

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Humane Officer's Report of October, 2004; Fire Report of September, 2004; Finance Committee Minutes of October 25, 2004, October 26, 2004 and October 27, 2004; Board of Control Minutes of October 25, 2004 and November 1, 2004. Councilwoman Hufnagle seconded. Yeas: Unanimous.

Councilman Delaney moved to waive the 24 hour notice and place on the Agenda Resolution No. (242-04). Yeas: Unanimous.

COMMITTEE OF THE WHOLE

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

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

LEGISLATION

Ord. 200-2004 (203-04) Rezoning 881 E. 222

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)

Councilwoman Hufnagle moved for passage, Councilman Langman seconded.

Commissioner Torowski – Confirmation of Council is requested from Mr. Gregory Miller on behalf of the Open Door Maternity Home to rezone the property located at 881 E. 222 Street from a U-1 single family to a U-4 retail facilities district. Currently a 3200 sq. ft., 5 bedroom home occupies the property.

The proposed business to be located on the property is ValPak of Cleveland, owned by Mr. Frank Zbiegien. ValPak is a national franchise with offices in the United States and Canada. Location would only be used as a sales office. It currently has 11 employees and are looking to expand to approximately 16. The number of employees working at the location on a regular basis would be 4-5. The majority of ValPak employees work from their homes.

Mr. Zbiegien has been looking for a location for two years. The City of Euclid has been assisting him in finding a suitable location for several months. This particular location will fulfill ValPak's needs. This matter went before the Planning & Zoning Commission and is approved to Council on September 21st. If Council has any questions for Planning & Zoning, or Mr. Zbiegien who is in the audience.

President Sustarsic – Any comments or questions on the property?

Councilman Langman – Mr. Torowski, what changes are proposed for the property to accommodate parking or any interior changes?

Commissioner Torowski – We have discussed with Mr. Zbiegien the requirements for parking. He is currently working out a deal with St. Christine to help with the parking issue. If need be, he doesn't want to destroy the park-like lot adjacent to that, it is right on the corner in back of 222. If he needs additional parking there, he is willing to alter the property to accommodate that.

President Sustarsic – Any other questions or comments? Seeing none, at this time we'll go out into the audience if there's anyone that has any questions or comments regarding this change, please feel free to step up to the microphone. Seeing none.

Councilman Delaney moved to close debate, Councilman T. Sustarsic seconded.

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

Passed.

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)

Public Hearing December 20, 2004.

Ord. 201-2004 (240-04) CT - Zoning

An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into an extended contract with CT Consultants, Inc. (CT), 35000 Kaiser Court, Willoughby, Ohio 44094, for Zoning Commissioner consulting services for the period of December 1, 2004 through December 31, 2005. (Sponsored by Mayor Cervenik)

Councilman Delaney moved for passage, Councilman Langman seconded.

Director Pietravoia – As we discussed at our budget hearing recently, we are trying to get all the contracts that we currently have in place on the same calendar. This would extend our contract for the services Mr. Torowski is providing through CT Consultants as Zoning Commissioner through the end of the calendar year for 2005.

The services provided are fairly self-explanatory but I'll discuss them briefly. As the Zoning Commissioner, Andy is responsible through CT for our commercial use review, signage review, land use review and general enforcement of the applicable zoning requirements in our zoning code. As is evident through our Council meetings, he also will be responsible to attend not only City Council but Planning & Zoning meetings on zoning matters.

Andy as an individual has been with CT for 7 years and he's a graduate architect. We've found through the interim period since June, that he has done a fine job for the city in this capacity. We'd like to continue with the training that has already been in place, continue this contract through the end of 05.

As is shown in the ordinance, there are two rates that would be charged. One is \$70 per hour for the residential code reviews and \$62 per hour for any other zoning related reviews or services. This would be a 13 month period through the end of 05. We estimate the total cost under this contract, as we explained in our budget hearings would be about \$14,800. We've rounded it in our budget to \$15,000. We included \$15,000 in our 05 budget. We have also built, not in this contract but in the Building Official contract with CT additional hours to do more pro-active commercial inspections, exterior commercial inspections, which is one area with our cutbacks that we haven't been able to do as much of as we'd like. In 05 with the approval of this contract, as well as the one already in place with the Building Official, we will have additional time and hours to do some of those pro-active exterior inspections on commercial properties.

Any other questions, I'd be happy to respond.

Councilwoman Mancuso – When we have a consultant actually doing our zoning, looking at commercial zoning. If we would get into another situation where we have a zoning issue that comes before the city and someone is going to litigate, what is their responsibility to us as our consultant? Are they part of that litigation? Or does it just belong to the city?

Director Pietravoia – It would be my opinion that they would initially offer their opinion on the particular matter which may lead to, as you suggested, litigation. Beyond that point, we would need to clearly involve the Law Dept. I'm not sure if you're asking if they would have a financial obligation?

Councilwoman Mancuso – Would they have a legal obligation to us as the city as our consultant? Or would we just, we're only paying for certain services and that's it.

Director Frey – They would certainly serve if we asked them to do so as a representative, either a fact witness or an opinion witness if we chose to use them in that manner in a suit. They would not obviously be able to represent or participate for some other interest because they are under contract to the city.

Councilwoman Mancuso – Today, when we look at zoning for commercial or residential, are you working closely together now as we update some of the things?

Director Frey – When P&Z agenda comes out, typically the Director in the Economic Development area, will hold a meeting with other members of the city administration to go over

the matters that are on that agenda to be sure they have a consistent, workable plan for those pieces.

Councilman Langman – Director Pietravoia, are the hours that Mr. Torowski spends at Council, Planning & Zoning, inclusive of the rates that are in the ordinance?

Director Pietravoia – Yes, anything other than the plan reviews would be the rate that would be charged, the \$62 per hour.

Councilman Langman – I think I've asked this question before, but do we have any data as to the increase efficiency by using an outside consultant instead of doing it in house? Do we have any data on that?

Director Pietravoia – I have not compiled any specific numbers, Councilman Langman. What we have found is that with the back-up of other staff at CT, that Andy is able to draw upon, we're able to turn things around much quicker, particularly when it relates to plan review. The zoning services are a little bit different category. We weren't really having the kinds of issues with the zoning reviews that we were with the plan reviews.

Councilman Langman – To be specific, how much quicker?

Director Pietravoia – With regard to the plan reviews, as I described at our budget hearings in general, we've gone from taking about a two week period on simple things like decks and fences down to a 2-3 day period for turn-around on permits. On major projects, we try to get the permit issued within a 10 working day period. So if you're doing a major addition on a building, or a whole new construction, we try to get those into CT, reviewed and approved within about a 10 working day period for permits.

President Pro-Tem Holzheimer Gail – I believe you work fairly set hours. In terms of the enforcement issue, if there are some complaints regarding a commercial property, is there a flexibility to your time schedule that you could perhaps take care of the enforcement issues outside of your regularly scheduled hours?

Director Pietravoia – What we have already done, we made Andy available both through his phone here at City Hall, his phone at CT, by e-mail and he has on occasion come in when we requested because of an enforcement issue or another matter. For example, tomorrow he wouldn't normally be here but we've asked him to join us at the pre-meeting to discuss the planning & zoning matters that are on the agenda tomorrow night. So there is some flexibility.

President Pro-Tem Holzheimer Gail – That was the only piece that I think was suffering with the contract. A specific issue that was worked out eventually, but I think there's a time delay when specific enforcement issues need to be taken care of. I know that Andy has taken care of those in the past for me. I just want to make sure there is that flexibility.

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

Councilwoman Hufnagle moved to suspend the rules, Councilman Langman seconded. Yeas: Unanimous.

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

Ord. 202-2004 (235-04) Dangerous Dogs

An emergency ordinance amending Section 505.37 of the General Offenses Code of the Codified Ordinances of the City of Euclid as outlined below. (Sponsored by Councilman Gruber by request of Police Chief)

Councilman Daly moved for passage, Councilman Delaney seconded.

Director Frey- The Ohio Supreme Court issued a decision earlier this year, State vs. Cowan that indicated that municipality or government agency could not arbitrarily declare animals to be dangerous animals without giving the animal owner some opportunity for administrative review. We have reprinted the entire 505.37 Dangerous and Potentially Dangerous Dogs section for your

reading pleasure. You'll note that we've added Section D, that indicates Right of Appeal. To comport with the decision of the Ohio Supreme Court in Cowan, the Chief of Police or his designee would be the appellate review process for a determination by an animal control officer that an animal was potentially dangerous. It gives the pet owner, the dog owner, the opportunity for administrative hearing before the Chief or the individual the Chief would so designate. Following that we've amended the following section letters for designation purposes only. I'd be happy to attempt to answer questions.

Councilman Langman – Is this the fix most communities are taking, as far as language goes to address the Supreme Court decision?

Director Frey – Because we were attempting to respond fairly quickly to the decision so as to not get caught short, we wrote this based on typical administrative review sections, adapted for this section. So, there is not a model ordinance for instance if we would have drafted off of it, but generally from administrative review processes.

Councilman Langman – Do you feel confident the way its drafted would protect the owner's rights versus the duties of the administration to enforce the law?

Director Frey- I'm certain that in the event the Animal Control Officer were to determine a dog was potentially dangerous and the owner of that animal appealed that decision to the Chief or the Chief designee for hearing and got the same result, that person is probably not going to be happy if they disagreed in the first place. But, as we know in other administrative areas, an individual if they feel that process has been arbitrary or capricious has a remedy to Common Pleas Court. I would hope that would not occur in a situation such as this, but I understand often times the emotion involved with animal ownership. So, this is our best effort. If are experience tells us we need to amend it, then we'll be back here with an amendment.

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

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

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

Passed.

Res. 203-2004 (237-04) Millage

A Resolution adopting the rate of each tax necessary to be levied both inside and outside the ten-mil limitation, as certified by the Cuyahoga County Budget Commission. (Sponsor Mayor Cervenik and entire Council)

Councilman Daly moved for passage, Councilwoman Hufnagle seconded.

Director Johnson – This is a rather routine piece of legislation. Its placed in front of council at this time of the year, every year. This piece of legislation is exactly the same as the legislation that was adopted last year and probably 15 years previous. There are no changes in the amounts that we are presented for you to levy for 2005. I'll be glad to answer any questions.

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

Passed.

Ord. (239-04) Group Health Care Consultants

An emergency ordinance authorizing the Director of Finance of the City of Euclid to renew the contract with Group Health Care Consultants, 1616 East Wooster, Box 20, Bowling Green, Ohio 43402, in an amount not to exceed \$22,800.00 for 2005 and 24,000.00 for 2006, to provide health care cost reduction services to the City in conjunction with the City's health care self-insurance program for eligible employees for a two (2) year period, commencing January 1, 2005 and expiring December 31, 2006. (Sponsored by Council President Sustarsic by request of Finance Director)

Councilwoman Hufnagle moved for passage, Councilwoman Mancuso seconded.

Director Johnson – By way of explanation, Mr. Szana serves the city, serves us as a consultant for health care services. He has provided those services since 1993. His rates have been very modest. We have expect for one year since 1993 used Mr. Szana for these services. The one year we did use another health care consultant, the reports, the services, were not sufficient, were not adequate and we tend to renew the contract with him the following year.

I know that there were some questions in terms of why we did not bid this service. This is a professional service, we view it as a professional service, just as we would selecting outside counsel in the Law Department, or selecting engineering services in the Service Dept. Or, selecting professional accounting services in the Finance Dept. This particular service, we feel should not be subject to bid. Revised Code does allow for Council to approve and exemption to bidding if the service that we are seeking comes from an individual that provides a skill of a peculiar and unusual nature. We feel that Mr. Szana's services fall under that description and we're asking for the approval of the renewal of this contract for two more years.

\$24,000 for this contract, I think we should be clear, is not going to directly or indirectly affect the \$4.4 million that we spend for health care. Mr. Szana does recommend cost saving measures for us to take for us to reduce our health care. But a lot of those cost saving measures are things that we are going to have to try to look at in terms of reducing expenditures, implementing or negotiating those in the collective bargaining process.

I think its clear, number one, that we've been self-insured now for at least 15 years. Being self-insured versus being premium based for our health care is less expensive. We've proved that over the last 15 years. The only other major way that we can talk about affecting reduced health care cost is by A, increasing employee participation in those costs. Or, changing the plan. Changing the plan does require collective bargaining agreement in order to do those.

If there are any questions, I'll be glad to answer them.

Councilman Langman – Director Johnson we talked about health care and various guises for over a year and a half. I don't think there would be any harm to actually bid out these services, quite frankly. If in fact, Mr. Szana is the best, let him earn that right. But there are firms out there that are willing to step in and do the consulting services at probably a competitive price. I believe that we should go out and see in fact this firm or another firm can best serve the interests of this city. Again, we've talked about this with Ms. Evangelista probably closer to two years. It is always the same thing, we can't change, we don't want to change, we're stuck with this group. I don't think that's sufficient in this case, given our budget situation and given quite frankly the fact that we've used them for a very long time, sometimes it is best to bring in fresh ideas. If we bid out the process and we could find somebody that was better, I think that would be in the best interest of the community.

Mayor Cervenik – The statement was just made by the Councilman that Mr. Szana should earn that right. It is my opinion that Mr. Szana and his company have earned that right. My one year as Mayor and prior to that as Council President and Chairman of the Finance Committee Meeting, he's always been very forthright and very upfront in making changes to our health plan. That will save us money. It is no coincidence that for the most part while many private and public sector cities and companies are experiencing double-digit increases in cost per employee, ours are almost always single digit and its not just because of less employees, that's cost per employee.

One of the things Group Health Care has designed us was the prisoner medical bills. It is a program where we charge our prisoner's cost, which other cities have followed directly from Mr. Szana's recommendations. Its not true that we can't change, that we won't change and don't want to change. I have met with a number of individuals and companies, in particular, I believe Mr. Carl Biats. I believe at one time you all but demanded that we hire Mr. Biats. I believe you worked with Mr. Biats at one time in some capacity?

Councilman Langman – First of all, Mr. Chairman, I'm not on trial on here.

Mayor Cervenik – Well you said we haven't talked to anyone. We have met with Carl Biats, he's the Mayor of a town in Ashtabula. I met with him for quite awhile. He was one of the first ones to tell me that if you're comfortable with the person and he's doing what you're expecting, when we talk back and forth about some of the items that he's suggested, Mr. Biats said you are probably being very well represented in your term. I just think the statement can't be made that we're not looking at other people. I talked with Umberto Fideli, a company United Agencies and

others. We are being very well served. The administration has to feel comfortable and confident in the ability of the professionals that we need to work with and that's why those professional contracts are not required to be bid out. Nobody can say that this company has not done a tremendous job for us and will not in the future. They've been a very instrumental part in the proposals we're doing to increase over the next 4 years. The contribution that the employees are going to pay. He was very instrumental in having us increase the co-pays on the drugs and I would ask this Council to allow us to continue to employ this firm because they have done a very good job for us.

Councilwoman Mancuso – What year did we not use him? I thought we used him straight through. Do you know when we didn't use him? And, who we used during that time frame?

Director Johnson – This was in 1999. In 1997 we on our own decided to try to look at someone else. We re-hired him in February 1999 to December 1999 because after a one year hiatus of trying another individual who promised us that he was going to provide the same level of service for a competitive rate. Our experience was number one, we did not get the service and number two we did not get the level of reporting. Mr. Szana maintains and tracks all of our claims experience in all of our areas, major medical, prescription coverage, vision coverage, all of those areas. He tracks our claims experience and makes recommendations on a continual basis as to how we can reduce our costs and reduce our expenditures or contain our cost. A lot of the changes, I hate to sound repetitive, but a lot of the changes that we can implement have to be collectively bargained. I've said that over and over. I hate to sound like a broken record.

Councilwoman Mancuso – They year we were off, who did we go with?

Director Johnson – I can't remember the gentleman's name but I don't want to mention it publicly anyway.

Councilwoman Mancuso – I also agree that being self-insured is probably much more cost effective than premium based. It is a component, it is not the whole story. The \$22,800 that we're to pay him in 2005, what did we pay in 2004, this year? Was that under self-insurance?

Director Johnson – I believe \$21,600.

Councilwoman Mancuso – I couldn't pull that number out anywhere. It must be part of something else, 2004. It is under our self-insurance plan, correct?

Director Johnson – When we hired him in 1993, his retainer was \$1500 per month. It went to \$1600 per month in 1996. \$1700 per month in 2000. For 2003, \$1700 per month. 2004, \$1800 per month. I think the increases over the years have been very modest.

Councilwoman Mancuso – Do we know what he basis that on? What does he give to the administration on what his increases are for?

Director Johnson – I believe its on the level of service. We've become, particularly since we've collapsed the Human Resources division, he's assumed a lot of the responsibility, not a lot of the responsibility, but he's provided a safety net to us to make sure that we aren't missing a lot of the things that used to be done by our Human Resources division. Particularly as it relates to enrollments or being sure that people are taken off of coverage when they've separated from service with the city. Those kinds of things, making sure the claims are valid.

Councilwoman Mancuso – I would ask, I understand that the administration feels very comfortable with this gentleman. I have not had the experience with this gentleman as you have. I will say, I would ask that we put this into committee and call a meeting immediately. I have for over a year been asking to meet with this consultant to actually convince me that he's doing a great job. Maybe he is from some of the things I've heard. But I do not believe that those of us who are sitting on Council are knowledgeable enough to just say this is a great guy, let's keep going with him. It is not unusual for consultants to be around for 10 years. However, I don't think we have the knowledge base and just say, this is a good guy, he's doing great for us. I don't know exactly what he has done. As a council person, my responsibility is to not just say, he's a good guy, I trust his expertise, he's a consultant because we have colleagues who are sitting in Eastlake and East Cleveland under fiscal emergency, who I'm sure have said the same

thing. I would propose that we put this into Committee, call a meeting, have council come sit with our consultant, with Roseanne, go over what it is that he has done for us, explain to us what this is, how he's willing to help us, what he has done for us already and how is he going to help us move forward. We do need to move forward and quite frankly, I don't know what those objectives are. I have gotten data I requested. I got pieces and parts. But I can't say anybody has put this all together.

Director Johnson – That's a reasonable request and if the majority of Council does agree, we can put it in Committee. I personally don't feel that's necessary. I'm not recommending him because I think he's a great guy. I'm recommending his service because he provides the level of service that we expect and the level of reporting.

Councilwoman Mancuso – Excuse me, that was wrong terminology. Good professional, does what he needs to do. Sorry about that.

Director Johnson – I think that his cost is very cost-effective. His services are very cost-effective. But if a majority of Council wants to, we'd be glad to have a committee meeting. We've tried to provide all the information that you've requested and I believe Mrs. Evangelista has on a couple of occasions tried to schedule a one-on-one meeting with you, but the schedules did not permit that. I for the last year, we have tried to schedule and we'd be glad to do that.

Councilwoman Holzheimer Gail – I had the opportunity today to talk to Roseanne a little bit, to find out more detail about what they are actually doing. I was frankly impressed with the number of different things they were doing. I think it would probably benefit Council to have a discussion with them and find out, especially if there are some concerns. We talked about the continuity of a contract, especially as we're looking to change the co-pay levels and we're negotiating contracts, but it is important for somebody to know our benefits. I think there's certainly some merits to the continuity of the consultant, if there's questions, I'd be happy to have a committee meeting on it as well. Roseanne did indicate that the year we went with a different provider, yes it was cheaper but we got a lower level of service. There's a number of things that we could look at and I asked specific questions about what some of the cost savings suggestions that they brought forward were and she shared those with me. What we sometimes forget is we are the ones that change the benefit level. I understand he's brought forward many suggestions of how we could change, or look at cost saving measures, but because they are bargained and the City has made the choice of not to make those changes, whether it was because of the bargaining or because we want to keep the level of benefits where they were. So it's the city's decision in many cases to change the benefit level. I just wanted to share that. If it would be helpful, I'd be happy to send it to committee.

Mayor Cervenik – The administration has no objection to having this go to committee if that's the council's desire. I would only ask that we set up a meeting in short order, within the next couple weeks.

Councilwoman Hufnagle – That was kind of my question along the time frame lines. I know that Councilman Tony Sustarsic and I had the opportunity to spend some time with Roseanne, Mrs. Evangelista, a couple of weeks ago to go over some of these points. I think I'm comfortable with it, but do we have, I'm a little uncomfortable with it being the end of the year. Do we have a time frame in which we can get this done? Do we have some time?

Director Johnson – His contract expires in December, but Glen is not tied to that contract. If the contract is not renewed before December, if his contract is not renewed at its expiration point, it doesn't mean that his is going to withdraw service. He's never done that before and I'm sure he would not do that.

Councilman Delaney – Mayor, you eluded that the administration continually checks in with other health care agencies. Would it serve us better to have some of them come in as well? Much like we did a couple of years ago with the engineering services. We had, I believe, 5 made a pitch for the service. What happened is that, not only did it demonstrate to the community and the Council as a whole, all the things these consultants do, but after Chagrin Valley had left us, I thought that CT was very much in the running with them as well and we were able to turn right around and get CT and I thought with very little questions because they had been here so recently. I don't see how that could hurt since that's the primary line of this questioning is to see

what else is out there. It would help to hold it up and I'm sure this person being the best, would probably rise above it all too.

Mayor Cervenik – It's Council's meeting, it's council's prerogative, you can invite anybody you'd like. Strictly up to you. You run the show here. We've told you who we feel needs to stay on, who is beneficial to the cost reductions in our program. If you feel you want other companies to come in, that's your meeting.

Councilman Delaney – If we could find two others and maybe limit their discussion time to try to do it in a timely fashion and try and ...

Mayor Cervenik – Councilman Delaney

President Sustarsic – First of all, if I may interject, it has pretty much been agreed, I imagine that it would go into committee?

Councilwoman Mancuso moved to send Ord. (239-04) to Finance Committee. Councilman T. Sustarsic seconded.

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

Into Committee.

Councilman Langman – Just to clarify the Mayor's erroneous statements, I do not work with Mr. Biats from Morning Star, nor did I demand that he be hired. It simply made sense to look at other firms and if Mr. Szana turns out to be the best, so be it. Options are always a good thing, especially when we're dealing with the taxpayers' money. In fact Mayor, you may recall, I arranged the meeting with Mr. Biats for your benefit. Thank you.

Mayor Cervenik – I wholeheartedly agree.

Res. 204-2004 (242-04) Oppose Gas Rate

A resolution opposing the rate hike request by Dominion East Ohio Gas Company and Columbia Gas of Ohio, Inc. (Sponsored by Mayor Cervenik and all members of Council)

Councilman Sustarsic moved for passage, Councilman Langman seconded.

President Sustarsic – This was brought up at the last minute, but at the same time, it sends up a red flag to everybody that Dominion East Ohio Gas and Columbia Gas company have approached the Public Utilities Commission to raise our rates for natural gas by over 21% possibly. What that could possibly mean is an increase for a single family home this winter, by approximately \$45 as to what their normal bill would be for last year. It would depend upon the weather of course, that will play greatly into it. I thought it important enough that we send a message to them saying that we oppose this. For the betterment of the citizens of Ohio we do endorse not increasing the rates.

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

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

Passed.

CEREMONIAL RESOLUTIONS

Res. 198-2004 Bikes for Kids

A resolution of intent declaring **December 6, 2004** as "**Rick Case Bikes For Kids Day**" in the City of Euclid. (Sponsored by Mayor Cervenik and Entire Council)

Res. 199-2004 Mrs. Gruber

A resolution recognition of **Jennifer Gruber** for the kindness and compassion she showed to Bella, an injured dog in desperate need of help. (Sponsored by Mayor Cervenik and the Entire Council)

Councilwoman Mancuso moved for passage, Councilman Langman seconded. Yeas: Unanimous.

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

Passed.

COMMITTEE OF THE WHOLE

President Sustarsic – Before we go into the Committee of the Whole this evening, I must say that last meeting disturbed me to the point that the behavior shown will never again be tolerated in this Chamber. You wonder how many times an ordinance on behavior has to be read by me, the Mayor, members of Council, but yet its ignored. Since last meeting I've been approached by many saying they are tired of hearing a resident complain about the downspout that she's encountered and problems that she has had because of it.

I just want to say that I defend her right to the freedom of speech and that every council meeting for the rest of her life, she'll have the opportunity to express that right. What I don't defend is disrespect and demeaning behavior in this Council Chamber. Perhaps words weren't clear enough to all, but it appears that Mr. Corbran and Mr. Conway understand. They don't demand apologies, they don't set out to embarrass council members, Mayor, employees of the administration. They don't say that they are embarrassed or sickened by the Mayor or Council. They don't accuse members of this body of "lining their pockets" when we all know that is unjustified. They don't shout from the audience when they disagree with what is said or how a vote goes. They get it and should be looked upon as examples of the proper way to conduct oneself at a meeting. We can agree to disagree.

If anyone has any attempt on addressing this body tonight, or any night in the future, in a demeaning manner, or anything other than issues for the good of the City, I won't allow it. You might not like it, but I am the duly elected Council President. This is a Council Meeting and we invite the Mayor and his Administration, as well as the public to participate. You will abide by the rules of Council or be ruled Out of Order and asked to leave. This is not up for debate or discussion.

Many things that are going on as of late are best saved for candidate debates during an election. Past voting records of perceived accomplishments or failures of an elected official, are not issues to be argued in Council Chambers. We are the largest suburb on the east-side of Cleveland. Many adjacent communities look to us for leadership on various issues. The decisiveness shown by our meetings retard our attempts at progress and tarnishes the image of a long-standing reputation for a partnership of good government and responsible citizens.

In summary, while it's your right as a citizen to participate in the governmental process, it is also the rest of the public's right to be treated in a respectful manner. That being said, anyone with comments for the good of the city, please step up to the podium.

Councilman Delaney moved to go into the Committee of the Whole. Councilwoman Mancuso seconded. Yeas: Unanimous.

Mr. Ron Emser – 26501 Farringdon Ave. Should come before you as a breath of fresh air this evening. Primarily, what I'm here to address, I want to commend a couple of citizens in our community, Fran & Steve from Mamma Catena's. They had taken it upon themselves to initiate a Hunger Center fund raiser. What they did is collected together 8 local businesses and if I could just quickly go through this. Of course it's Mamma Catena's, I believe Beach Club Bistro; Coppertop Ale Haus; Erie Waters Bar & Grill; Euclid Meat & Sausage; Lake Shore Coffee House; Marche N Haab Beauty Salon; Waterfront Café. They'll be selling these little paper candles when a denomination of \$1 and \$5 and they'll be hung up in the particular establishments. As everybody would typically like to see their client list grow and grow that has a business, unfortunately for the Euclid Hunger Center, we're seeing our client list grow significantly.

Because of people like Fran & Steve at Mamma Catena's we really, really appreciate it. It is not so much a Hunger Center activity, we're just applauding them for having done it. We truly appreciate their efforts. Thanks.

Mr. William Hilf – 891 E. 237 St. First to address the Council President's comments before opening up the microphone, two things. First, the Administration is I believe by Charter has to attend these meetings. Secondly, that while I'll agree that some of the things that have been said and done on this side of the microphone have been inappropriate at times.

I think that respect is a two-way street and it needs to be felt both from this side of the podium and from this side. I think if that happens, we'll see less of what has been complained about at this podium and the behavior that is in question.

But, the real reason I am here tonight is to tell a little story. I guess you can call me Ishmael because my story, I'm going to relate to Moby Dick and its about Mayor Cervenik and the Great White Whale that we have here in Euclid, the Shore Cultural Centre. Once again its that time of year and its time to go after the Cultural Centre and find ways to make our lives just a little bit more difficult there.

President Sustarsic – Mr. Hilf, please, it was mentioned before that ...

Mr. Hilf – We just got a notice about a rent, fine, I'll keep it to the issues about Shore.

President Sustarsic – Stick to the issues. Only issues, soft on the names.

Mr. Hilf – I was being soft. If you got my true feelings, I'd been thrown out of here before the meeting started. Since the Mayor has held a position of power in the City, both when he was on Council and as Mayor, there have been proposals to eliminate Shore Cultural Centre as a city building. Fact. There were more than one proposal to have it torn down and have a Tops built there or to be given to a developer to have it torn down.

There was a proposal in 2001 to sell it to a management company with the city giving most of the financing. That also was pulled. Now, the latest thing that we have are plans that nobody out here has seen, to sell the building to a developer that nobody knows out here who it is, to turn it into condos. Once again these plans, these developers are not being made public to us. At the same time this is happening that we as tenants are having to listen to the fact that 2/3 of our building is going to be taken from us. And those that are lucky will be left in the 1/3 that is being kept with the auditorium, we're being told that our rent is going to be increased by 50%. That is the note that was slipped under our doors in the last two weeks.

This is a yearly threat. About this time every year it comes out that a massive percentage increase is going to happen. What this does, even though it doesn't always actually occur is makes the tenants sweat because most of them are trying to work on what they do as tenants, whether it be a theater company, an arts studio, a day care or the 8 churches that we have at Shore Cultural Centre. Now the other thing that we're hearing is our leases are now month-to-month. We don't get 6 months, we don't get a year anymore, we're month-to-month. What I see with this is, is that these plans and rent increases work together. Because the rent increases, if they happen, will force people most likely to move out of the building because they won't be able to afford the building any more, or they'll spend so much time and energy to fight this, that they won't actually be able to work for the causes that they work for. So you'll see a lessening of tenants in the building. This will make it easier for whoever this unnamed developer is with their unknown plans to turn it into condos to then not having to remove as many tenants from the building, we won't have to relocate them.

The question I have is there's been so many ardent defenders up here of the rights of churches to move into this city and we've got 8 at Shore. I'd like to know is the City going to find homes for them once we move them out of Shore because I don't think all 8 can fit into the small amount of rooms that can remain in the one-third. Especially I'm assuming we'd be letting our Hunger Center stay there as well. As we all know, we don't have any land currently zoned in the city for churches.

The other thing that scares me about this is so far I don't think we have seen an ability to have any major land developments happen, the administration or the legislation in the city, to happen smoothly. I haven't seen anything major go well. As someone who uses that building quite a bit, that scares me.

I was going to close with something comparing it to the story I said before, but I won't because that would be out of order. But I'm going to say this about that behavior. When I see Council and Administration at times not paying attention to people speaking up here, and I'm not saying its happening to me right now, but its happened to me in the past. When I've had administration members make comments to me out in the lobby. I'm going to start calling on it. I've kept that quiet but if that's what it is going to be, administration and council's behavior is going to be called out, just like you keep calling out the public's. Thank you.

Director Will – Mr. Hilf, I'd just like to comment on a few items. I am the one that is going to be presenting to Council on December 6th meeting with the increases. I did propose during the budget hearings that I would be making the increases at 50% to try to make up approximately

\$75,000 of the loss at Shore Cultural Centre. Each day I have been trying to work on their budget to make sure I have exact figures that I will be having in front of me.

I did immediately go to the Shore Cultural Centre Corporation Non-Profit Board and explained to them that I needed to make this increase to try again to help the General Fund. I asked them for their help. I asked them to maybe voluntarily give some money to the City out of the Corporation's budget. I did at that point send a letter to the tenants. The Board also informed me that they wanted to have a meeting and meet with the tenants. We are meeting on Wednesday night to discuss the issue of the rate increases.

Again, my proposal was at 50%. I'm more than willing to listen to any of the corporation members or any of the tenants that are over there, for any suggestions that they may have. Yes, I did make the proposal that it would be at 50%. It has been many years since there has been a drastic increase for the tenants there. The last 5 years, the increase has been at 5% for the non-profits and an 8% for the for profits. I look forward to working with the Board and the Members and the tenants on Wednesday night.

I would also like to comment about the 8 churches. I know we currently have, the permanent tenants that there are 4 churches that are there on a permanent basis. Some of the other churches that are there rent out space on a given evening for a service. There are 4 permanent tenant churches that we have and as of 2005, my understanding is that there will only be three permanent tenants that are churches.

The other comment, as far as a developer coming in, I know there's been discussion for the 10 years that I have been overseeing Shore Cultural Centre that something was going to happen to the building. The one item that Mayor Cervenik promised to do was to keep the non-profit board involved in anything that would be coming up. We did meet with them. They have given us a concept. Instead of bringing it to the public or to Council, it was brought to the Shore Corporation Board this past weekend. The reason that was there is we wanted to work with the Board to give their ideas and suggestions before we move forward with any huge proposal. Again I just wanted to make sure that everybody was aware of that.

Ms. Jan Gayda – 421 E. 257 St. It is my turn to talk about Euclid Petpals. First I would just like to thank all of our volunteers that come on a regular basis and help us and all the ones that come on other times just to do little special things here and again. We really appreciate it and all the help they've given us.

I'd also like to thank a company called Flight Options which is in Richmond Heights. They are out of the Richmond Heights Airport. They called me a couple of months ago, said they do monthly fund raisers for local charities and they picked Petpals for September. What they do is a bagel sale, or bake sale or any kind of little things that they do every week. Last week I got a check in the mail for \$450. I really appreciate their efforts.

This past Saturday we had a membership drive at the Shelter. We got over 15 new members, we sold some raffle tickets and we had a lot of people come through to see our shelter once again and everybody is pleased so once again everybody here is invited to come visit us. We are still doing our scooter raffle, which is a 2-wheel Freedom Scooter. The Scooter is at the Animal Shelter if anybody wants to come and see it and take it for a little spin. The drawing will be at the end of the December 20th Council Meeting.

We are also selling the Our Town, All Around, and Entertainment type book. It is \$20. It has coupons, just buy one, get one free. It also has a nice feature because for single diners a lot of the coupons offer a 50% off one meal. We'll be having those at the shelter and through volunteers.

Here in December we'll be having pet photos with Santa. We haven't nailed down the dates yet, but it will be at the Animal Center of Euclid, which is where we had it last year, which is at East 242 & Lake Shore. Check our website, www.euclidpetpals.org and the info will be there just as soon as I can get the dates nailed down. Thank you.

Mr. Tod Guntner – 390 E. 257. I was asked by Fran and Steve to speak tonight on another Hunger Drive issue that Mamma Catena's is starting. They're starting their first annual food drive. They would like everybody to come together and help the Euclid Hunger Center throughout the Holiday Season. What they'd like you to do is when you go to Mamma Catena's to have dinner, to have lunch, raid your pantry first. Bring those dry goods to Mamma Catena's. You will receive 10% off your total bill. This runs from now through the Holiday Season. They asked me to let all the citizens know about this wonderful thing. They can save some money and help replenish the Hunger Center at the same time.

Have a couple of groups that I would like to thank. First of all I would like to thank Tiger Scout Pack 561. They came to tour the Animal Shelter a couple of weeks ago. We just

happened to have 6 Australian Shepard mix puppies that were only 8 weeks old, so they spent about 45 minutes socializing these animals. They had a great time and we do appreciate their efforts. I would also like to thank all the children in Mrs. Jensen's computer class at Thomas Jefferson School. Last week they brought us over a dozen different items. From cat litter, to food, to paper towels, to toys, that they children had collected. They are coming back this Friday with some more items they've collected and a cash donation. I would like to personally thank all those children and Mrs. Jensen for their donations and their efforts. Thank you.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. Lower Lake Shore Drive still has a ring to it, doesn't it? For the good of the city and the citizens. I was at that meeting Kathy referred to. I'm on the Shore Board. I know that building just about as well as anybody. Unfortunately we were given a set of facts there. A lot of the facts, I talked to you about them, and I'll tell you tonight what I meant.

They didn't a lot of times come back to the building to check their facts, they just called and their facts are wrong. Right from the first page I started writing. These are our experts, Bill. These experts had a program but they gave us nothing on paper. That's one of Bill's favorite terms, it's not on paper.

President Sustarsic – Mr. Berzinskas, please address him as the Mayor.

Mr. Berzinskas – Fine, well we didn't get anything on paper. We had to write down everything and we were the Board that was supposed to look this over. That I do find out of order. You give us a proposal, nothing written, the graphics on it, I didn't think the 50's were back in. Wow when they showed us a sitting of what the living room looked like.

Gentlemen, your experts totally neglected three floors of Shore, counting the basement each wing. The first wing, the west-wing that we get doesn't have a basement. So where did you get 16 rooms on the west wing? There's no basement there. What are they calling? Their facts and figures are wrong. I'm afraid this is another sham act just to get Shore. I know people that used to own Geauga Lake, they are friends of the family. The morning when they sold Geauga Lake the Funtime, that afternoon, they sold the other half of the lake to Sea World. This is what's going to happen here. Its just another reason for the nail of the coffin of the people of Euclid so they can't have a recreation area. They get together for schooling, they get together to have their children have a place to learn. You're trying to get rid of everything for the citizens. You got pools that are used how many hours a year. I don't hear anything about them being changed or being increased to a fact of 50%. Or an arena that's not even open 12 months a year. Gas bill last year for that in January was higher than all of Shore. Where are the burners that I asked to be put on the boilers? Never looked at that subject. Burners can make a change in the gas bill at Shore.

You don't care to listen to the citizens of the city. It's high time the citizens from this day forward, anybody out there, if I've helped you, help me now. You have to find your voice and come up to this podium and talk. This is what it is. It's a public time to talk on the good of the city and not what has been going on in past administrations. We had a two year administration that brought to the table a senior center after 25 years of haggling. All I've heard other times were a 205 project. You were ready to vote on it in one night. You gave the guy a premium for the place that you knew you were going to tear down. You never sent an inspector there for the asbestos removal. It cost us \$300,000 for that. Your mistakes are our tax dollars, one way or another. I know that was the government that sent it, but you hurt them too. That's our tax dollars. When are you people going to learn to get your facts straight. We need Shore for the people. You don't put your Directors as a line item and then take a little bit off for this building, or a little bit off for that project. Your line item is your Directors, that's what you have. You don't piece-meal what they get paid for the different buildings. You take that off of Shore, you start coming back with the \$100,000 you blew on the Doi Dickinson Plan and other plans. When you can come up with that money, then maybe I'll give you some respect. But until that date, you can go fly.

Mr. Victor Goodman – 20201 Glen Russ Lane. Tonight, I come before you to stand behind you. To tell you something I know nothing about. Today being Monday the first Tuesday of the month, there will be a ladies meeting for gentlemen only. Admission is free so pay at the door. There are plenty of seats, grab one on the floor. Make any sense?

Well I'm going to try to stay within the rules. When I come here, it makes no sense. There is no level playing field. There has not been. That's what caused me to come here in January. If anybody will remember when I came here in January, I came here because I was

actually a Brian Meister. I was sitting at home watching TV when I heard a Mayor come out with 16 names. And I heard a Council President do nothing until all 16 names were out. I came here because I was enraged and I didn't know any of those 16 people.

Contradiction in terms is what I find here and I'm trying to remain calm, my wife told me I have to. Here it seems that rules are constantly created, altered, changed, or just disregarded. With all due respect, Mr. Council President, that was wonderful words that you spoke to begin with, but what you're in fact doing is denying me my right of speech, because you may not like it. According to the Constitution, ACLU defends Nazi's because and I don't like Nazi's but they have a right to speak their words. Until the Constitution changes, I'll come here and speak.

Let me give you an example of why I find it so confusing. On December 18th during this session, Rebecca Conway came up and simply asked, we saw the plans for the homes, there was no logo, there was no name, who is the builder? Immediately Mr. Council President, you told her this is not a discussion and this is not a debate. Three times she asked a question and then you finally found her out of order.

A few minutes later, a young gentleman walked here. He identified himself as a member of the 20/20 Vision Committee and he asked a question and unbelievable you did not admonish him from asking a question. Mr. Pietravoia answered his question quite politely and the gentleman was very satisfied. Why is this a committee that decides what is a proper question and what is not?

On November 1st, Mr. Mayor, you read a letter from Snavely, dated November 1st. Evidently that letter was not there on October 18th, which is why you didn't answer the question. You read an ordinance that said that the people have a right to ask a question. And yet, they're admonished by a Council President who decides that question is not appropriate or it's a debate. I never saw a debate better than what I saw here on November 1st, except that the people were not allowed to rebut.

All you had to do that night was to answer the question who was the builder, but you chose to remain silent. Silence leads people to believe there are things happening that they get nervous about. Then we deal with the word respect. Respect is as Mr. Wolf said, a two-way street. Having a title does not earn you respect. It's a given. You have to earn respect. It is not given. We can only look to the east and to the west of us immediately to two Mayors and I'm not calling you that, to see that one Mayor basically bankrupt his city and then decided to resign, while another Mayor is in prison. So shall we hold only respect because there's a title. Respect is a two-way street. I'm not picking on Mrs. Hufnagle, but I am saying, how can you walk out on a citizen. That shows the ultimate of disrespect. What would you think if the citizens got up when it was your turn to speak and walked out on you? You would find it appalling. I don't care, I'd rather see you help this lady, meet with her and talk with her, then to do what you did.

Last, I want to remind, probably not going to get it, 12,850 voted no. That's more people than voted in the entire mayoral election. If you ignore those voices, you will commit political suicide. Thank you.

Ms. Linda Flemming – I've lived in the city for 12 years before moving to Cleveland 3 years ago. I have been employed by the city of Euclid at the jail for almost 15 years, along with a lot of blood, sweat and tears. I'm proud to work for Euclid, it's a very respected police department. I really don't think the public has accurate knowledge of what a correction officer does. We are so often overlooked. I don't think a lot of people realize we house prisoners from all divisions of the federal government and other local police departments. We have had in our jail bank robbers, gang members from LA, murders, big time drug traffickers, rapists, child molesters, and the list goes on. It is important to keep these people confined and the residents safe.

Crime is on the rise and along with that is the drug use. A lot of people arrested have severe psychiatric problems. They don't take their prescribed medication for doctor. What they do, they take heroin, pcp, illegal drugs. For instance, one drop on a cigarette of pcp can give somebody a 4 hour high. They are extremely combative and have the strength of a bear. The next couple days after 3-4 officers have to restrain him, just one person, after he may come down 2-3 days later, he doesn't even remember what he did. Therefore he can go out and shoot a child and an elderly citizen, a police officer, and not remember what he did. Not to mention being spit on, assaulted, bitten, subjected to blood, urine and feces, hepatitis C, and all the other things that go along with it.

Where do you think all these people get their drugs? I have a good job, I can't afford them. Some of these people have \$200-\$400 a day habits and they admit that to us in booking. They steal. They steal from people. Steal, burglary, assault. We, the CO's have to take care of these people. The scary part is when they come off their drugs, as I said, they don't remember a thing. I don't scare easy, but that does scare me. When you have family and friends and

neighbors out on the street shopping you never know if someone high on crack is going to shoot them or carjack them for that matter.

There is not one CO at the jail that hasn't had to deal with these violent people. Closing down a block of the jail sends a message out to these people that there is a good chance they will get freed or get a slap on the wrist. That happens. You maybe the next victim. Chances are you'll want them booked and the key thrown away, but you don't know until that happens to you. All of you watch TV, you shake your heads, you say its terrible, its horrible. You turn the TV off, you go to bed, its forgotten. CO's and police officers live it 24/7. 24/7. The world is sick and its not getting any better.

I'm not a politician. I'm not a financial expert. I'm speaking as a layman. I'm sure there are plenty of alternatives and solutions to help the budget and not close down part of the jail. All of you are not in jeopardy of your job, I am. I speak for all my co-workers and I'm sure they agree with me with what I'm saying. Its not my fault the city wasn't frugal with their funds, yet I will be out of a job because of it. We did our job. When the city can't follow budget I feel any city like East Cleveland right now. We've had inmates come up to us and say I'm going to stay out of Euclid and start going to East Cleveland because they know there's two police officers on the road. They know that they're not going to get picked up because there is no manpower. The whole city is run amuck and I hate to see this happen to this city. Because of a deficit, I don't feel any city should lay off or the safety forces be effected as Cleveland was too. All we keep hearing about is leaf pick up, buildings at golf courses, the city should get its priorities in order, the police do their job and the police let the correction officers do ours. Thank you.

Mr. Tom Battaglia – I also am a correction officer at the Euclid City Jail, actually one of the supervisors. Several questions and concerns have been raised about the closing of the female block and no definitive answers can be given yet. The fact that the issues have been avoided actually leaves the jail employees to believe the decision to close this block have been made long before its even been presented to anybody.

When asked about medical cost for the females at other facilities, where they'd be housed, no one can answer that because we don't know. When asked about the transportation cost of taxi-ing the inmates from facilities, back and forth from our own Court, police officers which will have to be taken off the road, nobody can answer that either because we don't know.

When asked what will be done with all the violent females, intoxicated females that can't be housed at any other facility, where do we but them? We won't have the building for them. They just won't take them. They won't take these people when they are that violent, when they have to be hospitalized. We even refuse people for the same reasons.

Many concern for me as a resident of the city is during the budget meetings, it was stated that we are working with Judge LeBarron concerning our court orders females. Does this mean that the inmates that should be locked up for their offenses will be sentenced only to pay fine rather than jail time to avoid housing at other facilities? Does it mean the arrested females will be given a personal bond which is basically a get out of jail free card again to avoid them from going some place else? Worst of all does this mean they'll simply be issued a ticket at the scene rather than being arrested for something they should be. I have many friends who work in East Cleveland and some of them are losing their jobs and they have their own troubles, but they tell me that's the policy they'd use. They don't arrest them, they don't have to house them. So they just give them a ticket and send them on their way. I don't think Euclid wants to become that.

Mayor said that he would be meeting with our union to discuss the jail issues and I checked with our union president and to this date nothing has been done, yet we want to have this wing of the jail closed by January, so when are we going to talk? I'm sure there's plenty of options we can go over.

Someone said that it doesn't matter in closing the wing how much it is going to save, what the bottom line will be. The goal to save \$400,000 shouldn't the plan reflect that? It just makes sense that it would. We have a job that hardly anybody in this room would even consider doing. We do it every day. We do it without weapons. We do it without protection other than our fellow co-workers. All I ask is please give us the respect and accurate figures, answers to questions before you make a decision on something that might not even save you any money.

I do have two questions though, I was wondering, we had the architect come into the jail and take a look at it for improvements and changing things. I was wondering when we might find out what those findings from the architect might be? Mr. Mayor a comment that I just want clarification, we were talking about the health care for the city and said the gentleman looks at charging prisoners for their medical care while they're jailed. Are you sir under the impression that they are doing that now? Or, is that something he's looking at doing in the future? Currently we do not charge inmates for medical care.

Director Frey – A couple of points. The architectural findings, I'm not sure the scheduled report from the architect on that. I do want to indicate the collective bargaining agreement defines some of the steps the city must take if the city is to lay off any corrections officers. While that sometimes works a hard result in shutting down some level of communication that might otherwise occur, we must honor that agreement with your union. As a signatory to that agreement, we're bound by it. So unfortunately there are notice provisions in that agreement, there are other issues that are before the administration in trying to make a determination as to what will happen ultimately with the female block of the city jail. At the point in time that we either get the information we need and can define that plan, we certainly will be sharing that with the members of the corrections officers union.

It is a tough job. It is a difficult job and it is not an easy decision to say that we have to make some changes. We have met with the Judge. We have talked about alternatives that would allow the city to incarcerate female inmates at other jail facilities and try to reduce some of the cost that would be placed on the city if we were to house them outside of Euclid City Jail. Those are some things that are on-going. Certainly we have a lot of work to do. If the goal is to remain intact of having that resolution by January 1st, we have much work to do in the next several weeks to get there. But the municipal court Judge, the Prosecutor's Office, the police department are all committed to try to work on those kinds of programs and once we can get those crystallized, we can certainly share those for whatever procedural change that will happen. Again, as soon as a plan is firmed up as far as impact on the correction officers, we will notify the union of that change and discuss any impact of that change as required by the bargaining agreement. You have to respect the fact that we are just as bound by that agreement as are you.

Mr. Battaglia – Correct, I was just wondering because it was stated that he'd be meeting with our union's president and that has yet to be done. I was wondering will that still be done.

Director Frey – At the appropriate time we will.

Ms. Pamela Minich – I have been an auxiliary officer for the Euclid Police Dept. for 13 years. And a Corrections Officer for 10 years. I even help out the Fire Dept. with a few odds and ends and I've been doing that for approximately 8 years. As a Correction's Officer I do not make as much salary as the police and the fire fighters do. I work and deal with these inmates that come in combative, intoxicated, and/or have some kind of psych problems. I deal with these inmates from 8 to 16 hours a day, 5 to 6 days a week. I even work on my off days and do over time on the holidays just so that my co-workers can be home with their families. It took me 5 ½ years to call off sick for the first time. I do not abuse my sick time because I do not want to keep my co-workers away from their families.

By laying me off and our part-timers you are taking more police officers off the streets and a lot more crime on the streets due to transporting these inmates elsewhere and you are costing the city more money for housing and medical treatment for these inmates. I have never asked for anything from this city in return for the time that I have given them and the time that I have put in for them. But I am asking that you reconsider the lay offs and come up with something else in place of the lay offs.

Two weeks ago at this very podium one of my co-workers asked that the administration work with the jail union to possibly prevent lay offs. As of today our union has not been contacted. Are lay offs are a last resort, why won't the city work with our union?

Mrs. Janet Santorelli – 560 Hemlock. I empathize with the Correction Officers. God Bless you, you do a wonderful job and we hope you keep your jobs. I've got a big thing here but you've put a gag on us Mr. President and really think you are depriving us of our right to speak. We live in this city, some people work in this city, people have died in this city that we know. This is truly our city and its also your city. I think we have a right to say what we want. I don't like standing up here offending the Mayor. He has a position that should be respected, but when the Mayor does not respect the people he is governing as we said, respect is a two-way street and that's how it runs. So if you don't respect us, we're not going to respect you. We try to be respectful up here.

I, and I have to say the last Council meeting was a disgrace. It truly was a disgrace. We have a Councilwoman, Sally Hufnagle, who said shut up to Mrs. Raukar. (Sound of gavel) Now I will say it because she was out of order. I will say it because she is out of order.

President Sustarsic – Thank you, Ma'am, you're out of order.

Ms. Santorelli - Thank you. I am out of order, but you better clean it up, up here before you start cleaning it up out here. Now we've had enough. I've never ever seen such juvenile behavior in my life.

President Sustarsic – Ma'am, would you like to leave on your own accord or would you like...

Ms. Santorelli – Oh, I don't want Mr. Nagy to get up and be bothered because are you losing your job, Mr. Nagy? Maybe Sally Hufnagle will give you part of her \$9,000.

President Sustarsic – Ma'am, you're out of order.

Councilwoman Hufnagle – I think the records will reflect that I did not tell Mrs. Raukar to shut up. Mr. Goodman is correct. I walked out when Mrs. Raukar was speaking because she was not following the ordinance that governs that podium. And I said previously to that that I was not going to listen to her again berate businesses and citizens in this City. So when she continued to go on, I did walk out. But I never told her to shut up. Thank you.

Ms. Michelle Stachnik – 340 E. 260th St. I was born and raised in Euclid. I'm a trained artist and currently work for a non-profit arts organization. I'm here tonight to talk about what an asset Shore Cultural Centre could be if marketed the right way. The last couple of months I've been hearing and reading blurbs about successful communities and how they need to have one of two things, either technology research-driven facilities or they need to embrace the creative arts. That includes the visual arts, the theatrical and performing arts and the musical arts. We can embrace the arts with Shore by offering a cheaper rent to fill the facility instead of raising rent and chasing people away.

In return for the rent incentives, the artists would have to provide community-based open houses, classes, workshops and much, much more. This does a number of things. First of all, it fills up Shore making it a desirable place. And in turn eventually, it will allow us to charge a competitive rent. Euclid starts, secondly, Euclid starts answering the question what does Euclid have to offer? And third, it starts bringing businesses into town.

Artists don't perform or produce art for themselves. They do it for an audience and they work to get those audiences around them. When we have an artist base and we embrace these creative arts, the artists will bring the audience to this community. And once that starts to happen, there'll be a need for more businesses, such as, cafes and independent restaurants, frame shops, small galleries and gift shops that cater to regional arts, art supply stores. And the possibilities are endless. And what a better setting than Shore, which is accessible from the highway, close to Sims Park and the lake and within walking distance of what could be a prime retail area.

Many surrounding areas have embraced these concepts and has found great success in them. Collinwood, the Little Italy area with Murray Hill and the old schoolhouse, which is rented by artists and it's always hopping up there. It's a huge retail area. And most recently is the Tremont area. We have much more to offer than some of these communities. Tremont has, now, high-end restaurants like Lola's, galleries, gift shops. Go there on any given Friday or Saturday and you will see people buying, participating in the community, bringing money into the community.

And most recently in the last week, the City of Akron has offered a building to artists for a dollar a year to embrace this idea of what the arts bring to a community and in return these artists have to give back to the community with community-based art services. Now I know we may not be able to do what Akron has done, but we need to start somewhere.

We need to start creatively about our assets by offering something within reach. Make sure a place people want to be and it will no longer be a hindrance but one of our greatest assets. The question I pose and this doesn't have to be answered by anyone, but what is, does Euclid have something to offer not only it's residents but our surrounding communities? Unfortunately, I don't think so; but by embracing Shore and the arts I definitely think we can make Euclid a destination place. Thank you.

Mr. Matt Sarver – 26550 Shoreview. And I've got a few talking points here tonight. Hopefully, I can get through these without messing up too badly here. I do want to talk a little bit about Shore Cultural Centre, more specifically the preliminary plans that are in the pipeline for the Shore Cultural Centre. And Mr. Mayor, I do understand that these are preliminary plans. These

aren't written in stone or gospel or anything so I'm not trying to speak from a point of view where they're concrete laid in stone.

In all due respect, Mr. Mayor, I do oppose any plan that would take any portion of Shore Cultural Centre away from the public from residents of the City. And if I understand it correctly and if I don't please tell me, but if I do understand it correctly, the concept calls for, I think, a mixed use of both retail and loft housing?

First off, the problem I have with a retail use is that it doesn't make sense to me that you put the building in a position to have to compete with the existing retail that's over there. You'd have the downtown Euclid corridor to the, I guess that'd be the northwest. And you have the Shore Center Drive area that's a burgeoning commercial area. So it seems to me that you'd be putting the building in a position to have to fight for that and I don't think it would come out on the winning end, unfortunately, since so much is already established there.

Secondly, there's a, with regards to the loft-style housing, there's a demographical reason as to why the lofts do so well in a downtown environment. Generally speaking, a lot of these loft-style condos or housing, whatever the term would be, technically, are either bought or rented by young professionals who work downtown, 20 somethings, 30 somethings, who work downtown. And they're attracted to this style of housing because they want, they want to live close to where they work. Generally, these people live within walking distance of their jobs. Also when you buy a loft unit in the downtown area, you're essentially buying a life style. You have an art scene, you got a night life. You have clubs, galleries. You have the Flats and some of the finest dining to be had anywhere in the state as far as I'm concerned; and unfortunately, we don't have the amenities to that scale in Euclid. That's not to say we don't have some great restaurants and things in the City, but we don't have it on the scale that downtown has, obviously.

I know the price points that are being talked about for these are going to be somewhere around the \$130,000 range plus or minus. And, again, I don't mean to be pessimistic, but if somebody works downtown already has a job downtown, wants to be closer to work and is desiring a loft-style, loft life style, if they have \$130,000 to spend, they're likely going to spend it downtown.

Another concern is that, and again, I know these are preliminary plans but I understand 800 sq. ft. is going to be the square foot footprint of most of these or all of these. And we do have a 2,000 sq. ft. minimum so I'm wondering how that's going to come into play 'cause to go anything less than that would be in violation of that would contradict that.

As it stands, I understand the west wing is going to be used for public use and that's great. But I believe Councilman Delaney said it best when he said Shore Cultural Centre is a building for the people. And I think this building should continue to be for the people in its entirety not just partially. And having said that I guess I would, at this point I'd just like to issue a plea, if you worship at Shore, if you take Jazzercise at Shore, if you've attended a Landmark meeting, Landmark Commission meeting at Shore or any Upstage Players plays at Shore, please start coming to these meetings, these Council meetings and make your voices heard that you care about this building. You want it to stay here in its entirety. You don't want it piecemealed. And please come out and support this building. If you do care and if you do use the building, please attend these meetings and please make your voice heard.

I've got a couple seconds left. I'd just like to address Mr. Chairman what you said about the behavior in the Council meetings. I'm in complete agreement with what you said, sir; but again, I'd like to piggyback on the comments made by Bud Hilf, Mr. Hilf, that it needs to be on both sides of the rail here. It really, the people up here need to lead by example, ok? And I guess that's all I have to say this evening. Thank you very much.

Mr. Eric Heinemeyer – 21751 Priday Ave. I have a couple questions I'd like to ask the Administration. With the grass cutting that was done on the abandoned abatement, are we, how many homes did we do over the summer and are we finding them?

Mayor Cervenik – Have him ask any other questions and then we'll answer them.

Mr. Heinemeyer – Those are really the only 2 questions I have on that.

President Sustarsic – Any one be up to addressing that? Mr. Gulich?

Director Gulich – I'll address the empty lots. We do assess for the empty lots. Council does pass the ordinance every year and by and large we're successful in recouping that cost and we do charge \$200 an hour.

Mr. Heinemeyer – Okay.

Director Gulich – I'm sorry. We charge 150. I am considering coming back to Council in the spring with the \$200 an hour rate not because we want to make money cutting grass. We want to get vacant property owners to cut the grass themselves.

Manager Petkovic – The way we find this out is mostly through complaints. Also we have inspectors on the road who perform their Point of Sale inspections and they see these addresses and give them to us.

Mr. Heinemeyer- Are we fining them? Fining them?

Manager Petkovic – Oh, yes, absolutely.

Mr. Heinemeyer – Okay. One other thing that I noticed with our ordinances for copy distribution of like Council minutes and stuff, the amount that we charge is very low. It's 10 cents a page up to a dollar per Council meeting. And the minutes can be up to 60 pages long and I could request 2 years' worth and it would cost me about 40 bucks, but I'm sure it would take a lot more than \$40 for Ms. Cahill to produce those reports. You might want to consider increasing that ordinance. Basically, that's all I wanted to bring up.

Mrs. Bernadette Walsh – 651 E. 266th. I do have a series of questions, but I do have what I feel are some good responses.

First of all, the lady said that we should be doing something as the City of Euclid. The City of Euclid instead of raising my rent at Shore to \$750 should be embracing what we do for the City of Euclid. When you take 144 children last year and you do not charge them to be in a theatre production, when other theatre groups charge them up to \$260 per child. You should be embracing Upstage Players.

I understand that you have to make money at Shore, but each one of those classrooms at Shore could be filled with a different art type project whether it be music lessons, and you provide the piano. Whether it be art canvases, but you know what? Arts never are first. Arts are always last. If that was a sports complex, then it would be open and the rents would be adjusted because sports are good.

In regard to what you said, Mr. Sustarsic, I totally agree. But I totally agree with the speakers out here, the respect goes both ways. You know what, whether, and I'm just using his name because he's here, Mr. Daly likes me or not, as a council person, as a council person, when he passes me in the hallway, the courtesy would be, Hi Bernie, or Hi how are you. You know what, I'm the constituent, technically I'm the boss.

I don't want to brag, but you talk about the good for the City of Euclid. Next week at Cleveland Stadium on Sunday, I will receive an award from the Cleveland Browns for volunteering for 10 years and possibly the total reward will be \$10,000 for UpStage Players because I volunteer. Each time I come up here I tell you what's good about Euclid. I have seen Sue McGinn turn that Euclid Hunger Center around. I went there last week. I saw the Euclid High Seniors put on a Broadway Play. I don't want to aggravate you, but I did not see one elected official there. Those kids were wonderful. The Director was wonderful. But, it was arts. There is one other good thing before I ask my questions. I love 260th. It's so smooth and all the manholes are straight and the lines are cool now. I do understand that was approved at the last Council, but we won't go there.

You said Mr. Sustarsic that we need to send a message to Dominion. I think you need to send a message and a Resolution not to raise the rents at Shore 50%. That should be your resolution. It should begin at home first.

Here's my questions and I'll speed through them and I will wait for the answers at the end. Why was the appraisal on Shore done? Who did the appraisal? What did the appraisal come in at? It's in the paper that you would sell Shore for \$800,000 and now I hear you'll let it go for \$300,000. If it goes for \$300,000 and I get the \$10,000, I'll talk.

I would like to know what is the yearly rental value on the new rates? How does that compare with the \$300,000 one-time payment? That's a question. Who pays for the Old City Hall? Who pays for that upkeep? What is the rent on the Polka Hall of Fame and the Softball Hall of Fame? What is the insurance on the Old City Hall and who pays for that? How much money was used for city workers for the upkeep on the Old City Hall. Finally why are supplies for different departments and different buildings shipped to Shore and charged to Shore and then

picked up and sent to the correct location. I'm out of time, I'm not out of respect, but I also have respect for the building and we will be here December 6th. Thank you, God Bless.

Director Will – I'm trying to work with all the tenants there to come up with a rational fee structure. Again the proposal is 50% as we stand right now. I'm trying to work with all the tenants. I know myself and Mayor Cervenik have worked greatly with the UpStage Players. I'm trying to work an additional room for them, I shouldn't say an additional room. To have them move where they currently are over to the west-wing. I made some accommodations for them through the Parks & Recreation Department of painting the room and cleaning out the room at the Recreation Department's expense.

There are music lessons currently happening at Shore Cultural Centre. Through the Corporation they do offer music lessons. There are a few pianos in rooms that lessons are offered. I have figures on the Polka Hall of Fame, the Softball Hall of Fame. I don't have that in front of me. I don't want to give out the wrong information, but I am the one that sends out the bills for the different renters at the Old City Hall. I'll be glad to get those figures for you and get them for you.

As far as the yearly rental value, I'd have to sit down and figure out some figures, but I do know with my proposal that I had put through, would be to bring in an additional \$75,000 at Shore Cultural Centre. I don't know if anybody else wants to respond to any of them, but again I would be glad to get that information about the other rental facilities at the Old City Hall.

Mr. Bill Mabel – 24661 Hawthorne Dr. It is somewhat painful tonight to see this after being fifty years in this community. I don't have a strong answer but I do respect you all. We don't all go to the same church, and we have differences that way, but to run a meeting is very difficult. We the public need to give you the tools to work with. I don't hear that.

I've been unhappy that City Council has not been able to negotiate a settlement with Providence Baptist Church. On the church building and the house plans. Feelings against this project have been so strong that one would think the proposal, we were proposing an adult book store or a strip bar. I think the Church would have a great affect in Ward 4. Some have been concerned that it is going to saturate the black community in that area. I don't feel that is what would happen. When it happens in any other area, nobody says there's too many whites, is there too many of this. That has not been a project in the City of Euclid.

I want to mention to you because it was stated out here about the vote. But the Courts will make a decision if somebody has to go to Court. You need to negotiate so that it does not cost us, arms and legs and breaks us. City of Euclid has been in court cases, the Block Grant Compliance about 25 years ago. Some housing in apartments were, had to be taken down to the Courts taken out of here. Euclid did not win. I've been through some of that with a little bit of history in Euclid.

I wanted to mention to you there is a trend in the United States of mega-churches. When you go through this last election, there's been a lot of talk about the big churches. I personally have attended a church of my daughter's out in Seattle. One thousand people in the sanctuary seating and the first service was 1,000 and the second service was 1,000 people attended there. Their problem is and mentioned to have people stand out in the parking lot and assist in the parking. It was an exciting experience and that could be what was up on the hill.

Articles in the Cleveland Magazine and the Plain Dealer do not give Euclid a good feeling. There are many churches, black churches in the city that are listening to what's happening here and some very powerful pastors there that have been very successful in financing and bringing money into their churches. I think we need to be respectful of that and encourage that kind of communication within our community those opportunities. We kind of look at the negative and say, oh God, things are really going to fall apart and its going to be terrible. I want to remind you and ask a question around the 70's there was a projected growth of Euclid 85,000-90,000. That did not happen of course. What happens to the block grant eligibility if the population drops below 50,000? From my age I see several deaths that have happened in my age bracket. The city is becoming smaller in that respect, I don't see it expanding. There has been several articles in the Plain Dealer and in the Seattle Times about the need for housing. When you take a look at Euclid, a lot of old houses here and some of them in a projected plan will have to come down. But we need to replenish that with good housing and I think the offer for seniors in the Hillandale area would be great.

We need people to build bridges, not tear them down. Thank you for your time.

President Sustarsic – Mr. Mabel, your time is up.

Ms. Alice Yatsko – 26930 Gary Ave. On Sunday November 7th we were treated to a wonderful concert for the Cleveland Woman's Orchestra. Unfortunately I only saw one or two people from this Council attend that. Those ladies had given up their afternoon with their families to be here and do this for the cultural centre. The attendance was terrible. There was more musicians than there was people in the audience. I guess that's what people can say about the bunch of hay-seeds that live in Euclid. They don't have any cultural and that is a shame. I'm sure that they had those ladies that attended will probably spread the word around, don't contribute to anything that has to go with Euclid because they don't appreciate anything.

Mrs. Ann Raukar – 246 E. 272 St. Could I please have a copy of your rules and regulations you just read off a short while ago?

President Sustarsic – We can get that to you.

Mrs. Raukar – Thank you. At the last Council Meeting, a young woman informed me Hal Daugherty is a good and honest person. I want her to know Hal is no stranger to me. In the early 1980's.

President Sustarsic – Mrs. Raukar, please, that won't be tolerated. You can't speak against an individual like that.

Mrs. Raukar – I can't understand what you are saying because of the acoustics.

President Sustarsic – What I'm saying is what I mentioned before as far as using demeaning language or talking against a person that's what you're doing now.

Mrs. Raukar – What did he say? I'm just telling what happened to me.

Councilman Langman – I understand that, but you can't mention his name.

Mrs. Raukar – Okay. In the early 1980's a grandmother inherited a house next door to us and two of the grandsons fixed the house up and rented it. We were, my husband and I were good neighbors to these two brothers. In 1993 my neighbors hired Daugherty Construction to fix their roof. They always had a leak in, they complained about a leak in their garage. So Daugherty Construction installed a gutter downspout and it rested on the ground, the open end, it was two feet from my yard and I was getting my neighbor's water problem which eventually destroyed the foundation of my home. I went through a lot with the past administration. I want the citizens of Euclid to know how petty, mean and ridiculous the past administration was and how under Council President Bill Cervenik a new ordinance was passed and city workers were not permitted to make the correction on this downspout that was damaging my property. How can I go through this without mentioning these names?

President Sustarsic – Because you're not supposed to talk to people like that.

Mrs. Raukar – Bill Cervenik knows more about what went on than I do because I don't know what went on when they passed a hidden agenda that no one was to repair that

President Sustarsic – I'm sorry ma'am. Your time is up. You are out of order because we told you before that you have to address people properly.

Mrs. Raukar – I could not get a lawyer because of the mess the city made. I have to come here and make my complaints. I guess you shut me off. You did the wrong thing. I have a right as a citizen. It happened that my husband was a World War II Veteran and my neighbors whose water damaged my property worked for the Nazi War Machine during World War II before American was even in the war. I just want to know a lot of these politicians sitting up front are not qualified to be representatives of the citizens of Euclid.

President Sustarsic – Next speaker please.

Mrs. Rebecca Conway – 291 E. 276 St. I'm here tonight representing the EAC. We're very happy because we are working with Toys for Tots. We're collecting new toys for children ages birth through 12 years. If anyone would like to donate any new toys, you can reach me at home

through December 3rd. We will take them downtown with us. On December 4th our Committee is also going downtown to separate and organize all the toys that will be collected through Cleveland. This is a great opportunity for the holidays coming to be generous because many of our kids get to open gifts on Christmas and be excited and have memories and many of these kids without our donations wouldn't have those experiences and opportunities so please be generous.

Some questions too on Shore. I'm just going to ask them. Has there been a person that has been marketing the building full time to really fill that building with all the rent possible as far as the money per month and the rooms that are there to be rented? Has anyone looked into grant money? What meetings, private or public, has the community been invited to and its been open to the public to discuss our options on Shore and I reiterate our options on Shore? I still don't understand why we can't know who the builder or developer or potential purchaser of this building is. It's public building, we should know who the city's working with to maybe buy this building.

Onto the budget. Am I correct that the budget is to be voted on in March for 2005?

President Sustarsic – That will be in December.

Mrs. Conway – There has already been three meetings for the Council to get a summary from the administration. Can anyone tell me if there's been any meeting scheduled to discuss options to create more revenue or cuts or anything besides the three meetings that were already had?

President Sustarsic – It was mentioned that communications are always open between the Directors. I urged my colleagues on Council to get in touch with any Directors or any of the Chiefs for any ideas that they might have which might make us more economically efficient.

Mrs. Conway – So there's been no meetings scheduled though?

President Sustarsic – No. The formal meetings.

Mrs. Conway – Which were the three?

President Sustarsic – Yes.

Mrs. Conway – I guess that disappoints me because we're talking about lay-offs, cuts, possible levy. We heard Correction Officers give very true and accurate stories of their job everyday and we had three meetings. What I saw on TV it was Council asking question as Finance Director Jack Johnson, the Mayor and Chris Frey and the other department heads went through the budget. To me that wasn't a session to get creative, think outside the box, use some creative financing and see where we can make these cuts. I'm disappointed. If the budget's that bad, why weren't there any meetings scheduled?

President Sustarsic – Well again because that's been going on time and memorial that you do have the budget hearings as they are, usually three meetings or how many it takes. Again like I said, I extended the opportunity to anyone on Council to again get in touch with Chiefs and Directors in the meantime to offer solutions or possible ways that we might be able to save jobs or whatever.

Mrs. Conway – However meetings there needs to be, like you said, exactly. When were talking about making cuts, closing Shore, I don't get it. You guys should be working once a week in a meeting if you have to, to use the Jefferson Wells Report. To do what you need to do to the best of your ability for the City. Three meetings? My husband and I talk more about our finances than you people do with the City. As far as respect, I call you Mr. Mayor because you are the Mayor and all I ask every time I've been up here, please acknowledge me by looking at me when I speak to you. That is respect. When I look at you and called you Mr. Mayor, please stop looking at him to call me out of order. In addition, tonight Councilman Sustarsic called someone out of order. Not his job. Not respectful. Thank you.

Mr. Greg Miller – 564 Babbitt Road. A couple of items. First of all my apologies, I was not here earlier when you voted on the Resolution concerning the rezoning of the Open Door property. I appreciate very much the approval of that resolution. And am especially grateful for the fact that it was approved unanimously. I think that the showing of unity even if its on matters

like rezoning issues is particularly refreshing. I honor all of you. I mean all of you for your service. These are very, very stressful times. The issues with which you're wrestling are not only very complex and at times seemingly insurmountable issues in terms of balancing budget along with community concerns and priorities. But the complexities are magnified and multiplied by the fact of passion is brought into the debate. In the midst of all of that, I appreciate the fact that you're placing a high priority on keeping your eye on the ball and just dealing with things in a very professional and even-handed manner.

Councilman Langman I honor you for the way in which you dealt with the citizen a few moments ago who obviously has sincere concerns. Whether she's able to express those the way we would all like here to express them, or not, they are obviously deeply felt concerns and I appreciate the way in which you dealt with those.

That goes to the second point to which I'm speaking. That is, I assume this. I assume that everyone is proceeding from good faith beliefs. I assume that everyone is proceeding from deeply held convictions. Whether the convictions are about Shore Cultural Centre and obviously Councilman Delaney you feel those in your core. Or there are concerns about the need to deal with the Hillandale situation. First and foremost as a situation involving the image of a welcoming community to a church, which the gentleman, a couple before me spoke to. Each of these issues can be highly charged issues. What I'm witnessing is a community that is torn concerning these issues but is united in a 8-0 sense as you voted on the rezoning ordinance, united, unified in the notion that everyone is committed to doing what's best for the community. You just don't necessarily always agree on what it is that's best for the community. You don't necessarily see Shore Cultural Centre in the same way. Or see Providence Baptist Church proposed development in the same way.

That's okay. But the more complex the issues, the more necessary it is for the disagreements to be handled respectfully. Because the well being of the community depends upon that. The more emotionally charged the process, the more impassioned the process the less reasonable will the result be. The outcome involves people like the Corrections Officers who came, one after another to the podium.

President Sustarsic – Mr. Miller, your time is expired.

Mr. Miller – Thank you very much.

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

COUNCILMEN'S COMMENTS

Councilwoman Holzheimer Gail – I would like to start by thanking the Euclid Joint Veteran's Council for their Veteran's Day program. It was very well done. I particularly enjoyed the Chorale Group from the High School Forte. I was hoping to get to the review on Saturday but had 6 kids at my house and none of them wanted to go so I thought it was better not to drag them along.

Director Gulich you had mentioned the leaves and asking people to have patience. Do we have all available crew working on leaves?

Director Gulich – Yes we do.

Councilwoman Holzheimer Gail – And they will continue to do that until the leaves are picked up?

Director Gulich – Correct.

Councilwoman Holzheimer Gail – I've had a number of calls as I'm sure my colleagues have had and I continue to tell them to be patient. Do you know what day currently they are on?

Director Gulich – They are in Monday's, that is by a coincidence. Your welcomed to call my office, many people have and we'll give you an estimate. I'd rather not sit here and say we're a day behind, two days behind or whatever, it's a moving target. The weather is supposed to be good this week. We are going to exercise a little more overtime judiciously and I think from looking at the trees in my yard, the worst is pretty much, we're getting through it now.

Councilwoman Holzheimer Gail – I will follow that up with a compliment that I received from a resident who called me and asked me to thank you at our meeting publicly. He realizes that the department is short-handed and he had a sewer back-up and the department was there very quickly. In his words, he felt it was heroic service for a hard-pressed outfit and he wanted to compliment you on that. I will pass that along as a follow up to the leaf question.

I also wanted to thank the Shore Cultural Centre Board of Trustees for their presentation of the Cleveland Woman's Orchestra. The Orchestra is 75 years old. It is one of two remaining women's orchestra. My mother-in-law happens to play in it. It was a wonderful program and I want to thank Shore for bringing them and for their continued efforts to bring arts and culture to the city. Director Will had mentioned it earlier, but I would also like to invite the community to attend the Christmas Carol, December 3, 4, 10 & 11. You can call 289-8107 for ticket information. There will be a bake sale, boutique and a raffle at each of those events to help raise money.

I also would like to ask people to keep an open mind about the Shore proposal. I assume at some point there will be a public presentation on that. It is a very serious issue. We have to think what do we want with that building, how it needs an enormous amount of work. So there will be options that we can look at for how to handle that. We have to look at what's important. Is it important to have the historic building there. Is it important to have the cultural activities. Is there a way that we can combine efforts and everyone can get a little bit of what they want. I don't think anyone is going to get everything that they want. But I would ask people to reserve their judgment until we have a formal presentation, until all the information is out there. I'm sure there will be plenty of public discussion and debate about that issue before it comes to a Council Meeting. I would hope that people will come into that with an open mind and willing to work. The building has been there for an awful long time and it can continue to be there for an awful long time, if it is fixed up. That's the million plus dollar question. I look forward to that presentation, hopefully in the near future. With that I'll wish everyone a Happy Thanksgiving.

Councilwoman Hufnagle – First of all I would like to wish everyone a Happy Thanksgiving. I know that many of us will be traveling. It is the worst time of year to travel so I wish everyone a safe trip on the roads. This is the second council meeting that we've had people come up to the podium and not be happy because they didn't see us some place that they thought that we should be at. I very much appreciate those comments, but I would just like to say, that we get an overabundance of invitations to events and that's a good thing. We also get an overabundance of requests for our money and that's a good thing. I know that my colleagues and I, we make many attempts to be at different functions. We donate our money very freely. There's only so much to go around. There are only so many bodies that we have to go around, so much time available for us to attend events, so many ways for us to donate our money.

I will say that our Veteran's Day celebration was beautiful. It was very moving. But the audience wasn't full. There were plenty of empty seats. Plenty of room for more people to attend. I got a phone call this afternoon from the Eaton Family Credit Union because today is the day that we're closing out the account for the donation to the fire victims fund. I will tell you that the woman on the phone to me said, you know, I'm surprised, some places we did not get donations from. We are always put in the position where we have to pick and chose where we go and what we donate to. With 9 of us, I think we do a very good job representing the city. I would just like to make those comments.

Also as far as, I would like to commend the Council President this evening for his opening remarks concerning the public portion of the meeting. I think his comments were very much in line with what we needed to hear. The podium is not exactly freedom of speech. It is governed by an ordinance. We could choose to change that ordinance, but for now, it is governed by an ordinance which says what can and can not be done at that podium. It is also given a time limit. Whether its 5 minutes, 2 minutes, 10 minutes, it is a limit. I would just like to end with one of my favorite columns to read in the paper is Dick Feagler and an old column that I carry with me, because I carry many things with me. I know people think I just happen to have things, I do. He ends this column that he's written about civility and freedom of speech. He ends it by saying, the way to keep free speech free is to use some restraint. Again, Happy Thanksgiving. Thank you.

Councilman Langman – It is good to be back. I missed being here on the 1st and with that I'd like to thank the Euclid Animal Shelter Commission and Petpals for putting on a very find Boo Bash on the Friday before. Obviously the star costume had to have been Chief Maine's. I know there's pictures of that somewhere. I had a great costume and I think everyone had a lot of fun and we raised a lot of money.

Also, too, I would like to thank the Joint Veteran's committee for putting on a very moving event. I know that originally Veteran's Day began with the observance of Armistice Day that marked the end of the WWI, which my grandfather fought in. It is unfortunate that every decade or so we have to call on the heroism of young men and women to defend our freedom. It is a great burden to them and their families but one that we all truly appreciate. I think that was the theme of the morning and it was a very moving one.

I would like to wish everyone a very Happy Thanksgiving and we'll see you in the first of December.

Councilwoman Mancuso – I also apologize for not being here at the meeting before election. I would first like to ask Mr. Gulich to speak to the really delightful outcome about putting in the handicap access. I did not receive any minutes or anything about us doing that, but would you let the public know what you're planning on doing after tonight.

Director Gulich – A quick history, some two years ago I believe Daryl's committee met in here and we reviewed a number of options, pages of options. Some ideas were good, some of them weren't so good. We got Mr. Valencic our Building Maintenance Superintendent to put together some cost to do the work in-house to put in a handicap ramp that would make the stage ADA accessible. A second option we looked at would be to purchase a mechanical lift. I think you've all been some place where you've seen some type of these. The lift at the time we got a quote of \$4,500. The materials to put in the ramp and this was over two years ago, a little over \$750. So, obviously we'll need to bump that up a little bit, but we were planning on getting going after this Council meeting. We may or may not be complete when we met here in our first meeting in December, it depend on the leaves.

Councilwoman Mancuso – Ms. Will, a couple of questions. Have we yet determined what we've recovered from the Irish Fest as far as revenues?

Director Will – I am still waiting for the report from the Irish, Our Heritage, Our Home Committee. I did just meet with them last week and finalized some items. I would expect to get that report from them within the next two weeks.

Councilwoman Mancuso – For our Fire Chief, just a request again. I know I've requested this from you before, so I won't reference the Police Chief's report. But, when you give us a monthly report, can we please have the current month, September 2004, September 2003 and then you do the prior year and then this year's total. Just to add that extra column. Because I have to keep going back to look at where we were a year ago at this point. It would be much more efficient to go through from my point of view at least. If we could do that.

Then, for the citizens who have e-mailed me and contacted me that I've tried to get back to, I'm going to ask the Mayor to speak a little bit about the Cable Commission. When I briefly told them in the short period of time I have to get back to people, is that I have discussed it with the Mayor and he got to me and said he would speak to it tonight, so I'm putting him on the spot.

Mayor Cervenik – I met with Dr. Jones on Friday because he has the ability to recommend two members of the Cable Commission. I believe we're keeping two other members that have served before and I'm also contacting two new members. Council also has the authority to appoint one member. My plan would be, because their term expires every December 31st, my plan is to appoint this Commission beginning January 1st. Their first item of responsibility will be to review the rules of the Cable Commission. The rules were previously written when we only had the one station, now we have public access, government and schools, all three of them. We had an outside person write up a basic recommendations and rules that we're going to ask this new cable commission to review and make recommendations to and follow. That will be up and running January 1st and if any council members have a person they would like to appoint on there, let me know. Discuss it amongst yourselves, but that would be the last person that will be put on there, so it will be done.

Councilwoman Mancuso – Could we get a copy of the new rules that have just been drafted that this particular commission will have?

Mayor Cervenik – They were drafted just to take into consideration the three new stations and it will be up to the Cable Commission to affirm those rules.

Councilwoman Mancuso – The two members that are currently in place are who?

Mayor Cervenik – they are not currently in place. I have not talked, I just went over the list when we talked, so I need to discuss to make sure they're still willing to serve. Dr. Jones needs to talk to two members that he's going to recommend to make sure they're willing to serve and we will start January 1st.

Councilwoman Mancuso – So for those people that I did not get back to because they were upset because election results were not on our community channels, we are addressing that so we will have some consistency in place from this point on. Thank you.

Councilman T. Sustarsic – A resident in the audience brought up that it was not my job to call someone out of order. If they were paying attention, I called for a Point of Order, which Robert's Rules of Order allow me that right as a member of this legislative body to help maintain order as long as all the other 7 council members as well.

I too attend the Veteran's Day ceremony. It was a fantastic event. I always enjoy doing that with my grandfather who is active in the Veteran's Associations and I enjoy spending the time with him. The Euclid High School Varsity Chorale, the ROTC helped and they did an excellent job to really make the event special. I've had the opportunity over the last week to checkout two new businesses here in Euclid. One is Pizza Pan Pizza on E. 200th Street located at the former Mr. G's. The Coppertop Ale Haus, which me and my wife went on a date Saturday and we popped in there. It is really a nice place. A nice place to hang out. I'd also like to thank my good friend Ken Yuko who is our State Representative elect. I know he will fight hard for the citizens of Euclid and I look forward to working with him. That's all I got. Happy Thanksgiving everybody.

President Sustarsic – I also attended the Joint Veteran's affair and it was very dignified, very respectable as it always is. It is kind of sad because as you can see a lot of the Veteran's, they are getting older, that generation is getting older. It is very, very important to keep that honor of them going and show them that we do have respect.

On a more local note and I guess you can see a council colleague of ours, Mr. Josh Vandell, who's on the Council of the City of Lyndhurst, just came back from a 7 ½ month tour of duty in Iraq. I would like to ask the Law Director at this time if we could possibly put together a resolution of appreciation for the councilman. I don't think it would be any problem of having all of our names on that as a sponsor.

The other thing was that we're looking at the sale of the incinerator property. What I would like to do is call a meeting of the Finance committee for Monday, November 29th. Can't promise what shape the Council Chambers will be in. But I think they'll be able to accommodate us somehow. Just got the word from Mr. Gulich, no problem. It will be interesting, Councilman Langman did bring up a few years back but for one reason or another it was put off I think to budgetary constraints and the like. But now it was presented again, brought up again and I think its way overdue. Everyone here will be seeing a new Council if you will. Hopefully we'll be more interactive on that. Happy Thanksgiving to everybody and looking forward to seeing you in about three weeks.

Councilman Daly – With the election ending last Tuesday, a number of residents, 3-4, have come up to me and said that no the election is over, it would be nice to see if there could be a renewed sense of cooperation or the lessening of passions on issues and seeing how the different group or factions might be able to work together on solving some of the problems the City of Euclid faces. I think that's one thing that we all have in common is that we all care very deeply about the future of Euclid. We're to the point, the City of Euclid, even with all the cuts that we've made and we've made cuts that are started to be felt and seen out in the community. When you see leaf pick up delayed, they were like clock-work every week. Now with the cutbacks, they'll get there once every three weeks. The delay with street repairs. Even with all the cuts the city has made over the last three years, we have still spent \$8 million more on services provided than we took in in revenue. This last particular year we had to borrow \$2 million just to provide the level of services that we're providing. We're at a point now where all the decisions are going to be very hard decisions. The closing of the jail. That is a very hard decision but that was a \$300,000 savings. If we're not going to do that, since we're at a zero balance, we have to find out where that other money is going to come from. Everyone had legitimate reasons on either side of the Hillandale issue, but one of my concerns was the cost of litigation. Litigation is not cheap.

That's going to be an issue that we have to gravel with also. So, at Shore, they're all going to be very tough decisions.

One of the persons who spoke tonight was a candidate for Council a year ago. We were both in a interview session with Mr. Piorkowski with the Sun Newspaper. That person was asked, where does Shore fit in your top 5 priorities, because Euclid is facing very tough decisions and where do you rank it in those top 5 priorities since we probably only have money for the top 2-3. At that time he said, it doesn't fit in my top 5. Not that we don't care about Shore, but there are definitely priorities, Police Dept., Fire Dept. Here we have a proposal from a private person, a private developer. I believe he's proposing something very similar to what he's already doing over at West Tech and the area around Shore is much nicer than what existed at West Tech. From the last time I was there, the West Tech project was going beyond their expectations. I think like Councilwoman Holzheimer Gail mentioned, I think people need to have an open mind. We might not be able to have everything we want, but if they're willing to put in the money to rehabilitate that building and give it the investment that it needs and we can have that west-wing, that's something we definitely need to consider. Especially in these times when money is so tight.

I appreciate the people who come here and take the time and are involved. I would hope that starting with this next meeting that we come here and we can agree to disagree and give view points, but let's remember we're all want to see Euclid succeed and move forward and we have some exciting things with the lakefront. Hopefully with the election ending we can put our passions to the side and get rid of some old grudges and work together. I know Pat and I disagree on a lot, but we're still good friends and we laugh up here and that's the way I wish all of us could work. Happy Thanksgiving.

Councilman Delaney – Well, thank you Councilman Daly, appreciate those comments. Mayor, I'm assuming the Moody's audit is completed? Or is it still ongoing? Or hasn't it started?

Mayor Cervenik – You're talking about the bond rating?

Councilman Delaney – Correct.

Mayor Cervenik – That's not an audit. We did have our meeting. We had a telephone conference. It lasted a little over 2 hours on Thursday. It went as well as could be expected. There's an e-mail on my computer right now summarizing it. It is my understanding that we were down graded as was expected, but I have not had a chance to review the total e-mail.

The big concern by Moody's during all of this was the fact that we have depleted our fund balances and that we have to come up with a plan to rebuild our fund balances and what's the technical word they call it, structurally balanced again. That's what we're working on.

Councilman Delaney – Will there be a definitive report?

Mayor Cervenik – I believe that's what's on my e-mail Mr. Delaney. I got here about 10 minutes to and just warmed up the machine and saw it on.

Councilman Delaney – I'm sure we'll all be interested in that. Would it be possible, Director Johnson, if we can get a schedule of all of our funds? What we need to retire? The debt capacity that we're going to have for the next year? I think the Mayor talked about \$400,000 and I'm not sure we have that.

Director Johnson – I'd be glad to give you, I'll e-mail each one of you a copy of the official statement. It is about 132 pages. It will give you the entire detail of the bond issue. It will give you debt schedules for all the rest of the remaining debt that we have outstanding. I will e-mail it to all of you.

Councilman Delaney – Unless someone wants the whole 132 pages, I would just like a summary. What our capacity is and what we have on paper.

Director Johnson – All the details of all of our debt. I'll be glad to e-mail that to you. As well as the Moody's rating report. I'll be glad to e-mail that to you also.

Councilman Delaney – Appreciate that, thank you. Certainly I can't not chime in about Shore. I was not at the meeting that was held, again I can always help and offer. I would suggest a lot of

people on Council refer back to our committee meeting that I held last year. As Councilwoman Gail said, there's million dollar plus questions out there and I think some of them I might be able to help with. Sometime Director Will and maybe even the Mayor between today the 15th and the 6th, maybe we can meet, talk about different ways to ladder out the rent increases. I don't think you can arbitrarily reach out for a \$75,000 figure and just say it needs to go 50%. You have to consider a lot of different things. I can appreciate the interest, certainly working hard to resolve issues of the building and most of it is physical. We did get a nice photograph session, Director Will that you had gone through and I believe you put those on a CD, digital photos. Maybe we can try, I know we're a little crunched for time a couple committee meetings for maybe one for the health care and the incinerator, but maybe before we address the concerns of the rent increase, we can try and find time for that. So, at least if we can schedule that. I know that you're busy, there's a lot to do. I'll make myself available and hopefully we can find some creative solutions. Because there are priorities and we have to make sure that we're a balanced community and that we represent our constituents and actually have the services continue on and do the best we can for what we collect. Having said that, Happy Thanksgiving.

Chief Maine – I wanted to hold my comments on the correction situation until the end just to make sure that everybody had a chance to weigh-in on it. I think it would be unfair for their comments to not go unresponded to in some way since they took the time to be here at this meeting. I think the magic figure is \$3.2 million. If I understand what Mr. Johnson and the Mayor have put together is that when all the budgets have been presented by all the Directors and the Chiefs, we're looking at a deficit of \$3.2 million. That included cuts that we had made before they had a chance to review them.

Through a series of revenue enhancements and further cuts, the Mayor and Director Johnson have presented a budget that has a zero deficit to it. Those types of things can't be done without some serious impact to services. There was some prioritization done on the part of the Mayor and the Corrections Officer's function is an important part of the emergency services function. I tried to make that abundantly clear at our budget meetings that we held a few weeks ago. The bottom line is that our closing of the women's side of the jail should net us somewhere in the area of \$325,000. This is a budget. When you have a budget, things aren't written in concrete because there's always things that come up. With a savings of \$440,000 in employee costs and health cost and you offset that by what we think are going to be the expenses related to still having a woman's, having to provide a women's correction function, we think we'll still realize \$325,000 in net savings.

This is not the optimal way to run a jail. If we're going to be a City of Superior Services and a top rate city, then we need to operate a correction facility that reflects the same sort of standards. The bottom line is that our correction facility as it stands now is not an efficient operation. We hope to have some feedback from the State within the next couple of weeks that will give their recommendations. We'll carry forth with that to bring in a consultant to do a needs analysis and at some point we'll have to come back to this body and the community to determine how we're going to ultimately run our corrections center.

This is a temporary stop-gap measure, if it goes forward like its been presented. It is unfortunate. I hope the community is listening because its impacting probably the 8 full time positions that will be laid off in addition to the 3-4 part-time positions that are presently there. I don't know if there are any other answers. There hasn't been any other suggested. There haven't been any other alternatives put out there so this is what we're looking at. We'll do our best to run a safe operation. I've already reached out to Chiefs from other communities to do some housing of female prisoners on a temporary basis. We've also talked to the Judge about sentencing guidelines and some other things that we are going to try to do. We talked with the Prosecutor about how we can amend charges to have the County and the State incur more of the cost. But ultimately, this is not the way to run a jail. This has to be a temporary thing. Hopefully get us through this year. In 2006 we can go back to a full facility jail again. It is going to require a lot of input from a lot of people. I hope everybody doesn't minimize what's going on here. Thank you for the time.

Mayor Cervenik – Just to further that, there was a comment made if Judge LeBarron is just going to write tickets and allow criminals to walk the streets. Absolutely not. The Judge has made it very clear to me that it is my responsibility as Safety Director to make sure there's some place to house prisoners. I will honor that. She's been very good in working with us as far as budget goes. When someone needs to go to jail, we will have a place if its not in Euclid it will be somewhere else and those arrangements will be made.

I just want to talk about Shore for a second. What was presented to the Shore Board was not a secret. What it was was to fulfill a promise that I made to the Shore Board back in January or February when two separate development groups came to me and said they wanted to take a look at Shore and convert it to housing and use some of the profits from the housing units to fix up the west-wing where most of the culture would take place, if not all of it. Substantial improvements to the auditorium.

Saturday, we had 10 out of 13 Shore Board members to hear what is called a conceptual plan. It was done by a group who are forming a partnership, limited-liability company called the Shore Centre Development Corp. There's three companies basically involved. I believe the financial end is Optimal Finance out of Atlanta. Marous Brothers Construction, very well known, very well thought of construction company, is proposing to be the contractor. Rob Maschke architects. They've worked on such buildings as the Quay 55, right on Lake Erie. They've worked on West Tech, many other, the Arcade downtown. They are very, very concerned with the historical integrity of the building. Their proposal can give us a solution to finally save that building. Keep the outside and inside of that building in great shape for years and years to come and no longer being a liability.

We talked just about the \$50,000 or \$150,000 depending on who cuts the figures. That's not the problem with the building. The problem is the capital. The problem is the windows. The problem is the utilities, the infrastructure. All of this can be addressed at no cost to the city. You could have 60 very nice condominiums. At least this proposal is condominiums. We do have another one coming from a group headed up by Sandvick, but I believe that proposal is going to be apartments because of the funding source they're doing. I've asked the Board after Saturday's meeting to go back amongst themselves and discuss the alternatives and come back. Let's sit down and talk again and see what we can do. It was very conceptual. I think it is a very positive step for that building and I can only ask those that came here tonight to criticize that they just step back for a minute and let this process take its course. I think it is a true long term answer for that building both inside and out, for both cultural and improving retail in downtown as a whole with a lot of spin-off.

I didn't want to exclude anyone but I had told the Shore board that they would be the first to see it. I'm waiting for their response and then we will have a showing of the conceptual plan in this room for anyone that would like to see it. The reason there's not a lot of paperwork and all sorts of details is because right now this development company understands that they are in competition with another development company. A lot of their information is proprietary at the moment. Until we see both presentations, that's the way it has to be. That's the way business works. That's not something that I'm not hiding the papers from anybody. They spent a lot of time on what they feel they can do and they need to hold onto those details until such time as its appropriate. So I just asking everybody just, let's not say no, we can't do it. Let's say why can't we do it? Let's do it. Let's give it a shot. Let's be open minded to it or that building is going to stay there and rot like it has for the last 15 years and that doesn't do anybody any good and it is going to get to a point where companies like this are not going to be able to fix that building and do what needs to be done economically. Please everybody, let's try and look at this in a positive way. Let's work together on this one. If you truly want to save the building, we're all going to have to work together or its just going to stay the way it is and that doesn't help the City at all. Thank you.

ADJOURNMENT

Councilman Daly moved to adjourn. Councilwoman Hufnagle seconded. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council

