous administrations and previous Council. It hasn't happened and the city has slowly been sliding south.

Honestly and truthfully I think if its going to happen, it is going to have to start from this side of the railing. The people up here were elected to represent us, were chosen by the people at here, maybe not all of them, but as we've been told, you are our leaders whether we voted for you or not. It needs to happen. There needs to be some type of discussion, meeting, some type of peace brokering to happen, or we're going to continue to fail. Or to make ends meet but not ever really succeed. We've been seeing that happen over the last 4 ½ years that I've been a resident of this city. I haven't seen a lot that would really make me proud. I've had a lot of people ask me, you were a west-sider. Why did you move here? At times it gets harder and harder to say, well, why did I move here? I know why I moved here, but it is harder to see what's in the paper and

what people see of this city, what they see of the residents and the leadership of the city constantly fighting with each other. The leaders of the city constantly fighting amongst each other. We don't get any good press coverage. We don't have anything grand happening in this city. We're not talked about as any, other than the fact that we have affordable housing, we're not talked about as anything great. That's a shame, because we should be. It is going to take the people sitting up here working with the people sitting out here to make things happen. Thank you.

Mr. Mike Akos – 307 E. 271 St. Director Gulich, I just wanted to follow up on something Mr. Berzinskis was talking about, even though he lives on South Lake Shore, I won't hold that against him. The leaves this passed weekend. There's been a lot of, the wind was blowing around and the leaves were all over the streets and everything like that. I live out near Lloyd Rd. Some of those yards are much larger. They didn't have a leaf pick up in our neighborhood this last garbage pick up. They were supposed to follow around with the garbage pick up. On Lloyd Rd. the traffic situation there, there's leaf piles out there, not on the street so much, but on the tree lawns that are 4-5 ft. high. From a safety issue you might want to get a truck out there to take a look at that real quick. That was my point for the leaves. Other than the fact that I'm not liking raking them, that's for sure.

Director Pietravoia, something was said earlier that struck my memory but I didn't catch it right away. Did you say part of the building material for the homes was going to be dryvit?

Director Pietravoia – No, the church itself, the church building itself. The upper portion of the church building will be made out of a dryvit material, not the homes.

Mr. Akos – I'm not sure, but you might want to check into exactly the standards of what dryvit is. Currently in the South there's any number of law suits out there about this material being a sub-standard building material. A lot of it has to do with its water absorption. Particularly here in northeast Ohio, the plant, a very large plant probably 140,000 sq. ft. whose entire façade has to be almost replaced because of the failure of dryvit. It has not been a good building material over the past couple of years. They may have improved some of that, but I think somebody such as Mr. Cooke from the Architectural Review Board and some of your Planning & Zoning people or Building & Standards Committee may want to take a look into that situation before you allow something like that in this City. Substandard to the quality of what we are used to in this town as far as building materials. Thank you.

Mrs. Susan McGinn – 141 Sunnyclyff Dr. I have a few thank you's first. One person that we forgot to thank when we were talking about the Hunger Center is Linda Erb. She and Ellen Ivory are a real driving force behind the Hunger Center and they put hours, and hours of time into that. So thank you Linda.

I'd also like to thank Chief Maine and his administration for the attention that has been given to Memorial School this past week or two. We do have a crossing guard. There's still some problems over the Y crossing, but thank you for your efforts. I'd attended the Senior Center grand opening on Sunday and it is a fabulous building, it is beautiful, you should stop by and see it. I'm sorry, not senior center, community building. I'd like to thank Ed Gudenias and Bob DeMinico in making that project come about.

Regarding Issue 33 & 34, Providence Baptist Church and the housing. Euclid Awareness came about because we had a group of concerned citizens. They were concerned about the future economic growth of this city. Plain and simple. No other motives. The plan did not fall in line with the industrial zoning. It did not fall in line with the 1996 Master Plan. As a concerned citizen I got together with a few other people and we started researching it. We've devoted almost a year to this project. Our lives have been consumed with it. Unfortunately everything we uncovered did not really fall in line with what we were told by the developer and church people, church members or pastor I should say.

The more we researched the more questions we had. Our questions still to this day have not been answered. We formed Euclid Awareness because we wanted the citizens of this city to have a voice in the future of this city. That was our motive, again

plain and simple. We felt this project was not in the best economic interest so we formed our committee and started working.

As far as the \$400,000 in revenue, that would be fantastic, but every project that we've looked at, isn't complete. Every project starting with 147th, which was shut down by the City of Cleveland, Oakwood Village which 10 months ago I heard at a meeting was supposed to be brick, its still corrugated metal. McKutchen Place and the Community Center and Church in Westerville, or Columbus area, is still, nothing is being done down there. I called down there today, its still tied up. I guess the city's had it tied up for 3 years. They didn't tell me the reasons why but there are no homes being built and they haven't even started clearing the land for the church yet. So maybe some day we will see \$400,000 in revenue, but I don't think it is going to be for a long time. Again, our efforts were to give the citizens of Euclid a voice in our future and I urge all of you to vote no on Issues 33 & 34 tomorrow. Thank you.

Director Pietravoia – I would like to comment on one of the facts that Mrs. McGinn stated. I certainly appreciate the overall goal of the committee to promote economic growth to the city. As a new Economic Development Director for the community, that is my primary responsibility and that's why we felt it was necessary to do the assessment we did and to provide the numbers that I provided earlier. I just want to clarify, first of all, the numbers that I provided would be upon build-out of the entire project. So you're correct, it would take some years for that to happen. But once everything is in place, those are a very conservative estimate of what the city and schools would receive on an annual basis. Number one.

Number two, again I don't mean any disservice to anyone's statements but the 1996 Master Plan is very clear and I'm just going to read a couple of statements to you from it regarding this particular property. On page 69 of the March, 1996 Master Plan Update for the City of Euclid, Ohio. Goal, Plan & Develop the Brush Road property, which is the site that we are referring to, the Hillandale site for single family use offering opportunities for trade-up housing to Euclid residents. Encourage the planning and design of the residential development for this site. Revise the land use and zoning regulations to allow for incentives such as the inclusion of quality open space. We just mentioned are 12 acres now of 6 dedicated to the city and 6 have to be maintained and operated by the church. Or, cluster lot layout. 18 attached single family homes are part of the development. I won't read all of this to you but it makes it pretty clear that the Master Plan's intention that goal for that site was for residential development.

The last statement under that whole section of strategies and recommendations to reach that goal is to amend the zoning from U-7 to U-1 single family. That is the city's official Master Plan for that site. Again, I just wanted to state the facts at least as I know it and as I read it in the 1996 Master Plan. Thank you.

Chief Maine – I just wanted to provide a point of clarification on the Memorial School traffic situation. We've also been able to work out with Ms. Will a workable solution in terms of that gate that separates the parking lot between Babbitt Rd. and 222 so that it will be open for a period of time when school lets out so that traffic will be able to ingress and egress off of E. 222 Street which should release a lot of the traffic over by the light at Babbitt Rd. and the Y. That should help.

Mr. Lenny Shapiro – 1491 E. 252. I personally feel I live in a pretty decent town. You'll have to forgive me if my voice cracks a little bit, I'm not much of a public speaker either. I lived in Warrensville Heights for my whole life growing up and I moved here, 16 years ago, from one mixed community to another mixed community. Two years after that, I bought a home here. Fourteen years later I still live in my home in a nice mixed community. I like living here, it is a decent town. I think its great that we can all come here in a public forum and discuss things that concern us. I remember 8-9 years ago I had a problem with the School Board asking for more money on something. I called Dr. Stanic and he took the time to explain things to me and we talked on the phone and he was honest and upfront with me and I trusted his opinion. Over the weekend I had problems with this Issue 33, 34 deal and I called the Mayor. We played phone tag for a day or two and he was able to talk to me today and took the time to explain how he felt about things and what he thought was best. It may sound like a simple thing, like a silly thing, but for an average guy just to pick up the phone and talk to somebody in charge

and they take the time out of their day and talk to you instead of dusting you off, means a lot.

What I said is this thing with Hillandale is it the best deal in the world for Euclid? Could it be better? Could it be worse? Could it be this, could it be that? You know we can beat it to death. I know that I pay dearly to live in this town. My taxes as far as real estate are about average in the County and I know that because I called the County Auditor and they sent me a sheet of where my taxes are. It's about average. Schools, my income tax at 2.85 is the highest in the State the last I checked. And, whether it is the best deal or the worst deal, you know if I got a shot at having \$400,000 in income to come into this town, instead of land that has been sitting vacant for 1,000 years. I drive through this town and all you see are empty buildings. Manufacturing ain't coming back. It just isn't. It's been leaving this town for 20-30 years. If we've got a shot at bringing some money in here, go for it. Could it be better here, could this be different, could that be different? Probably, maybe not, I don't know. But sure seems like it is worth a shot instead of finding reasons to argue about. Thank you.

Ms. Bernadette Walsh – 651 E. 266. I too am still proud that I live here and that I came back. But I have to say tonight has to be my proudest. Because if you look out here every sit almost is filled. That is a blessing and a wish that I have always had. I hope everyone that sits here right now, comes back to the next council meeting and the council meeting after that because your voice can be heard here. You can make a difference. What the previous speaker said about getting together, it doesn't matter if Bush wins. It doesn't matter if Kerry wins. It doesn't matter really about Hillandale, whatever happens Wednesday morning, we better heal or we are nothing. We have to. The healing has to start with the leadership. But you know what? I think we're the leaders. Because we can do it and we can make it work. Apparently some of you have never listened to a word anybody said up here. Apparently. It rests on your shoulders. Because a long time ago you could have made this all go away and that was your responsibility but you never wanted to listen to any other side.

I want to tell you I always thought when I come to this podium I'll find something right about Euclid. Over the weekend Henn Mansion had a Murder Mystery. I was fortunate to be killed which probably some of you would really enjoy. Not one person from this Administration was in that audience. It was my first time through that Mansion. A building that you wanted to tear down and raise. A beautiful building. A marvelous building. Where was your support to the Friends of the Henn? I ask you but you don't have the answer. You talk about the sewer workers, the jail workers, you talk about this man being laid off for \$4,000. Here's an idea for your budget, take your 9 directors, your police chief and your fire chief, tell them to kick back \$10,000. What will we have then? You say you don't get anything out of towing cars, add \$10-\$15 on that and how much would you have Chief? You could save a lot of things. It is not that we're broke. Its that we're mismanaged.

The other thing that really aggravates me is when a question is asked of those people over there, that are making three times the salary that I'm making, if I answer constantly to my boss and said, I don't know, I don't have the figure, I wouldn't work where I worked for 24 years. Shame on you.

Mr. Mayor, you should have been at the Henn Mansion. You should have supported it. It was a wonderful, wonderful evening. Now my other bit of good news. As far as your Hunger Center, as many of you probably know I work for the Salvation Army and I have given Sue McGinn applications where they can have the people who come to the Hunger Center apply for the Coats for Kids program. You will get a free toy and you will get a food voucher. If Sue fills up the hundred and so applications that I've given her, I can give her more. We can serve 2,000 people for Christmas. I also have the honor of being the Volunteer Director for the Toys for Tots program. A little confusing but I will do it because the Marines are deploying and they need all the help they can get. If anyone in this audience wants to volunteer as a Euclid Awareness Committee has, you may call me at 623-7461, bring a group down. I will send you the schedule and you all can volunteer. You can volunteer for the Coats for Kids program. You can do something as a city and not just this side of the railing. I'll take everyone of you. I'll take your cops, I'll take your firemen. I'll take the Council. Please Wednesday morning, let's work together and I want everyone of you at the next Council meeting. Promise? Promise?

Mayor Cervenik – Please take my statements not as complaint about the time I spend in my support of various organizations in the City. But my weekend was pretty much filled with numerous places, fund raisers, events. Sunday I spent 4 ½ hours with the Croatian Lodge honoring Goldie Malone. Saturday I spent three hours at Democratic Headquarters. I also spent the rest of the day with my granddaughter. I do support the Henn Mansion. I sent them \$100 check as I believe a sustaining member. The Henn Mansion came to me early on in my term. We voluntarily, they were concerned about the lease timing. The administration extended their lease immediately for 2-3 more years. They came to us, they needed some help in burying underground wires with the help of Kathy Will and Hank Gulich. We were going to do that, they did change their plans. I don't want to say I was insulted by the comments, because I can't be insulted. I understand that people really believe criticism like that is part of their right and I can take that. But I'm very proud of the organizations and time I spend with the city. I do support the Henn Mansion and all the other organizations in this town as well. But I can only be in so many places at one time.

Mr. Lionel Kinds – 177 E. 192. I attended the City Council meetings for the past 3 years and most of the time I don't say anything. I spoke last week, the last Council Meeting I mean and I still have problems. When I hear this one group that comes in here and act like they run the City of Euclid, we the citizens. I don't belong to a group. I'm mister individual. I think we have a pretty good city. Euclid is a inner-ring suburb. 1945 until 1952, GI's returning from the horrors of WWII, Korea, looked to Euclid as a park. Little small bungalow homes, which we have a lot of. Entry level houses mainly. This kid comes from the tenements of Cleveland, they came here and Euclid was a Mecca. Unfortunately society has moved on. That's why you see Lake County booming. Geauga County. Medina, various other places, to the south, west and east of Cleveland. People are moving out and going to these big homes. You think you'd see grandfathers on these driveways, you see twenty-something's, thirty-something's. What do they know that I didn't know? Maybe they got more guts, I don't know, I didn't want to find a mortgage on a home that large when I was that young. But they do it nowadays. Maybe Euclid is not as desirable.

We got a proposal in this town to come in and build, I don't know if its 80 houses or 110 houses, there's been so much misinformation, who really knows. Slab houses, no basements, basements, who knows? We're all hearing misinformation. But I know this, I built a house in the City of Euclid well in excess of \$200,000. I like a lot of other Euclid people don't want to see Euclid decline any further. It has to stop now. Unlike a lot of other people, I believe we have the leadership. I think the Mayor is doing a good job. The Police Department. Every time I had to call the Police Department, it has been a pretty pleasant experience. I got a ticket one day for speeding. He gave me a ticket with a smile, although I was innocent. But I don't want to see Euclid destroyed by misinformation. I know this, if someone builds a house for \$191,000 they certainly don't want to see the community decline. Besides that, how many houses do we have in the City that calls for \$191,000. People that build those houses have income. They are going to be taxed. They are going to provide something to this city.

They talk about industrial. We got wastelands now of industrial. It is time to stop playing games. Whether you vote no or yes tomorrow on Issue 33 & 34, how do you know what you're voting for? There has been so much information. So me, I suggest you vote yes, give these people a chance. Let's see something built. We had that Century Corners, our crowning jewel. What's there, one little ugly factory surrounded by nothing. Get serious people. There's no industry in Cleveland, I mean in Euclid and don't think your 271 and Chagrin or 77 & Independence. There's not going to be no great high rises here. The only thing Euclid has is one thing, they have location. If you lived in Cleveland Heights, it takes you 20 minutes to get to the freeway. In Euclid I can get anywhere I want to be in 5 minutes, from the interstate system. Use what you have, you have location. You have a beautiful town. It is still a park, let people come in, build some beautiful homes and show it can be done and then other people will come in. We need to see. You're not going to get industry. This thing about the Master Plan, the Master Plan called for upscale housing, it didn't say anything about anything industrial. Besides that, the bottom line remains, if we vote now on 33 & 34, what we have a law suit. The City has no money and doesn't have any money. Mayor I think you're doing a good job. I support you, the Police Chief, Fire Chief, I support you and Council your 3-5 votes, I still believe in the City of Euclid and I support it. Thank you.

Mrs. Madeline Scarniench – 1511 E. 221. A couple of things. First of all, way back when, Mayor Lynch became Mayor, he put together a group that was called the Euclid Avenue Task Force. That was really my first in with being a political activist, whatever it is you want to call me. I've been called a lot lately of different things. One of the things that was the top on the list was step up housing. That was talked about for years before the Master Plan, step-up housing. If we follow, and I've said this before, if we follow the rules and they are held accountable to do exactly what Planning and Zoning says they must do and Architectural Review, there is no reason that these homes can't be built.

When this all started, we were told that these homes had to be built before the church could be built because that's how they were going to pay for it. Let them build their homes the way our Codes call for. That's all I'm saying.

It is wonderful to see so many people that came out to visit us tonight. Hope to see them here many times more.

On another issue, I've listened to this for months on the TV and since I've been back. And it's about time I had something to say. As the past President of Heritage Park, I am sick and tired of the remarks and innuendoes that are being made. We will never have a grocery store or a restaurant in our area because we dried it up. Why does this keep being brought forward to make it look like nobody cares? There's a lot of reasons that nobody cares about a lot of things, but these two aren't one of them. We, the residents, voted to dry it up. So I wish they would please quit bringing it up. Unless you make it wet again we will never have those in our area.

Another thing, as President of Heritage Park Community Association, I had a very strong working relationship with my former opponent, Councilman Gruber. It's always been a delight because we argued about many things, but many things we agreed on. Whenever I needed something, he always answered. Whenever I told someone to call him, they always got an answer from him. It is too bad that week in and week out we have to hear all the criticisms because someone doesn't like the way he votes on something. We should all be working together, no matter if you agree or disagree with someone, these folks that are sitting up here are doing a job most of the people in this room would never consider doing. So please, when this is all over, when tomorrow is over, find a way in your hearts to put this bitterness aside and work together. Because there's a whole lot of us who've lived here most of our lives and we want to die in this community. And the only way we can do that is to work together and quit fighting and the name calling. Enough is enough, people. Thank you.

Ms. Perlitha Taylor – 1495 E. 193rd St. First I would like to say, I'm happy to see so many in the audience; but I'd like to know how many of these people in the audience are from Euclid? Okay, I see. But I see so many other visitors. I see a lot of visitors and I know they're not citizen of Euclid. I just want the public that's looking at TV to know this. These are not your Euclid citizen. Okay? So what I'm here for tonight to say. Stop the clock, stop the clock, I missed 4 minutes already.

President Sustarsic – It's not for you.

Ms. Taylor – No, no, stop the clock because they took up my time. Okay, what I want to say is I want to speak on, first, what Mayor Cervenik said in the Cleveland Plain Dealer on 10/29/04 stating that no matter what the vote outcome is that the church will be built anyway. I don't understand that. You saying the people in Euclid has no right to vote and they vote mean nothing. People, don't fall it. Your vote do count and I'm asking you to vote no on Issue 33 and 34.

Also the next thing, I would like to say is that Madeline Scarniench just stated that it would never be a grocery store in Ward 4 because of the dry up. That's untrue. For #1 that's in the E, E-5, E-4 and 5. We have a drug store that sell alcohol, beer and wine, and that's in 191st. We also have a bar in Sherwood Plaza that sell alcohol. So someone is not telling the truth here.

And talking about Christ Gruber, yes, I have a problem. We have been telling him and we have been coming up to this podium for the longest. No one have came out and cut grass in the Heritage Park area. Not only that, what I want to say is that you said no grocery store. All the City is talking about is Hillandale. What is the problem? Again, I ask you, who are in your pockets? You have over 300 homes in the City of Euclid that are vacant, abandoned or for sale. You can't sell these home, but you're willing to try to

sell new homes to residents that you don't even know whether they can afford it, tax abatement. Then we also have another problem. We have a church that would not pay taxes. But yet there's restaurants out there. Have anyone went out and try to get an Applebee's, a Target, a Kohl's? No. You need to bring jobs to the City. You need to bring revenue to the City. By putting new homes, that's not bringing revenue. It's going to take over 3 years for this project. Hey, then you don't even know if it's going to go through.

We have a problem here. Martin Luther King died and I marched with him in Birmingham, Alabama. And I can state that he marched against segregation and here you are in the City of Euclid going to have segregation. Chris Gruber went out and called these people to come here tonight. I'm glad to see them, but how long are they going to stay? Okay, I'm not finished, don't take my time. But I feel like this, he need to take care of his ward. He's not taking care of his ward. Ward 4 is in a mess. Euclid Avenue is a mess. We have plenty spaces in Ward 4 for a grocery store or for a Kohl's. We have our playgrounds are in such bad shape. We have an odd and end store at the bottom of my street with a home made sign. They puttin' art, toys and things in the yard to sell. That's taking away from the beauty of the neighborhood. What are you going to do about beautifying Euclid Avenue and beautifying your area? He fought against our association for the lights. Chris Gruber fought against it. He tried to have them taken down. He never came forward and I do have 4 more minutes passed this.

He did not come forward. He did not come forward and try to help us. He never apologized one minute. So he has a problem. He need to work with this area. Get those people out of your pocket, Chris Gruber, and start doing your job. Vote for Issue 4, 33, vote against 33 and 34. Please vote tomorrow.

Mayor Cervenik – If I may and this goes back to a question that was posed at the last meeting. The Charter was quoted. All right, it isn't the Charter for the rules for the Committee of the Whole and it was selectively addressed.

I'd like to read to you 121.18, Committee of the Whole. Council shall go into the Committee of the Whole at regular meetings pursuant to the order of business for the purpose of encouraging public participation and addressing Council and the Administration. The public shall speak to legislation on the agenda and to the good of the City, but no person shall speak for more than 5 minutes on either matter. Persons speaking shall remain polite and courteous at all times respecting the office being addressed and the decorum of the meeting. Vulgar and foul language and public remarks tending to embarrass or humiliate or which are personal in nature are at all times out of order. All questions shall be answered immediately after they have been asked and the person speaking has completed his or her remarks.

We need to start adhering to these rules because I have a lot more respect for this body then you will ever know. We have answered every question this evening after the person has sat down according to 121.18. I would please ask that the Council and the Council President keep that decorum and follow these rules. Thank you.

Anonymous Voice – Does that apply to Council calling us racists?

President Sustarsic – I'm sorry, sir, you're out of order. You're standing up you already had an opportunity to speak. Thank you.

Mr. Dave Griesmer – 314 E. 216. Lifelong resident and proud of it. That was interesting. The Mayor just made those comments because that sounds like he's the Law Director now. And that's great, Bill, because tonight you're willing to answer questions; but you haven't been throughout the campaign.

President Sustarsic – Mr. Griesmer, apparently, you didn't hear what was just read. So please continue with...

Mr. Griesmer – Okay, sir, I have a problem with this vote yes. I don't believe in voting yes on this. I believe in voting no. I was a founding member of Euclid Awareness and we believe in voting no. Interesting to find a name of a man on here or a woman, I'm not sure, that is the Treasurer of this PAC, J. McGreevy. Maybe that person's here maybe their not, but I'm here and I'm telling you I'm against it. This other person here, Kurt

Stanic, interesting character. Five school levies failed when he was in charge, but we won't go into that.

Anyways, the Mayor stated when he came to office that Century Corners was almost filled up. We had lots of offers. So to me that shows that there is people wanting the space. I believe they want light industrial space. There's other things you said. There's 2 million sq. ft. of vacant industrial property. Well, most of that probably goes into your properties of PMX, Chase Brass, whatever you want to call them and it's going to be hard to redevelop those properties. So I think the companies that continue to move to Mentor, Medina, Solon are looking for vacant land. So I believe we still have a market here in Euclid. People may say we don't, but the Mayor said we could fill that property up.

And it just says here no tax abatement on this property. Well, I believe in the Coral Group and their 205 project. But they came back asking for tax abatement after they couldn't sell so how do we know that this property won't.

And to go to quality builders here, Snavely is quoted as the property builder but still not sure if they're really the builder. And while, Bill's into answering questions tonight, these houses here, are they an example of the houses that will be built there?

And just really interesting while the Mayor, the man who said we wouldn't have any new taxes is proposing a new tax on the ballot in May. Do you believe these people? I don't. Vote no. Thank you.

Mayor Cervenik – As to the question about Snavely, I received a number of calls today regarding Snavely's involvement in the project. I have a letter here. It was faxed to me, dated today. Dear Mayor William Cervenik, Snavely Development Company has invested substantial time and money in helping to design a residential community described in detailed plans consisting of site plans, architecture elevations, floor plans, specifications that have been provided to the City. If these plans are acceptable to the City, we are willing and able to enter into an agreement with Providence Baptist Church NSR pre-development to undertake the initial phase of the cluster homes and single-family homes and residential community.

Snavely is a bona fide party. They will not sign a contract until the project is approved.

Mr. Griesmer – Are these the homes, Bill? Are these the homes?

Mayor Cervenik – The homes, the homes, they're, Mr. Chairman, I can't speak for the drawings on the literature.

Mr. Griesmer – They're pictures.

Mayor Cervenik – The literature is not my literature first of all. The City didn't pay for it. The Administration didn't pay for it. It was done by a PAC very similar to Euclid Awareness. Secondly, the drawings of the homes are contained in the information we released last week and any information filed with the Courts. Thank you.

Mr. Matt Sarver – 26550 Shoreview. During this election season it was great to see a renewed effort to encourage people of all ages to register and vote. I commend everybody who registered in recognizing the importance of their role in making democracy work.

Now of course, come tomorrow we all have a lot of decisions to make at the polls. We're going to choose a president, choose a judge, choose a recorder, choose a senator, representative. And then we will have the multitude of important issues. In respect to Mr. Cooke's comments earlier regarding some concessions that were made. I understand that but in my mind it's too little too late. This is the kind of thing that should have been brought forth far earlier in the timeline of this project. This is something that, again, this whole thing about working together. This is something that should have been delved into and talked about a long time ago. So for me this is too little too late.

I will be voting no on Issues 33 and 34 and I would respectfully urge my fellow citizens to do likewise. But no matter who you vote for or how you vote on a given an issue or candidate, please by all means get out and vote. Don't let anyone or anything stand in your way. Thank you.

Mr. John Conway – 291 E. 276. I'd just like to start out tonight because tonight is a very exciting night as we head into tomorrow and we have some major decisions to make. And the quote I'd like to read and I've used it before says in a democracy decisions are made by a majority of people. Of course, this is not entirely true as we now know. Decisions are made by a majority of people who have the courage to make themselves heard and who show up to vote.

By now most people know where I stand on Issue 33 and I respectfully ask people to join me by voting no for Issue 33 and 34. There are several issues that we've addressed and we could sit here. Obviously, tonight was designed to point, counterpoint, point, counterpoint. We'll hear some other people probably. They're going to talk in favor of voting yes. But that's the beauty. That was our #1 objective when we did the referendum. We didn't feel comfortable that the citizens were represented by Council's vote when they went 5-4.

We fought for 30 days in the cold in February to make sure every registered voter in the City of Euclid has the opportunity to vote on Issue 33 and 34. And whether you like that or whether you don't like it, we are exercising the most fundamental principle that this country was found upon. And tomorrow everybody in this room that's registered voter in the City of Euclid is going to have that ability to make that decision whether you vote yes or whether you vote no. You will make the decision. We will live with the decision that the majority of residents vote on and make the decisions that we need to after that particular fact.

But the bottom line is that the citizens of Euclid are going to have the opportunity to vote tomorrow. No proposed settlement is going to take that right away from you at this point. Tomorrow, it's on the ballot. You have an obligation as citizens of Euclid to vote on Issue 33 and 34.

There were certainly things that were said tonight that I disagree with so on, what is today still? November 1st we get a letter from Snavely to the Administration stating that they are going to be the builder. Well, we have plenty of literature that says that they were already under contract to be the builder. We have that in front of us. We both know that we have that information in front of us.

Literature was sent out whether it was yours, Mayor, your face is on it. You're associated with it. This is an endorsement from you. It says Snavely will be the builder. Well, it still sounds like that's an opportunity that's still up in the air.

We heard comments tonight that talked about the \$400,000 were based upon, I believe, drawings and other material that was provided by the developer. Can you just confirm that, that was truly provided by the developer? You want to answer them at the end or shall I go one at a time? What's ever, I don't want to break the ordinance.

President Sustarsic – He'll go at the end.

Mr. Conway – Okay, so the first question is can you please confirm that Snavely is the person that provided you the information that the \$400,000 is based upon? Because that still seems to be a discrepancy, though, we know Snavely may have an intent to be part of this project going in the future.

Another indisputable fact is everybody quotes the Master Plan when it's convenient for the message that they want to portray. Well, can anybody show me in the Master Plan where it talks about a church should be part of that property? I think we all know the answer is no. So can't just use it conveniently when you talk about the houses when the bottom line is if you're going to quote the Master Plan doesn't include a church. So the Master Plan is what it is.

Bottom line when it comes to my voting for no on this is I'll never get over the night where right up here at this chair right here, Paul Taylor told us that the Christian Fellowship Center stopped because the pastor had a massive heart attack. Well, somewhere here in my paperwork is something from the City of Cleveland that says that that project was shut down. I have a binder of information here that tells me why it was shut down. So that's a fact. We can't, there's no disputing that at this point. So I think I have reasons to vote no on this project. I think many other people have reasons to vote no on this project. I hope the people who want to vote here and vote yes on the project that have come out here tonight in support of their project, which I applaud that, has a, has a good faith that this project is going to be completed unlike the Christian Fellowship Center, who is still not in their church that they planned on being in several years ago.

That's all I have to say tonight. Please get out and vote tomorrow either decide to vote yes or no. The important thing is that you show up and execute your rights.

President Sustarsic – One second. We're going to get a response from Mr. Pietravoia.

Director Pietravoia – To Mr. Conway's question, the information was provided by representatives of Snavelly. That included the housing type, the floor plans, the base prices. The information that's included in the notebook that, I believe you're referring to, was provided by Snavelly. And that's what we based our calculations on that I referred to earlier in terms of the revenue that would result to the City from that development.

President Sustarsic – Thank you. Okay.

Mrs. Ann Raukar – 246 E. 272nd St. Thank you. Madeline made the comment that why can't we work together? Well, the last Council made more headway in spite of several Council members dragging their feet. In 2 years they made more progress than Oyaski did in 2 terms with his Council. Now I have to take some of my time and I have a more than 5-minute discourse.

Because of outside intervention, Mayor Oyaski sent Housing Manager Erik Tollerup to the neighbors and had them correct their water problems. Oyaski told Tollerup make sure Mrs. Raukar knows you were only there because of Langman's letter. I told the Mayor I would sue him for aiding and abetting this violation that has done serious damage to my property. The Mayor said sue the neighbor. It's his water. It is the Mayor who would not permit corrections until Daryl Langman interceded on my behalf. Daryl went on to win a seat in Council.

When I tried to get help at City Hall, Jim Piscitello set me up for a nasty confrontation with my neighbor, Mrs. Kaunas, with added participation of Hal Daugherty...

Councilwoman Hufnagle – Mr. Chairman...

Mrs. Raukar - ...who for a second time saw to it...

Councilwoman Hufnagle – She's out of order. She's out of order and now she's mentioning her neighbor. And her neighbor is not here to defend herself.

President Sustarsic – Mrs. Hufnagle, please.

Mrs. Raukar - ...that the downspout was open and on the ground below the level of his, of the driveway. I called Law Director Pat Murphy's office in hopes of getting some help. I was told to get a lawyer. Any lawyer I called would not take my case. I guess they don't want to fight City Hall over an open downspout. I took Daugherty Construction and Mrs. Kaunas to Euclid Small Claims Court. Mrs. Kaunas, Mr. Kaunas had died earlier in the year. I made a brief statement as to why we were there. Magistrate Theodore Syracuse properly told me I was over the 2-year statute of limitation. I felt the case was cut and dried before we got to court.

Hal Daugherty then produced two pictures. He lied about when he installed the now corrected downspout by about 8 years. I handed the Magistrate the evidence that he lied. This blew the Magistrate's prepared script. The hearing ended in a very questionable manner.

About a week later I got a letter from the Magistrate stating I lost my case to the 2 years statute of limitations and for negligence on my part, negligence on my part, what a nerve. Nothing was said about Daugherty's lying. I sent a letter to the Magistrate, to Magistrate Syracuse. His verdict was unacceptable with details he wasn't interested in hearing at his court. I sent a copy of this letter to Judge LeBarron and paid a fee for a hearing. Nine weeks later I received a letter from the Judge stating the Magistrate findings had been journalized. My objections were overruled. Her judgment was for the defendants at my costs. Nothing about Daugherty's perjury.

In 1997 an ordinance was passed under the, redundant to the 1970 ordinance on downspouts. The newer ordinance has a hidden agenda. When I was referred to Mr. Gulich, he could not help me. Bob Apansewicz couldn't help me. And as I stated before, Jim Piscitello used it with the help of Daugherty Construction...

President Sustarsic – Thank you, Mrs. Raukar. Mrs. Raukar, your time is up. Your time is up. I'm sorry.

Mrs. Raukar - ...for a nasty confrontation with my neighbor. I'll have to continue. I'm sorry that I have to come back again.

Mayor Cervenik – I can only say to Ms. Raukar I will see if I can't do something, but she needs to understand it's been proven that, I hate to use the business's name but I will. Daugherty Construction was not at fault here. It was investigated very closely. They're a very reputable building company, local businessperson. We don't always see eye-to-eye about politics all the time. That notwithstanding, it's very painful to sit here week in and week out and have Daugherty Construction be told, be told in public that they did something wrong. They did not. They went back at least once to rectify the condition. This happened years and years ago. So I hope this scenario doesn't continued. I've been to your house once. If I need to come back and try to find a resolution to your problem, I will do that. Okay? Thank you.

Mrs. Janelle Daugherty – And I am the wife of Hal Daugherty, who owns Daugherty Construction, and would like to say, Ms. Raukar, everything has been disputed and taken care of and you did not win in any situation. And you need to just drop it. My husband is a very reputable builder and he does good work and gets more work. He does very little advertising and there's a reason for that. He hasn't come up here before to defend himself, but time after time again, you come up here and mention his name 20 times. It gets to be a little irritating. So on his defense I just wanted to say that.

First of all, though, I would like to thank Mayor Cervenik and Councilman Langman, who I know isn't here tonight, but thank them for sponsoring the Resolution 13 and Council for their support of the critical school funding reform issue. It's very important and thank you for bringing that up this evening.

I wasn't going to speak this evening, however, I did change my mind when I did receive a flyer a few days ago. I was really taken back by this flyer supporting Issues 33 and 34. I know that there's a lot of wonderful concerned citizens that watch the Council meeting. And I just want to make sure that there's no confusion over the facts of the Hillandale issue.

First of all, I find this piece of literature confusing because it does not state the facts. It does not mention at all that there is an abated church in this flyer. It just talks about homes. And if you're going to have an advertisement and you're going to try to support an issue, at least try and inform the public of everything that's involved in Issue 33 and 34.

Secondly, there is no guarantee that this will be a high quality development at this point as the information that's been presented to date because it's been very vague. It does state in the flyer that there will be a hundred home in the \$180-200,000 range. They're going to build whatever the market will bear. If my facts are correct, the homes are being constructed as part to help pay for the majority of the cost of the church, which can greatly benefit the church. But at the same time, it does put a whole different light on the home construction project. We must make sure that the quality of standards are met for the future of the City. And it can't just be a project to fund the church. It has to be a win-win situation for everyone. Fourteen hundred square feet is not step-up or trade-up housing and, therefore, it does not go along with the 1996 Master Plan.

Let's be clear, the citizens against Issues 33 and 34 are not against the project because it's a church. The concern is that the information as presented leaves too many doubts in the citizens' minds about the quality of construction. The examples of their work is the East 147th Street church and Oakwood. And also there's a church project in Columbus, 55 and older, that hasn't even been started that was approved over 3 years ago.

I hope that the church members have visited these churches regarding what American Church Builders has done and make sure that they're protected for their own protection. I mean, that's what we're all looking here for.

When Mayor Cervenik was Council President, he and Council at that time approved spending over \$5 million to create the light industrial area called Century Corners. Century Corners is adjacent to the Hillandale property. Hillandale was also zoned for

light industrial use. The City has invested a lot of money in that area to build up our tax base in Euclid and that is critical.

Another point is, I just want to make clear that this is not a racial issue. The passionate volunteers with the Euclid Awareness Committee are many of the most giving people that I have ever met. Many are involved in the Euclid Hunger Center. They volunteer and support our public schools, which are racially diverse. They help at the Henn Mansion and on and on and on. And approximately 30-40% of the referendum signatures were from African American Euclid citizens.

I ask the citizens to review carefully the Council people's opinions on this Hillandale project. The vote has not changed. And if you agree with Councilpersons, Mr. Delaney, Miss Mancuso, Mrs. Holzheimer Gail and Mr. Langman, then you should vote no as they did on Issues 33 and 34 tomorrow. Let your voice be heard for the future of our City. Thank you.

Ms. Jai Walton – 27591 Mills Ave. The drugstore was not in the precinct and the bar is not carry out. I believe the issue, correct me if I'm wrong, was just for carry out.

Okay, now that being said, of course, I'm going to talk about Hillandale because I haven't talked about Hillandale in a long time. And I don't have a thing written out, but I can tell you I'm really sick. I'm sick of what's happening in this City and I'm sick of the people that are making it happen. There are good people on both sides of this agenda. People that I've worked with during the summer that I'd be more than happy to invite to dinner to my home. But I truly believe that they're pawns by few people in this City, long residents in this City that have the hidden agenda.

Now, I'm going to skip around a lot because I'm just going to let it come as it goes. Let's talk about racism, racial. Someone said you called me racist. You cannot determine if you have not lived the Black experience. Unfortunately, there's some Blacks haven't lived the Black experience either. So for you any of you who claim that this is not racism or racial, you have no founding proof that it is as well as it isn't. Some people say if it looks like a duck and sounds like a duck, then what? It must be a duck. People do not allow such words as so many, 30, 40% African Americans signed the petition. I'm tired of those 30, 40% of African Americans in this City and no one ever came down my street to talk about the petition. No one ever approached me and I walked right by them. And on top of that we've heard various stories about what has been in order to get African Americans to sign the petition. And for you, African Americans, stop signing things without knowing what you're doing. Come up to you and ask you to sign a petition and you say I don't know you. Come up there and ask because of someone of another persuasion asked you to sign something for the good of your city without investigating it you do yourself a disjustice. You do yourself a horrible disservice.

Now, people, you got to stop this. There are a few people out there, as I said, with hidden agendas. If you can't build a church and you can't build a home for these various nit-picking reasons, then what are you going to build there? Are we going to let some other company come in, maybe some company that who's niche is building low-cost homes for low-income people, who say to the City we'll build there but we can't afford to do the infrastructure. Now there are people here in this room who know exactly what I'm talking about. And there are people in the audience and there are people, I should say, at home who know exactly what I'm talking about.

You think the people of this City are fools for your little actions. The people of the City are not fools. They may be misinformed and I mean all the people whether you're white or whether you're black, you're being used. And the big disguise is called racism. This is really not about racism. Racism is being used to cloud the true issue and, of course, this is the great country America, the issue is capital. It's money. Someone stands to make money out of this deal. It is not American Church Builders. They want to build churches. It is not Snavelly; they want to build homes. The question is what do you want to build? What is it that you want? You haven't been interested in this strip of land in how many god-awful years and now all of a sudden you want to do something with it. Stop using racism as the big hidden claw and stop being taken in, people, by the fact that it's racism. And stop being used as the horsemen with the whip looking after the people in the fields being somebody's spokes person.

President Sustarsic – Ms. Walton, excuse me...

Ms. Walton – My time is up? I thank you. Please vote and please be smart.

Mr. Joe Udovic – 21371 Naumann. I heard everything that was said this evening and I debate about what I should say, if I should say it or not, but I will speak. Reasons why not to vote for Hillandale Issues #33 and #34. Mr. Paul Taylor was heard as stating during the Executive meeting, it is a property he would have advised them to purchase even without homes and a church. Just land bank it. He stated that rumors that Rev. Rodney Maiden, Master Providence Church would sue Euclid if the rezoning was not approved turned out to be false. But did it?

I did a little bit of research on my own. I took some time doing this to make sure all my facts were accurate. According to a local parish priest, two college professors at Cleveland State College of Urban Affairs, a real estate agent and an economic development associate for a suburban city stated the following opinions. Churches provide many social, economic, spiritual, moral, psychological importance to a local community. Churches provide assistance with shelter, food, clothing, social programs to residents that live nearby. Through moving a church, these programs shall cease to exist. When a church vacates a neighborhood, it has disastrous effects to the residents that still remain in the Kinsman area. House values shall decrease in value due to vacant church property. It shall be more difficult for new owners to purchase a home in the area where there's a vacant church. Young families shall not find the neighborhood desirable to reside in. Each shall cause economic hardships to the business community of Kinsman Avenue. No new businesses shall want to relocate in a destitute neighborhood. Less spending, buying power, not enough residents will support the local merchants causing businesses to fail.

Important social activities, such as, local sports programs, Alcoholic Anonymous, Ala-non, youth groups, adult groups and senior groups shall decrease through the lack of participation. Since churches are the social center of a community, local active citizens shall see a lack of community improvements from the City of Cleveland due to a limited amount of communication between residents still remaining and local council representatives. Less money shall be spent on economic, structural community reinvestments or improvements. The purchase of homes on Kinsman Avenue shall not attract youthful families or families with children. Only a portion of the current Providence Baptist members shall relocate to Euclid. There shall be a remainder of residents in the Kinsman area.

According to Euclid Sun Journal and Cleveland Plain Dealer, there is on the table a deal to potentially work as a compromise. I find this last minute deal a little bit convenient, too convenient for me. Is this to sway the voters to the yes camp? A way of gentling influencing or conning our community in approving what the majority of Council would like and what the Mayor would like.

The Mayor has been stating for some time your vote does not count, but I shall say your vote does count since now the Mayor has to listen to the people and what the majority of the residents want him to do. Thank you very much. Have a good evening. Go out to vote.

COUNCILMEN'S COMMENTS

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

President Sustarsic – I believe Mr. Delaney, you begin this evening.

Councilman Delaney – Refer to my notes at the next Council meeting. I would be brief. I would just like to say that it is a historical election nationally and locally and what a democracy, obviously, as we've seen tonight, it's not easy. But exercising our fundamental right to vote is what makes this country strong. Empowering the people with that right to vote, that's very powerful thing and I just urge everybody to get out there. I hope the weather's nice and it would be nice to see every eligible voter counted tomorrow. Thank you.

Councilman Gruber – Couple of items I'd like to address here this evening. First of all was some questions brought up by the President of the Heritage Park Association about the lighting project that was implemented in that area. And as I've said before, I applaud all neighborhood associations that go out and try to do this type of project. But I also

must encourage them to follow the rules, regulations and laws of the City of Euclid along with obtaining permits to do the projects. When the project was first initiated, it was misrepresented as being a low-voltage lighting project. It was not a low voltage project you needed to have proper permits. They were not and I'd like to defer to Director Pietravoia right now the status of, and I think several Council members, would the Council members that got phone calls from neighbors in that area about the bad lights, please acknowledge that and raise their hands. We had several phone calls. There were lights exploding. There were other issues and I will not support an unsafe project. Mr. Pietravoia, would you give us an update on that, please.

Director Pietravoia – You are correct in stating that the original project was proposed as a low voltage project. It had very different requirements. It actually ended up being a standard voltage. All the lights that were installed were standard voltage. As a result, and before I continue my comments, I do want to say that I commend the young man that volunteered his time to install these lights and he does deserve recognition for that. However, there were problems as a result of the switch to standard voltage. The lines themselves were not buried deep enough. They weren't properly grounded. I would say it's safe to say that a majority of the lights were not properly installed as a result of that switch to standard voltage. They are in the process of correcting that, but the majority of the lights were not properly installed. They look beautiful; they light up; but they were not installed to Code. So we're in the process of working with that organization and the volunteer that did the original installation to try to correct the problem.

Councilman Gruber – Thank you and all's we asked them to do is what any other project would and that would be get their permit. And I believe we covered them under a blanket permit for the entire project, which was a benefit to the organization.

Director Pietravoia – That's correct.

Councilman Gruber – And the electrician, Terry Baldrich, is a wonderful man. A good electrician and I think he just got a little bit in the middle of a couple of things.

The next point, we did receive a letter from the Heritage Park Community Association. I'd like to address some of those. It was stated in Ward 4 there are not any shopping areas, restaurants, Applebee's, Olive Gardens, etc. We used to have a Ramada Inn. Now torn down. K-Mart, now vacant. Super K-Mart, now vacant. Euclid Square Mall. Well, as most of you know, most of those areas are not in Ward 4. Applebee's, Olive Garden, I don't know if we have any of those in Euclid. I know we don't. But some of the problems with the stores that let us is there isn't enough disposable income to sustain those stores and that's part of the reason. We had looked at grocery stores on Euclid Avenue. In fact, I've asked Director Pietravoia to send out letters again to all major grocery store chains and invite them to look at some of our vacant property on there. Carry out permit, carry out sales are not permitted in most of that area. There is a sit down tavern and there's also a carry out establishment on 222nd Street that has sit down facilities.

Also later in the letter, there's a vacant car wash with tall grass at the end of East 193rd Street. Yes, the owner of that car wash is in a little bit of legal difficulty. We have started condemnation proceedings against that property and we hope to tear it down. I'd rather have a vacant lot there.

And this is kind of, this is kind of funny. The green area across from Sherwood Plaza has not been maintained once it's been planted, which is unsightly. That is a wildlife area. It's a no mow zone. As long as I'm the Councilman, that grass will not be cut. There are signs stated there posted that, that is a wildlife area and it is not to be mowed.

And then the basketball court at 20001 is not up to date with others in the City and does not even have a sign indicate the basketball court is for the City. It is not for the City. It is a PAL program only to be operated when the officers are there.

Also the Odds and Ends store at the end of 193rd Street, I believe, that's being addressed with Planning and Zoning. And of course, any Heritage Park resident can call me at any time for anything.

Lastly not least, talk about flyers that come in the mail or handle of your door, I got great entertainment from the flyer that was handed out by the Euclid Awareness Committee about how Tri-C wanted to go there and Clevite was going to be up there.

Clevite's been gone what, about 15 years now? Tri-C never had intended to go to that property. Some folks said we spent 5 million on the property; other folks say it's landlocked. Vote your conscience. Vote what you think is the right thing to do for the City, but get out and vote tomorrow. Thank you, Mr. Chairman.

Councilwoman Holzheimer Gail – I'd like to announce that the Shore Cultural Centre Corporation will be presenting a concert by the Cleveland Women's Orchestra this Sunday, November 7th, 3 p.m. at Shore Cultural Centre. For more information call 289-8107 for ticket information or more information about that event.

I've had a number of calls over the last several weeks about garage sales in people's front yards and I've addressed it with Director Frey. And he is looking at what other communities are doing and what we can do legally to regulate, I guess, so to speak, garage sales. So we'll be looking forward to that discussion and some ideas for how to do that. I guess, we'll just extend my request to folks that if you are having a garage sale, please do so behind the front of your house. And just make sure everyone votes tomorrow and the Ward 1 residents that voted previously at Memorial School, don't forget you are now at either the Euclid Lakefront Community Center, which is on Bliss Lane. And I've got a couple of calls on where is Bliss Lane? Bliss Lane is the extension north of Lake Shore at 222nd and Babbitt, back behind the Waste Water Treatment Plant or else at Henn Mansion. Thank you.

Councilwoman Hufnagle – Last Thursday was the annual DARE fundraiser and I would like to recognize the Police Department, Officer Bonchak, putting that event on. It was a wonderful event and I'm thankful to be a part of it. I would like to make special mention of Perkins Restaurant where the event was held. Mr. Joe Foster always goes above and beyond to help out with this event. And this year we had a new participant, Able Rents on Chardon Road, a nice Ward 3 business, they provided a tent, lighting and tables and chairs for the children's activity. I would like to thank the Administration for helping to bring that about also. It was a wonderful event. I'd like to thank my colleagues that attended and helped out at that event. Members of the Administration that were there and there were a few extra seats there. So there was some faces that were noticeably not there that, very active community members and we would've loved to have had your money that night for DARE. So, but Officer Bonchak did an awesome job and I really want to recognize Perkins and Able Rents because they don't have to participate like that.

And tomorrow is voting and I'll give you my spiel on voting. My grandmother was married with children before she had the right to vote. Tomorrow I will escort my daughter to vote in her first Presidential Election, just as my parents escorted me to the polls to vote in my first Presidential Election and I voted for President Reagan. I will take my Republican daughter to the polls tomorrow. Voting is an important issue as we've heard this evening so many times. I just want you to think about your vote tomorrow and realize the one issue that you need to think about when you go to the polls is that it's not going to be done on Wednesday. This is in Federal Court. The Judge isn't looking at the vote. She's not going to decide whether or not the people of Euclid want this project. She's going to decide on the constitutionality of it. And I almost think by misleading people in thinking that the vote on Wednesday whatever it is decides the fate of this project, you take away almost the importance of voting. It is our most sacred right in America and you need to understand that the judge is looking at constitutionality not numbers. Thank you. Good night.

Councilman Sustarsic – This meeting's been something else. It's probably been like none other than I've been in since I've been elected here. The opponents of Hillandale have been stating their concerns. The economic well being of the City of Euclid, which I was surprised, when we had our budget hearings Monday, Tuesday and Wednesday that nobody was there. We had a handful of people in the audience.

There's a lot of misleading information on the part of the opposition to the Hillandale project that was given out tonight. There's misinformation about our Zoning Codes, misinformation about our sewage systems and how much it can take. Misinformation about the homes built on slabs, which was false. About the members of Council having been paid off by the church group, I mean, it's been said several times by the same woman. I think most disturbing was to me was the shots taken at some respected members in our community. Of them, Dr. Kurt Stanic, I mean, who's done a great job with our school system, has been a great leader in our community. And Fr.

Patrick Henry of St. Christine's Church, they translated his saying that he disagrees with these people they're racists. I read that totally different. I looked at it there's a group of people that want to be a part of our community. They invested money here; they want to be a part just like we are. Let's take them in, you know, I mean, this is just terrible. And I mean, I'm sure I'm going to be accused of calling everyone racist now, too. I could really give a hoot what The Observer said. So what? I made them made, big deal.

But the fact of the matter is my family served this City for 50 years. I'm the third generation. I'm proud, the third generation to sit in this seat and I'm pretty proud of it. And in those 50 years my family's never sold this City a bum steer and I wish and respectfully ask for you, the citizens of Euclid, to join my family in voting yes on Issues 33 and 34. Thank you.

President Sustarsic – And what we'll do is we'll take 30 seconds, believe it or not it's 11 o'clock and we have to change tapes. But again, 30 seconds, one thousand one. Okay, thank you.

There were a lot of things said tonight relative to the campaign tomorrow, the politics, various issues. The issue that I think paramount to the future of the City of Euclid. Everyone has their own opinions as to if it's going to be good, if it's going to be bad. I took an oath as did everyone else on Council to uphold the Constitution to uphold the Constitution of the State of Ohio as well as the Charter of the City of Euclid. And in their and as will be portrayed tomorrow, we have inalienable rights within this country that we're blessed to live in and we owe that responsibility of the success of this country of this state of this City for our actions in the most responsible manner.

When I decided to vote initially the way I did it, I was under the impression, as others, it was strictly a rezoning issue of an individual who had bought a piece of property. And it was a matter of respecting that individual's rights to do what he wants to do with the property he owns. It went further, it went beyond that. I'm sorry that it did. I'm sorry that things blew up that some people came on board that took upon themselves to be the elected representatives that we're supposed to be. So consequently, what I'm urging everyone tomorrow is to really think about what this will do for the future of the City of Euclid. It could bring us together. It could really put the City forth again as a respectful community throughout Cuyahoga County throughout the State. You know, it was also mentioned tonight that relative to the fact that, by the Mayor, he read the rules before and he read the law before. And it was also mentioned by others that you have to have, you have to work together. You have to have a common ground. You have to be able to work together. Well, I think a lot of that without saying goes with respect for each other. And it seems to be, you know, you wonder how individuals can respect each other when they attend Council meetings don't necessarily respect the rules in the sense that they might take that, go personally after individuals as opposed to the issues. There are a lot of things that are just wrong and in that sense other people have to make concessions as well. We can work together. We can build a great community. Sure, I've said it time and again, it'll never be what it was. We'll never have Addressograph again. We'll never have TRW again. But it's the 21st century. We can have much more better things commiserate to what is presently workable in this society. What can be successful for our town. So on that note, what I just want everyone to do is to go to the polls. It's going to be a couple hours now because the way these things go any more, but just to really think about the future of the City. Think about the relationship you have with your neighbor and just think about your responsibility as an American citizen. And just to make the City what it was and what it can be again. So please vote.

Mayor Cervenik – Before we adjourn, a comment was made tonight that a general fear awoken a sleeping giant. I think a sleeping giant has been awakened but I do not fear that giant. I welcome that giant. Regardless, everyone knows my opinion on this subject and how I hope the vote comes out tomorrow. But regardless, I'm giving you my word this evening that whatever it takes I'm going to find a way to harness the energy that I've seen in this Council Chambers and I'm going to harness that energy for us all to work together. If I need to meet with every single person that has ever come up here and spoke against this project or anyone who has ever shown anger, anybody who just wasn't informed the way they should have. I've told you my office is open. My telephone, I answer my phone if my secretary is at lunch. I'm not criticizing my secretary. She does get a lunch. We need to stop this. I commit to you and I need your help. I need all my Council people help, my Administration and I are going to work with you and work with

the residents to, to move forward. We hear criticism about Euclid's never going to have this; never going to have that. What did we do last meeting? We brought in, we kept a very large business here who's going to add \$2 million payroll on. We brought another business in that's going to grow. Don't sit here and stand at these meetings and go to that microphone and say we're never going to have that again. We are going to have it again because that's my goal. That's your goal. That's your goal.

So you've got my pledge that regardless what has happened in the past and what could happen in the future, we're going to work together or I'm a failure and I don't like to fail. So I need your help. It's not going to be easy but we're going to get it done because I've got a good team in place around me here and you're a good team as well. And the best team of all is the residents. So you've got my word; you've got my pledge and you've got my request for your help. Thank you.

ADJOURNMENT

Councilwoman Hufnagle moved for adjournment; seconded by Councilman Sustarsic.
Yeas: Unanimous.

Attest:

Clerk of Council

President of Council