

COUNCIL MINUTES JANUARY 3, 2005

The regular Council Meeting was held on Monday, January 3, 2005 at 7 PM in the Euclid City Hall Council Chamber. President Sustarsic presided.

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

Others Present: Mayor Cervenik, Asst. Law Director Vento de Crespo, Service Director Gulich, CS&ED Director Pietravoia, Finance Director Johnson, Police Chief Maine, Fire Chief Cosgriff, Recreation Director Will, Zoning Commissioner Torowski, Housing Manager Petkovic, Senior Programs Manager Hastert-Wolf, Sgt.-at-Arms Nagy, Clerk of Council Cahill.

Invocation was given by Deacon Bob Payne of Holy Cross Church.

COMMUNICATIONS

Councilman Langman moved to receive and approve without objection a new D1, D2 liquor permit to Chamoun Haddad LLC, 24453 Lake Shore Blvd. Councilwoman Mancuso seconded. Roll Call: Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik gave the Oath of Office to Jenice Jai Walton as Civil Service Commissioner.

Director Gulich – Some reports I enjoy bringing to the City more than others. This is certainly one I do not. In the days from the Thursday before Christmas to the Thursday after Christmas, I can safely say the Service Dept. got as many calls as they have probably in all the time I've been Service Director. Obviously we had a very difficult storm to contend with. When it all started out we had 20 pieces of equipment on the road, with help from Ms. Will's department. At times during the night, we were down to 3 large dump trucks and 0 one-ton trucks, and a host of pick-up trucks that simply couldn't move the heavy snow.

We know that was the heaviest snow we ever had to push because of all the hundreds of people that called me to thank me for putting it into their aprons. I shoveled out a few myself. I know we can joke a little bit about it now, but I really didn't obviously like to hear from all the elderly people we have in the city that really have to contend with that. I have an elderly mother too, fortunately she can call me, but there is a lot of people who really have to work hard to get that snow out of their apron. I certainly wish I could find a way to plow the streets without making that happen.

A few phenomenal numbers that you may find hard to believe but I wish to share with you. It took 24 hours to plow out the entire city. It has never taken that long. Something you probably won't believe, we had 280 work orders for repairs of trucks. We still have 6 trucks down waiting for parts to get. Trucks had such a difficult time pushing the stuff, I can't tell you how difficult it was having to try to keep up with the calls, asking people for their patience. I realize it was a difficult time. I did have a number of people call me to tell me they had noticed the streets of Wickliffe had been done already. I talked with their Service Dept., their departing Service Director Mr. Crossman who is retiring this week, but they did note to me that they have 26 people in their department to deal with 43 miles of streets. Our Streets Dept. has 16 people and we have 150 miles of streets. It makes it very difficult. Again I want to thank the various departments for their help. The fact remains that when we have a storm of the magnitude we did, over the Christmas Holidays, it will take a long time. I certainly hope we never have those heavy snows again. I know nobody enjoys shoveling those out of their apron. It is bad enough they have to do it once, much more than coming back on Sunday when we were back plowing again.

I was also popular on the recycling and the garbage front. As everyone knows curbside recycling has come to an end. Waste Management has been picking up their bins over the last couple of weeks. We have moved obviously to the dismay of more than just some to drop off recycling. I do want to note that this is drop off recycling available to all residents, whether you are an apartment owner or business owner, whoever, not just a former curbside pick up person.

We do have three sites for the drop off program. One is right here behind City Hall. Another one is at Sims Park near the Henn Mansion. Another one is at Fire Station #2. We're getting out a mailing with all the details throughout the City. You are welcome to call my office if you need more details.

We tried to get out word best we can on the media to all the newspapers and we will continue to put all the information on Channel 23 and we will add some signage where we have the drop off locations to help people figure out what they are supposed to do. Once you do it once, you kind of become an instant expert.

We also have the Abitibi paper recycling program at three locations. One Abitibi paper recycling container behind Euclid City Hall. It is boldly mark. We have one over at Shore, that's to benefit the Euclid Hunger Center. We have one over at the Lakeland Blvd. Animal Pound that will go to help the people find people over there and the work they do. This will generate revenues for these worthy causes. We'll keep reminding you, we'll keep getting the word out.

If anything the most calls on, the first time in 3 years, Waste Management did fall behind on last Thursday's pick-up. By the time it got all straightened out, it took the entire week. Again, not a report I enjoy bringing. Waste Management's confident this won't occur again. They had the week from heck, just like I did with break downs, personnel getting hurt and sick and so on. Again some reports I enjoy bringing more than others, thank you for your patience.

Director Will – I'd just like to take this opportunity again to invite and remind everyone to the Euclid Chamber of Commerce's Second Annual Euclid Winterfest. To be held on Saturday, January 29th. Although we're hoping for a lot of snow that day, sorry, it can go away after our event, there will be a chili cook-off, a chilly golf scramble at Briardale Greens, snowball/softball tournament in Memorial Park, snowball disc golf tournament in Sims Park and a snow sculpting outside Shore Cultural Centre. If anybody is interested in participating in the event, they should contact the Chamber Office at 731-9322 or just come by on Saturday, January 29th, anytime after 9:00 AM and you can taste some good chili and go see in the parks some fun activities that we have. Thank you very much.

Mayor Cervenik- Director Will, I'm quite confident you can have all the fun you want to have on that day with only about 3" of snow. We do not need 15 inches of snow.

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Finance Committee Min. of December 13, 2004; Executive Committee Min. of December 13, 2004 and Board of Control Minutes of 12-13-04 & 12-20-04. Councilman Gruber seconded. Yeas: Unanimous.

LOT SPLIT

Council should approve or overrule Planning & Zoning Commission's approval to allow a lot split of approximately 7.85 acres of City owned property located at 27700 Lakeland Blvd., P.P. #648-16-001. The City proposes to sell this parcel allowing it to become tax –producing property. The parcel consists of approximately 15 acres.

Councilwoman Hufnagle moved to sustain Planning & Zoning Commission's approval of a lot split at 27700 Lakeland Blvd. Councilman Langman seconded.

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

Approved.

Councilman T. Sustarsic moved to waive the 24 hour notice and place on the Agenda Ord. (272-05). Councilman Delaney seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE

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

President Sustarsic – This Committee of the Whole is to address any comments or questions you might have on what is on the Agenda this evening. Item #1 is the third reading. The Public Hearing will be held January 18th. The Council Meeting will be held on the 18th as opposed to the 17th because of the Martin Luther King Observance. That third reading will be this evening but the public hearing will be January 18th.

Mrs. Dorothy Fike – 20271 Delaware Rd. I have several questions this evening. #2, what does it mean to have a co-location communication antenna. Just what does that mean?

Will there be any money involved to the city and just what does co-location mean. You can answer them when you get to them please.

I have a question on #6 & #7, combined, because it is talking about the implementation of the municipal income tax department. I would like to know what #6 & #7, the money that's involved, the cost to the City and there is supposed to be a great savings by collecting the income tax the city themselves, so I want to know how this will impact upon the supposed savings, what we're going to get.

I have a question on that added ordinance, what does this mean by this aggregation. I got something from WPS Energy and I'm very confused and I don't think I'll be the only person that is confused in this city and I would like to have a little bit of help on that. I had help in the past from our former Purchasing Agent and I would like a little more help again because it's very confusing. Like everybody else, not only am I using more energy but the cost is going up and up and up and up. I would like to know if this is going to save, what the rate is going to be. Thank you, I'd like the answer as you get to the ordinances. Thank you.

Mr. Harvey Hutter – 1446 E. 204 St. I would like to read a letter from Pearlitha Taylor of the Heritage Park Community Association of which I'm a member.

President Sustarsic – Mr. Hutter, does this pertain to anything on the agenda?

Mr. Hutter – It pertains to #1, Res. (244-04). We have here a petition that we took around the neighborhood and had signed. The message is, Attention all residents of East 193rd and surrounding streets. We are against the rezoning of the property at 1541 E. 193 and Roseland for wholesale and retail. We are concerned about the increase in traffic and for the safety of the children in our neighborhood. A business on a residential street will generate increased traffic and bring strangers to our community. There is an unfenced playground next door to this property. Our children, as well as all the residents will be subjected to many patrons of this business. We already incur high traffic from the senior citizens complex, safety is our primary concern.

I stopped by there today and saw it for myself. The only parking that these people have is a narrow strip of driveway that goes just adjacent to the building. When you get to the back you could possibly park 2-3 cars, but you can't turn them around. So that would mean that anybody parking in the back would have to back out which creates a pretty hazardous situation considering all the kids and what not. So that's that.

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

Res. (244-04) UDE 193rd Third Reading

A resolution granting a Use District Exception pursuant to Chapter 1375 of the Codified Ordinances of the City of Euclid, to Victoria S. Whitmore to allow a U-4 (Retail/Wholesale) use in a U-5 (Commercial) Use District, at 1451 East 193rd Street, Permanent Parcel No. 646-23-080. (Sponsored by Planning & Zoning Commission)

Third Reading. Public Hearing January 18, 2005.

Ord. 1-2005 (253-04) Northcoast PCS

An ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a lease agreement with Northcoast PCS, aka Cleveland PCS Realty, Inc., 7165 East Pleasant Valley Road, Independence, OH, to allow the co-location of a communication antenna on the Communication Tower located at Memorial Park. (Sponsored by Councilman Tony Sustarsic by request of the Service Director)

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

Commissioner Torowski – This piece of legislation was referred to Planning & Zoning at the December 6th Council Meeting. On December 21st, the Planning & Zoning Commission reviewed the co-location of the communication antenna on the communication tower located at Memorial Park and had no issues or concerns. As a result, the Planning & Zoning Commission voted unanimously to approve to Council. If Council has any questions regarding the antenna itself, Mr. Doug Koski from Northcoast PCS is in the audience and can respond.

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

Mr. Koski – I'm here representing Northcoast PCS. I would be more than happy to answer any questions that Council may have in regards to the item on tonight's agenda. In quick summary we would like to lease a portion of the tower owned by the City of Euclid on which we would locate antennas for Northcoast PCS radio equipment. The accompanying radios and batteries and other equipment would be located within the area of the fenced in compound at the base of the tower. There will be no expanding of that compound. The height that we would be leasing from the city would be 110'. That would be pursuant to a standard real estate lease agreement.

Councilwoman Mancuso – Could we and perhaps someone from the administration could explain to Mrs. Fike what co-location actually means. Then don't we have someone co-locating on that tower now?

Asst. Law Director Vento – We have 3 or 4 other companies that lease from the City. They've located on the tower. The tower that we're talking about is the red and white one that appears to be behind the police station. It is actually located in Memorial Park. We own a portion of that space. We own the top of it and then a portion closer down to the ground that we can lease to companies such as Alltel or Northcoast PCS. Basically what they do is you see that the tower is shaped like a triangle and little antennas that stand right are attached to it. That's basically what they do. They attach an antenna, there is some equipment on the ground underneath it, within a fenced in area and the ground equipment talks to the antenna, the antenna talks to the cell phones. This is a pretty standard agreement. We've done it with several other companies in the past. Any other questions?

Councilman Sustarsic – What fund do these revenues go into?

Asst. Law Director Vento – General Fund.

Councilman Delaney – If you could, there was a member of the public, Mrs. Dorothy Fike wanted to know just exactly what co-location means.

Asst. Law Director Vento – Like I said, we own the red and white tower, it is a triangle shape ...

Councilman Delaney – I understand the tower.

Asst. Law Director Vento – structure and the co-location means the little antenna that's attached to the tower.

Councilman Delaney – Thank you.

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

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

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

Ord. 2-2005 (267-05) Contract – RLG, Inc.

An emergency ordinance authorizing the Director of Community Services and Economic Development of the City of Euclid to execute a professional services agreement with RLG, Inc. to provide for the administration and coordination of the Community Development Block Grant programs, as well as professional services related to specific Community and Economic Development projects, for the term of January 1, 2005 through December 31, 2005, and shall be recompensed in an amount not to exceed Fifty Seven Thousand Six Hundred Dollars (\$57,600.00). (Sponsored by Mayor Cervenik)

Councilman Daly moved for passage, Councilwoman Mancuso seconded.

Director Pietravoia – I'm pleased to bring forward tonight this proposal to continue the coordination of our Block Grant funded programs. Through a contractual arrangement with RLG, Inc. RLG, Inc. is represented by Robert Gliha, one of our retired employees who is one of the company's principles. We're very fortunate to have the opportunity to continue to be able to draw upon Mr. Gliha's experience and expertise related to the Block Grant program. He is most council members probably have heard or realized this. He is recognized throughout the State as one of the leading experts in the Block Grant program and the regulations related to it.

This particular contract would actually represent a cost savings to the city over the former arrangement as a full time employee. I'm estimating based on the not to exceed amount of the contract of \$57,600. If we actually spent that full amount, it would represent a cost savings to the city of between \$20,000-\$30,000.

We anticipate that the beginning months of the year would be the busiest time period because that's the first quarter when all the reporting is due to HUD both from our prior year and our proposals for our current year. We brought this forward tonight as an emergency ordinance. We couldn't bring it forward until the budget was actually passed which happened at the last meeting in 04 and also it wouldn't have been appropriate to bring it forward until the retirement had actually occurred. So the first possible opportunity was this evening's meeting. Primary reason for the emergency is that the first quarter is the busiest time period from a reporting standpoint and we'd like Mr. Gliha to get started right away.

There is a secondary component, I just wanted to mention briefly in the contract that's attached. As all of you know in his capacity as Acting and Deputy Director Mr. Gliha also performed a number of other functions for the department that were related to community and economic development. For example, he served as the City's Enterprise Zone Manager. The County requires us to designate a manager for any abatement projects that we enter into. That person takes care of all the annual reporting and conducts an annual meeting on any ongoing enterprise zone agreements.

That's one example of an area where we need to transition and part of this contract would be to participate in training other staff members so that transition can occur quickly and in an orderly fashion. If you have any questions, I'd be happy to respond to them.

Councilwoman Mancuso – Point of Clarification. Will Mr. Gliha be operationally fulfilling our grants and filling them out? And/or, will he also be seeking grants for the City? In what capacity are we using him as a consultant?

Director Pietravoia – The first statement was more accurate. His primary responsibility would be to oversee the administration and coordination of the existing block grant program. That is a very important function and if it weren't undertaken under a contractual arrangement we'd have to hire another staff person to do this work.

By the way, I did want to mention I forgot to in my remarks that we did receive official notice of our 2005 block grant award which again is in the amount very similar to our last year's award of \$1.16 million.

Councilwoman Holzheimer Gail – Is it anticipated that Mr. Gliha would be the only person performing these duties under this contract?

Director Pietravoia – With regard to the administration of the block grant programs? In terms of administration, coordination, yes. However, I would have a small role in performing those duties as well as director of the department. Also the other staff would continue their functional roles of actually operating the programs. Like the Storefront program with Mr. DeWine for example and things of that nature would still be conducted by staff. This would be more administration and coordination of the overall program.

Councilwoman Holzheimer Gail – My question, I didn't state it right. Will he be sub-contracting any of his duties to other people, not city staff? Or is this only for his services?

Director Pietravoia – This is only for his services. There won't be any subcontracting anticipated.

Councilwoman Holzheimer Gail – Will he be working out of City Hall?

Director Pietravoia – Occasionally. Although some of the duties that are related to this, the reporting functions, wouldn't necessarily have to take place here at City Hall.

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

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

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

Ord. 3-2005 (268-05) Home Health Services

An emergency ordinance authorizing the Director of Community Services and Economic Development Department of the City of Euclid to enter into a contract with Breckenridge Senior Independence for the provision of Home Health Services and Nursing Services in the amount not to exceed Forty Two Thousand Dollars (\$42,000.00) for the period of January 1, 2005 through December 31, 2005. (Sponsored by Councilwoman Holzheimer Gail)

Councilwoman Holzheimer Gail moved for passage, Councilman Delaney seconded.

Director Pietravoia – This is an annual contract that the department enters into to provide part of the senior program services. We had gone through a process at the end of 2003 and I'll let Margaret Hastert Wolf who is here this evening elaborate on it if there are any questions. We've gone through a process at the end of 03 to bid for these services. We found that this particular company was able to combine a number of services that were contracted for separately in the past into one comprehensive contract. They're able to provide some of the service that were performed by home care social worker, a position that was eliminated I believe at the end of 03 and was not filled again. So in part, this is serving in that capacity as well. I would just like to have Margaret make a few remarks about this particular contract.

Senior Programs Manager Hastert-Wolf – Happy New Year to everyone and thank you to Council and the Administration for the continued support provided to Senior Programs. Pertaining to this contract, the Director is speaking of our arrangement with Senior Independence formerly known as Breckenridge home care. Senior Independence is able to provide a coordination of care in the health aid program and nursing services. By providing this coordination, they are able to save the city money. We are also able to provide a more seamless care service as Senior Independence is very able to respond to the needs of our customers. We have had good success with the program in 2004 and seek to continue providing this service. We provide these services to the very frail of the community. This along with the other home care programs such as home delivered meals, chore service, homemaker service and transportation are key components of our continuum of care which allows for those frail individuals to continue to remain in their own homes. We target those people who are not eligible for Medicare or Medicaid and who could not afford private home care or assisted living costs. So in providing this service under the block grant funding we are able to do a tremendous service for those in the community.

Councilwoman Holzheimer Gail – Margaret, your staff does a wonderful job and I notice the contract has been very successful. Would you let the people watching at home who may have a parent who needs assistance or a neighbor or themselves might need some help, would you let them know how they could find out more about it or get in touch with the senior programs.

Manager Hastert-Wolf – The Senior Programs in our new home of the Euclid Lakefront Community Center continues to provide our home care programs at the senior center. We can be reached on either our website. We do get e-mail messages or at 289-2985 is our general phone number. By asking for home care services, they will be put in touch with one of our social workers who will get them started on the programs. I also wanted to let people know that the magazine called the Lakeline or the Newsletter is our new publication and it gives you information about senior programs including how to contact the agency. Another important piece of information from our collaboration with Senior Independence, we will be able to offer a new program that will be able to monitor people with diabetes at the community center on a weekly basis. To enroll people in the screening program, we will be hosting a mini-health fair on January 19th from 10:30 to 1:00 at the new Lakefront Community Center.

Chief Maine – this is their standard contract. They use it for any community that comes and uses their facility. Our facility will continue to house female prisoners for up to 24 hours. We will continue to do that. So any need for a BAC, blood alcohol, we would do ourselves.

Councilwoman Mancuso – So we should not be paying this extra \$35?

Chief Maine – Correct.

Councilwoman Mancuso – The other thing I needed a point of clarification on, they talk about cooperating communities and participating communities. Which are we in this? It looks like there is a hierarchy. If they take on our female prisoners, that they can also bump our female prisoners. There seems to be a hierarchy of who gets to stay and who goes first.

Chief Maine – Ms. Vento worked with the contract on it. Maybe she can answer specifically.

Asst. Law Director Vento – The clause that you see in there that refers to cooperating and participating. We are a contracting entity so that little paragraph in there is referring to two other groups of folks that take priority over us.

Councilwoman Mancuso – Okay so we're the third option in their priorities?

Asst. Law Director Vento – Right. It was my understanding through the Chief that this agreement with Bedford would actually be our last resort if we couldn't go to the cities that we would normally rely on. I believe there are a couple of other cities that we go to first before we actually go to Bedford and ask for space.

Councilwoman Mancuso – If we put a prisoner there and they then fill up and their communities that they do have these contracts with that they help manage the jail system for. What do we then do with our prisoner?

Chief Maine – They would then probably go to another facility that the County has an agreement with. This is the most expedient for us because it is the closest. But Cuyahoga County also has agreements with other correctional facilities outside our immediate area that would be able to take our prisoners. It would mean a greater inconvenience for us.

Councilwoman Mancuso – We would have to go get that prisoner and transport them to the next facility?

Chief Maine – I believe so but I'm not sure of that.

Councilwoman Mancuso – The only other concern I had about this agreement is we seem to be doing very well with medical care having a physician that we deal with routinely for the jail service. Now they're going to be going to an institution that we have no contract with, unless Bedford Heights has told us that we get a certain price per prisoner for medical care.

Chief Maine – what you have to understand is that we're only responsible for medical care when that person continues to be a ward of the City. These are only misdemeanor prisoners. There might be some minimal medical costs, but generally if we know that there is going to be a considerable medical cost responsibility or obligation, we generally work with the Judge to make some other arrangements like release the person on personal bond.

Councilwoman Mancuso – If they go in on Friday between and Monday, when they can get to a Judge, we have Saturday, Sunday that they could be in Bedford and get ill or injured or whatever. Then we have to deal with Bedford's contract with South Pointe I believe. We have nothing to say about that. We would pay those out of pocket costs as whatever they are the way this reads.

Chief Maine – I can't really foresee circumstances like that happening but I suppose it is a possibility.

Councilwoman Mancuso – Do we have an estimate and you may have given this to us before, I just couldn't find it in my notes, of what it did cost us for our female prisoners, the number we

had this past year? So you have something to benchmark against as we move forward. What it cost us for our female prisoners in 2004. We know how many we had, do we know what it cost us to house them?

Chief Maine – The cost to operate the female wing of the jail was approximately \$400,000.

Councilwoman Mancuso – That included all our medical costs and everything we did with our female prisoners?

Chief Maine – Correct. Maybe a little bit more with medical costs but we didn't incur many medical costs last year.

Councilman Gruber – As far as transportation goes, you may have to transport prisoners as far as Bedford Heights. Would that be done by Correction Officers or by on-duty officers, off duty officers? How would that be handled?

Chief Maine – Our plan right now is to handle it as well as we can with on duty corrections as well as police personnel. We're hoping there will be a minimum of overtime and we'll try to do it at a time that is most convenient for us in terms of the number of people that we have on duty.

Councilman Gruber – Correction Officers can transport the prisoners?

Chief Maine – I don't see them being used a whole lot because they are going to be at a bare minimum anyway. Most times it is going to be police personnel.

Councilman Langman – If we do have to use an officer on a particular shift, what would that do to patrols during that particular shift? How long do you estimate it would take round trip from Bedford Heights back here?

Chief Maine – I would imagine from here to Bedford Heights it is probably just in travel time, close to an hour. If there is any processing time, between 15-20 minutes I would assume. Maybe an hour and a half. It would take that officer off the road for that amount of time.

Councilman Langman – Generally how many officers are on the road on any particular shift?

Chief Maine – You have to understand this may not always be patrol officers. We have warrant officers, we have detectives. We're going to obviously try to coordinate this, maybe there'll be a prisoner somewhere they that have to interview. We are going to try to make this as efficient as possible so we're not always pulling patrol officers off the street. You have to understand that we have no history with this yet. You are asking me things that I don't have any past experience to put into it.

Councilman Langman – You will keep us updated on where you're pulling the officers to transport?

Chief Maine – I'm available everyday.

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

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

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

Passed.

Ord. (270-05) Finance Dept. Collect Taxes

An ordinance authorizing the Director of Finance of the City of Euclid to enter into an agreement with American Financial Network, to finance the lease and purchase of hardware, software, installation, and training necessary for the implementation of the Municipal Income Tax Department and the income tax collection of delinquent accounts. (Sponsored by Mayor Cervenik)

Councilwoman Hufnagle moved for passage, Councilman Gruber seconded.

Director Johnson – This legislation and the next piece of legislation are two compatible pieces of legislation. What this will allow me to do is acquire the hardware, software and installation and training that is necessary to set up a tax office. This should not be confused with doing full blown collection, there has been talk of that. I believe a decision has been made to do full blown tax collection. What we're asking here to do is to be able to manage and maintain an expanded and more aggressive delinquency program. The Mayor outlined earlier that we have about a \$4.4 million delinquency and our goal is to collect at least \$1.5 million of that delinquency.

We have about 6100 tax payers and this was as of September, we had about 6100 taxpayers that we had identified as failure to file. They have never filed a tax return. We have probably another 3,000-4,000 accounts that are known in our \$4.4 million delinquency. In order to be able to maintain the records and keep track of all of that, what we're asking for here is to be able to acquire a computerized system. The system has been developed by Mr. Knicely. Mr. Knicely is probably one of the two most renowned authorities in local tax collection in the State of Ohio. This is a package that he has developed and worked on for a number of years. It has quite a number of interesting features. It is very state-of-the-art. A part of this system allows us to digitally image and scan all of the actual tax returns, W-2's and documents that go with the tax return so all of that will be digitally saved information. The only feature that I can think of that is not available in this package which Oscar tells me is coming, is the ability to allow taxpayers to file tax returns on line. That will hopefully come in his next update.

To answer Mrs. Fike's question how this impacts the proposed savings, what we're asking for here to buy the software and hardware, this is about \$107,000. This is a one-time expenditure for the equipment. It is not an annual recurring expenditure. In the budget hearings we did propose to create several positions. Those salaries are in the budget at \$249,000. Like I said, I would like to emphasize that this is only to step up our delinquency collection. For a total of \$350,000 of which the \$107,000 is a one-time expenditure, we're hoping to collect \$1.5 million.

CCA currently charges us in excess of a half million dollars to collect our total income tax now. We are examining, this would be part of the step to examine whether it makes sense and whether it is feasible for us to begin collecting our own income tax. If there are any questions, I'd be glad to answer them.

Councilman Langman – Is this purchase, does that allow us to eventually take over income tax collection for everybody? Does that allow us to do that?

Director Johnson – Does it allow us to do full blown collection? Yes it does.

Councilman Langman – We wouldn't have to invest any more in software or hardware, training if we were to decide to collect full blown collections?

Director Johnson – I wouldn't anticipate, no. We'd probably have to expend money for paper forms, to have forms printed and that kind of thing, but there would be postage expenses and that kind of thing. This would be the major portion of the expenditure.

CCA is still going to maintain all of the accounts. We are going to essentially continue to turn the money over to CCA. They will essentially maintain all of the accounts and the balances and the activity on all of the accounts. But, I felt it would probably make just as much sense for us to maintain the accounts that we are doing the collections on also. To me it makes sense to buy a system that will do that, that is designed to do that. So there will be a duplication if you will on the part of the delinquents.

Councilman Langman – Why should we do this duplication? If CCA has the accounts, where is the benefit of getting this different software, I'm assuming. It is sort of assuming that role instead of using what CCA has and using the records to pursue the delinquencies?

Director Johnson – The problem occurs almost on a daily basis. Even though we do have a limited on-line access to CCA, there's a time limit factor. When we send out letters and we have people that come into the office, it is very difficult to determine how timely those payments are being made. So, what it does is allow us to be able to serve people and be able to answer questions, be able to know whether they are current, whether they have actually paid. If they say they have paid, because we hear that a lot. To be able to maintain our own records, we would know for sure.

Councilman Langman – CCA is a consortium of member communities that pay a fee to collect their income tax and so forth. Can not the member communities put pressure on CCA as the vendor, as the result of this consortium to do a better job as far as timeliness and so forth? That's what we're paying the fees for to CCA, correct?

Director Johnson – Yes. Until I guess I should say this, until there seemed to be a more aggressiveness on our part to collect their delinquency, that delinquency probably would have remained. We are seeing more action out of them now. But it is only as a result in our interest in collecting our delinquency. I have no idea how long this \$4.4 million in delinquency has existed. I do know that of the 6,000 people that have failed to file, many, many of them are multiple years. So, I suppose we could probably go down and pound the table and demand that CCA provide better service, but there's also a possibility that for a half million dollars, we might be able to do a better job of that. Possibly do it for less than a half a million dollars.

Councilman Langman – Well you understand my concern is that we're hearing might and could be and we're gonna probably make a major investment here tonight into this. I'm not asking for a crystal ball, but might and maybe makes me quite concerned. Another question for you Director Johnson, back to the budget where CCA's charges were all over the map. Did we find out why those charges had such big jumps between, falling actually between 2002 and 2003 and then jump back up again. Did we get any information from them explaining those terms?

Director Johnson – The only explanation that we received was once a year there's an audit that is done and the additional charges that we paid last year and at the end of 03 were as a result of an audit that was done of 2002. Those audit additions became known towards the end of 2003. We got three charges of about \$84,000 a month at the end of 03 and we received one \$84,000 charge in January 04. Their explanation was that because interest rates have declined, I suspect that there were probably several communities that dropped during that period of time, which means that the overhead that's going to be spread on the rest of the communities increases. That's generally what their explanation was.

Councilman Langman – Could we do the delinquency program through CCA without making this investment? Is that possible from your perspective?

Director Johnson – This is all new to us, setting up a tax office. I can't really tell you what setting up a tax office is like. We are relying on Mr. Knicely who has 35 years plus experience in this. It would be a difficult challenge to try to maintain 13,000-15,000 accounts and their balances using something other than specialized application.

Councilman Langman – Would it be possible to have Mr. Knicely within the next week or two come in and make a presentation as to how this would all work, the pros and cons of changing? Again I hear a lot of perhaps and maybes and that's to a certain degree to be expected, but, I would full more comfortable if we had more definitive answers as to the cost benefits of making this investment. I would make a motion to send this to Finance committee for presentation by Mr. Knicely.

Director Johnson – I would ask that we have the meeting rather quickly so there's not a great amount of delay in getting this on the ground because we do have quite a challenge of collecting a million and a half for this year.

Councilman Langman moved Ord. (270-05) into Finance Committee. Councilwoman Holzheimer Gail seconded.

Councilman Delaney – Since we will have this meeting, a couple of other things. I realize that we did budget the money for the positions. How many positions does this department supposed to have?

Director Johnson – We hope to end up with 6.

Councilman Delaney – Can we have an organizational chart of those people? I would like to see who is going to have access to the tax information. Ultimately there is an advantage to having

Ord. 5-2005 (272-05) Electric Aggregation

An emergency ordinance authorizing the Mayor of the City of Euclid or his designee, to enter into a power supply agreement between the City of Euclid and WPS Energy Services, Inc., 1088 Springhurst Drive, Green Bay, Wisconsin 54304, for the supply of electricity for the City's electric aggregation program. (Sponsored by Councilman T. Sustarsic)

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

Asst. Law Director Vento – This is another power supply agreement for the electricity aggregate. To answer Mrs. Fike's question posed at the beginning of the meeting, let me give you a little recap of the program. In 2000 the State of Ohio authorized the city's to form governmental aggregates for the bulk purchase of electricity. The City of Euclid began an aggregation program and used WPS as its supplier December 31st of this year will be the last year of that particular 4 year program.

The program with WPS is an opt-out program. If you don't call WPS and tell them you want to stay with CEI, you are automatically in the program. The voters in the City of Euclid approved such a program in 2000. We're coming in on the end of the 4 year program. The PUCO has imposed a deadline for us to come up with a supplier for the years 2006-2008. That's why we're bringing this before you today. This is a proposal from WPS. They are proposed 3% off the generation price for the first year of the contract. We're talking about something pretty far in the future. We don't know what the market is going to look like in 2006. So there is a way out for both parties from this contract. If within 90 days before January 1, 2006 neither one of us can agree on what the price structure is going to be, either party can get out of the agreement. Because of the PUCO deadline we need to get this executed by January 21st of 2005.

They are proposing 3% off the generation price. Which is not as good as we have now, but there are no suppliers actually willing to service northeast Ohio at this point in time. It is pretty complicated situation with the rate structures. I don't know if you follow that in the business section of the paper, but the independent suppliers have not been able to come up with prices that are real competitive with First Energy's price. Not to many suppliers want to come in and service our area. We did get the proposal from WPS. We actually had two proposals at one point in time. First Energy Solutions offered us a price and then they pulled out and withdrew their proposal. What we're left with is WPS proposal, 3% off generation for the first year of the contract. The contract will not start until 2006. Each year would be renewable. If at the beginning of each successful year we could not come up with a price that we agreed upon, we also have a way out of the contract. It's a pretty safe agreement. We're not committing to a whole lot, but we are complying with the requirement of PUCO that if we want to go into a power supply agreement for our aggregate for 2006 we got to get this in now. First Energy, our local utility, also has the right to look at this contract and they need to see it by January 21st.

That's why we're here today, that's why the ordinance is an emergency ordinance so that we can get the ball rolling and comply with the PUCO requirement. Hopefully offer the residents some savings. There's not much opportunity for savings out there right now because the market is pretty tight. This is what we have.

Councilman Langman – Did Buckeye Energy have anything to do with the negotiations on this particular contract?

Asst. Law Director Vento – Yes, they are currently our consultant. They are still with us under our current program. They've been watching the market for us. When they hear of offers that are out there, they negotiated a price with First Energy Solutions for another City and that's how they knew they could get a proposal for us for First Energy Solutions which ultimately was withdrawn. They watch the market for us and they do talk to the suppliers and they know what market conditions are so we don't have to become mini-experts in that ourselves.

Councilman Langman – For this contract, did they actually negotiate or did we negotiate the contract?

Asst. Law Director Vento – They negotiated this contract. Although I did sit in a preliminary discussion before this contract was presented to the City.

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

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

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

Passed.

COMMITTEE OF THE WHOLE

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

Mr. Matt Sarver – 26550 Shoreview. I'd like to address some comments made by a fellow resident at the December 20th Council Meeting. Mr. Tortorici stated that this is a Council Meeting, not a WWF match and that residents should behave accordingly. Although I agree with this particular statement, I find his words hypocritical having witnessed his behavior at a recent Council Meeting.

At the December 1st meeting, I watched as Mr. Tortorici asked a fellow resident to step outside because he didn't like something the man had said. I don't believe that picking fist fights is appropriate behavior for council chambers. This is not a high school. Such behavior demonstrates a lack of maturity and self control. Mr. Tortorici spoke also of bully tactics. Based on what I saw, the only bully tactics being used were the one he himself demonstrated that evening.

Mr. Tortorici stated that during a phone conversation with Mary Jane Skala, Editor in Chief of the Sun Journal, he was told that Jeff Piorkowski in lieu of being fired would be transferred to another newspaper. This statement seemed a bit outlandish to me, so I decided to check it out for myself. On December 30th, I spoke with Mary Jane Skala. She told me that while she did in fact speak to Mr. Tortorici, she never made any such statement to him or anyone else. In fact, she informed me that there were never any plans whatsoever to either eliminate or transfer Mr. Piorkowski. In addition she mentioned that a large number of residents and subscribers contacted her and I did to lend their support for Jeff and find out exactly what was going on. As it turns out Mr. Tortorici's statement regarding Jeff Piorkowski was nothing more than a mean spirited fabrication.

Instead of blaming Jeff Piorkowski for the news of the day, perhaps Mr. Tortorici, you should take a step back and examine more closely the reasons behind the headlines. It is clear that Euclid is going through turbulent times both politically and financially. Jeff Piorkowski doesn't make the news, he simply reports it. I believe the often quoted phrase, don't shoot the messenger, would apply here.

Mary Jane Skala, as well as her predecessor have supported the administration on such matters as the Hillandale project and subsequent settlement as evidence by the December 2nd and 9th editorials quoted by Mr. Tortorici. Although I disagree with the editorials, neither myself or anyone else has demanded that she be fired or transferred. Tom Ott and Phillip Morris of the Plain Dealer consistently support and endorse the administration on every issue under the sun. Yet I am not clamoring for their heads on a platter.

The notion that a reporter should be removed from his position for the appeasement of one misguided individual is absurd. I can't help but wonder if NBC news receives irate phone calls from Mr. Tortorici every time Tom Brokaw runs a story he dislikes. Or if ESPN receives hate mail every time he is unhappy with the final score of his favorite sports teams.

Mr. Tortorici like every other Euclidian is very much capable of forming his own opinion. The idea that Jeff Piorkowski or the Sun Journal are trying to quote, run his life, is disturbing. He makes it sound as though Jeff Piorkowski trudged up to his front door with a Sun Journal in one hand and a cattle prod in the other demanding that he read the articles and form a predetermined opinion on it.

At the end of the day I believe that most of us speak from the heart at this podium. Although a number of us are involved and active in various groups and associations, which echo our ideals or resonate our beliefs, we must all stand at this podium alone and take responsibility for what we say. It is unfortunate that Mr. Tortorici is fearful of, as he puts it, reprisals and intimidation. I do not wish that on him or anyone else. But while we're on the subject of intimidation I wonder if Mr. Tortorici gave any consideration to Mr. Piorkowski's feelings prior to spewing his selfish inaccuracies. Would it not be fair to say that Mr. Piorkowski experienced some degree of intimidation as a result of Mr. Tortorici's flagrant personal attack? If anyone has any repenting to do, it would be Mr. Tortorici. I feel that Jeff Piorkowski is a talented journalist.

I feel he possess class and integrity and I look forward to another 17 years of his work. Thank you.

Mr. Jim McGreevy – 2051 E. 226 St. I'm a resident of Euclid in the Chardon Hill Community Association, past-president with my wife. I come up here following a speaker that I'd like to invite him and Mr. Tortorici and Council and the Administration to something that we are doing to bring the city together. This appeared in the Sun Journal newspaper last Thursday. It is an ad that myself and my wife as members and I'm treasurer of the One Accord Political Action Committee. This is a gathering to try to make it a Happy New Year in Euclid with positive actions taken to bring all factions together and there are factions but we want to make it a one faction. Just sent off 23 of these to 23 churches in the City of Euclid asking them to post this information to their church members to come to Recher Hall on Sunday, January 16th for the purpose of letting us work together to make it a Happy New Year. The people of Euclid are invited, our City Hall officials, Providence Baptist Church and the churches of Euclid.

I'm anticipating a wonderful time. We're going to have music and worship by the Doug Gilmore Worship Ministries, with fellowship, food and fun. The doors open at 6:30. I'm anticipating having to ask other churches to become part of this to have spill-over for the amount of people that we're expecting to come to attend, to stand in unity.

When I went to the post office today to mail those letters to the 23 different churches, I went to the post office at Richmond Heights because we were to late to get to Euclid to get them off. I'm waiting after the post office closed and the lady said it is a sixty-cent stamp for each one of those. So I paid the bill. She gave me the stamps and the sixty-cent stamp was Epluribus Unum, the motto of our country. One can make the many. Many can make the one. I think that's pretty significant to remember. Thank you.

Mr. Tod Guntner – 390 E. 257 St. Hope everybody had a fabulous New Year. I would like to talk about recycling this evening. Euclid Petpals has been involved with recycling for as long as we've been and the Animal Shelter itself has been involved with aluminum can recycling for several years I think. We are going full boar on recycling. We're asking everybody to bring their aluminum beverage cans to the Shelter. Pop, beer, no steel cans please. Just rinse them out, place them in a plastic bag, bring them to the Shelter. There is a blue recycle bin right next to the front door. It is just up three steps, or up a ramp.

Next is Cash for Critters program. This is a program where you bring your printer cartridges to us and we turn them in for cash. I did mention this before. Most everything is \$1-\$2 but we do get a few that we get \$12 each for. We've been doing this about 6 months and we're pretty close to the \$100 a month range right now. We would like to step that up. Now with the new recycling program with Abitibi, we have a 9 ton container for paper at the Shelter right now. I would estimate that it is 20% full already in less than a week. They are going to be coming every two weeks to pick that up. It is 9 tons. We can probably net about \$30 a ton. All the recycling directly benefits the animals at the Animal Shelter. It will enable us to start some new programs. We would appreciate everybody's support both homeowners and residents of our apartments and condos. Please bring your recyclables to the Animal Shelter, whether it be paper, aluminum cans or print cartridges. For the rest of the recyclables, they go to the police station and Sims Park and Fire Station #2.

If I'm not mistaken in the letter it says all recyclables and it was my understanding that cardboard is not part of the recycling program as it was with curbside. If you could just reiterate that when I'm done, I'd greatly appreciate that. Our address at the Animal Shelter for drop off is 25100 Lakeland Blvd. That is on the South Marginal about ½ mile from B&B. Our phone number is (216) 289-2057. Our phone hours are 8-4 Tuesday through Saturday. If you have any questions, don't hesitate to give us a call. Have a good evening.

Director Gulich – Mr. Guntner, that is correct. Cardboard and phone books. If you want to recycle phone books you have to go through the Cuyahoga County program. Abitibi is actually a huge corporation I think they'll become a household word in the next year or so. Our school system is actively using them and they are going into schools and promoting and educating our students there about the importance of recycling, what the Abitibi program is all about. I think we'll have Abitibi as a household word and they'll be able to help some important causes in our city.

Ms. Kate Wenrick – 294 E. 264 St. First of all I just wanted to thank you Mr. Gulich. I'm sure you had a really horrible week and I just wanted to say thank you for returning my call really fast. Mr. Mayor, I was reading the Sun Journal last week and saw the article about the two part-

time prosecutors and I had a couple of questions. When was the job opening for the City Prosecutor first advertised? Where was it advertised? How many people responded to the advertisement? How many of the people who responded had experience as a Prosecutor? How many were interviewed and when? Thank you.

Mayor Cervenik – I was not actively involved in the hiring either one of those gentlemen, although I did know that Mr. Frey would be hiring two part-time prosecutors. It is the Law Director's authority and actual responsibility to hire those people that he feels can best perform the job based upon his judgment. That's what we did and therefore those jobs did not need to be advertised, so the other questions are irrelevant.

Ms. Jan Markulin – 421 E. 272 St. Mr. Mayor, I would like to know, I was not in support of the Hillandale project and I voted against it. I would like to know why, number one, my vote didn't count? Number two, when you said your door is always open, I sent you an e-mail, why have I not received a response back? If your door is always open, why did I not get a response? I will on the other hand tell you my Councilman, when I have called him, has called me back within an hour at the most, which is wonderful. This is my first meeting. I sat here. I listened to a lot of double-talk, a lot of dishonesty and was totally flabbergasted. I don't quite understand. My husband and I bought our home 11 years ago with plans to raise our children here. My husband is a life-long resident, he has lived here for 50 years. That's where we plan to retire. Now I wonder, will Euclid still be here when it comes time for me to retire. Thank you.

Mayor Cervenik – I will check into why I haven't answered your e-mail. I've had about 120 e-mails since the snow came down and I'll make sure I do answer yours if I haven't already. The vote, your vote did count. What you voted on and what we had to settle in court as we've explained a number of times are two totally different situations. Thank you Mr. Chairman.

Mrs. Audrey Kaplan Goodman – 20201 Glen Russ Lane. Two weeks ago I came before Council to ask questions that had already been asked by concerned citizens of Euclid. None of the questions was complex. A simple one or two word answer would have been sufficient. The Mayor asked that I put them in writing to him so that he could answer me directly. Mr. Mayor, thank you for responding and answering my questions. I received your e-mail answers today, this afternoon. Your answers have prompted other questions which I'm going to ask this evening. For the record, here are my questions again and your answers as I wanted to make sure that the citizens of Euclid can now realize that their questions will receive responses.

First I asked how much did the Hillandale settlement infomercial cost? Your answer, approximately \$1,000-\$1,200 plus 40 hours of regular employee staff time. My new question tonight is, why don't we have an exact total?

I next asked if the people have a right to make a rebuttal infomercial of the Hillandale settlement. Your answer, yes, on Channel 21. The staff would assist if the schedule permitted. It would not run on the same schedule as the Hillandale settlement. I ask you, why on Channel 21 and not Channel 23? Why not on the same schedule? What schedule would be used?

I also asked whether an appraisal was done on Shore Cultural Centre. Your answer, yes it was done for insurance purposes. The appraised value came in at \$13 million and it was done by American Appraisals. My new question tonight is, if the appraised is \$13 million, how can this city even consider selling all or part of Shore for \$300,000, \$800,000 or \$3 million? Isn't that giving Shore away when the city is in such dire need of money? If we're going to sell Shore and it is worth that much, how many safety personnel could we rehire and how many services could we reinstitute if we get the appraised value or even more?

I next asked why are supplies shipped and billed to Shore and then distributed. Your answer, supplies of other departments are not shipped or billed to Shore's budget.

My next question was, why the Library made requests for video tapes not yet delivered. Your answer was, you went on the record and stated that you would comply with what the Library wanted, old or new. Your answer was that you were informed that my husband made two requests for tapes. You were also informed that the Library does not want to or have the room for your total of 104 tapes that it would require. I ask you, what different does it make who makes the request? A request was made and there is a need that needs to be addressed. A request for the December 2003, January 2004 and February 2004 Council tapes was made. My count would be 5 Council Meetings and maybe a max of 10-12 video tapes. Where are you getting the 104 tapes from? I look forward to you fulfilling this request for the Library.

My last question was whether a tape of Hillandale settlement had been given to the Library. I'm happy to report that the answer is yes on that one.

Again, Mr. Mayor, I want to very much thank you for renewing my faith in the Committee of the Whole process. I look forward to you answering my new questions.

On that same night I asked my questions, I asked one of the Council President. My question was, why are the rules different depending upon who is standing at this podium. The Council President did answer, thus going on the record. Mr. Council President, your answer was that you do indeed alter the rules depending upon who is standing here. My new question to you this evening is, can you please cite me the rule in Robert's Rule, the Charter or any other rules that govern this body that allow you such latitude. Personally, if such a rule exists, than why are there any rules at all.

It sort of reminds me of an ordinance that requires 2,000 sq. ft. minimums on all new home construction but can be altered per request. Where do I go or any citizen for an even playing field? I look forward to your comment.

As this is a new year and new start, I want to congratulate Linda Fleming for getting her job back as by the rules she should have not been let go in the first place. The good news unfortunately must be followed by bad news that others will have to seek new employment. My fervent New Year's Resolution for 2005 is that this City find its way to heal so that everyone and I do mean everyone can survive in harmony and for the good and welfare of the City of Euclid.

President Sustarsic – Thank you Mrs. Goodman. I'll get an answer to you that is as appropriate and complete as I can. Next speaker please.

Ms. Maryjo (?) – 357 E. 210. After reading the newspapers and following Council Meetings, I am concerned about the future of Euclid. First I'd like to share my thoughts on the legislation to vacate Miller Ave. I am opposed to this because I use Miller to reach E. 222 when I need to travel north as do many others. I feel for the residents of E. 223rd and 225th because with the vacate of Miller, these streets will be used as a cut-through. These are residential streets, not commercial streets. My street is used as a cut-through and cars speed down our street. We need to think about the heavy traffic and the safety of our children. Why should the residents pay the consequences for Panini's to have additional parking? After all, they purchased the property knowing how many parking spaces were available. The prior restaurant, the Tap House, didn't ask to vacate a street and infringe on taxpayer's rights.

This situation I compare to Hillandale. A church purchased property not zoned for their needs and expected us, the residents, to role over and grant their wishes. Even with the 60% majority saying no to Issues 33 & 34. The Mayor rolled over us and settled with the Church. It is just my opinion but the taxpayers' wishes are not being granted. If every vote counts in the Presidential elections, why don't they count in Euclid?

In addition, I'm truly disappointed that there is no longer curb-side recycling. Lastly our bond rating is at the lowest. Fire Station #4 has not been re-opened. The position for Asst. Fire Chief has not been filled and the Mayor promised. It is still curious to me as to why the Mayor has not shared his three year plan yet. With these concerns and more, my first impression during this Administration's first year in office has left me disappointed and I ask myself, where will we be in three more years? Thank you for your attention to my concerns.

Mrs. Alice Yatsko – 26930 Gary. I wish everybody a very hearty and healthy New Year. In a recent article in the newspaper I was surprised to read that Brian Meister will be working in the new tax department. A few months ago Mr. Meister showed anger and rage at this podium while he delivered a most inappropriate speech. He called opposers of Hillandale racist and anti-Semitic. After this outburst the Administration said, Mr. Meister would no longer be working in a capacity dealing with the public. So why has this job description been altered?

In my opinion this is not the kind of person we have to access public taxes and private confidential information. How can over 13,000 opposers of Hillandale and believe Mr. Meister to be a racist and anti-Semitic, feel comfort and trust what they find in this balance? How can the citizens of Euclid feel safe with this appointment? This is just another promise broken and it is deeply troubling me and I ask the Mayor to please, kindly, reconsider.

Mr. Tom Cooke – 25641 Edgecliff. Just a few comments, the only real issue that brought me to this podium is Panini's. I was kind of shocked that this issue was put into Committee. I can't believe when we have an ongoing, viable business and this city is dying and screaming for money in any direction it can possibly get it, that we would turn away, not turn away yet, but we would put on the back burner an issue of this importance.

Long story short, I hope that you approve of this parking lot expansion. Right away it is going to bring in more tax dollars, as small as it may be, it is definitely going to be more tax

dollars. I do understand residents being unhappy and concerns the residents may have. However, they're not alone. I also have concerns. Down the road I expect a marina to go in, not to many streets down from where I'm at. I really don't care to have a marina go in if I had my own choice. However I do realize the economic impact that will have on this area and this community. I would be nice to be like Gates Mills or Hunting Valley where we really didn't need any other sources of income other than residents themselves, but we're just not in that boat. I do urge you to pass that issue when it does come up again.

Hank Gulich, snow removal. That was a very rough day. I commend you. I really do. I know a lot of people out there really don't, a lot of people may disagree. I was out there and I saw what it was like. I know you have half the crew you originally had a few years ago. Thank God they didn't get the flu.

Just a few observations, the 206 Edgecliff development, Coral Development. I just happened to step into that development, take a look around about a month and a half ago. Phenomenal development. Phenomenal development. I don't work for Coral Company. I don't get any benefits from Coral Company. However, I give that company hands down credit for everything that's going on over there. If you have a chance to walk into that development, look at the construction, the lay out, the quality of materials and the planning that went into that total development and how its going to end up in the end, its phenomenal. If you can foresee that. It is really something. If you happen to have \$400,000 in your pocket, you can own one of those townhouses. But it is definitely without question worth it and it should be the standard by which all construction in this community is measured against.

Golf course. Sell it to the Coral Company. Euclid Square Mall. Sell it to the Coral Company. Kmart, PMX, sell it to the Coral Company. I am extremely impressed with what they have done to say the least.

Another observation, Euclid Hospital which is owned by Cleveland Clinic is going to be expanding its emergency room by doubling its size from 6,000 sq. ft. to 12,000 sq. ft. This is something that maybe the public isn't totally aware of and should be. This is a strong point, a very strong anchor point to this community. Where my parents took us there as children, we took our children there as children. Many of the young families around here, right down the street, you're in the emergency room to Euclid Meridia Hospital. In probably about a year, year and a half, you're going to have a state-of-the-art emergency room that is going to be able to service this community. It is also going to help the safety forces due their job that much better.

Back to the snow day. I would like to just recognize Euclid Auxiliaries. There was a group of auxiliaries that were out that day pushing cars out of driveways, out of the street, getting them out of the way. They work for free. They work because they like to do things for the community. In particular I would like to recognize Patrolman Mike Walsh who out of his own pocket bought a gas can and gas to fill up a lady's gas tank who stalled out on 260th around 9:00 PM when it was 5 degrees outside and no one else around. I can only guess what would have happened had that woman not been approached by Mike. This is just a small tip of the iceberg of what some of these people in this community do on their own time and out of their own pocket. I just don't think it is recognized all the time and it is something that should be happening more so on a regular basis. Thank you.

Councilwoman Hufnagle – Thank you Mr. Chairman. Mr. Cooke mentioned the vacation of Miller and sending it to Committee. I wanted to take the opportunity to mention that we have changed the Committee Meeting until the 12th. We are meeting with the residents informally tomorrow. We want a resolution to this that is good for the neighborhood and the neighborhood being Panini's and the neighbors of 223. The neighbors needed some more thought in that process, they needed to be involved a little more. We wanted to be able to take that opportunity to do that. Again, making mention the meeting that we had originally set it for Wednesday night and we're pushing it to the 12th just because of the Holiday and to give everybody more time.

Mr. Harvey Mlachak – 23831 Lake Shore Blvd. Euclid, Ohio. I've said this before but I believe its worth repeating. It seems that people who come to this podium bother and disturb you. However quite the opposite is true. The reason we are here is that you bother and disturb us. We seem to bother you to the extent that one council person left the Council chambers so that person wouldn't have to listen to the comments of a citizen whose problem is very important and of major concern to her. That action was not only politically incorrect, but also extremely rude, ill-mannered and disrespectful.

What disturbs me tonight is this article from last week's Plain Dealer. Proceeds from the recycling will benefit the Euclid Hunger Center and the Euclid Petpals. The same was stated in the communications that I received from the City in this afternoon's mail. I hope that my

assumption is correct that all revenues generated by this program will be shared between the Hunger Center and Petpals. Who may I ask is the world scholar who would place a stupid cat or a mangy dog on or above the same plain as a hungry and needy person?

Perhaps a youngster who comes to school with a tummy-ache because he or she didn't have breakfast. If they didn't have breakfast, chances are they didn't have supper either. If you have the nerve to put a stupid cat or dog on the same level as these poor unfortunate people, especially children. The whole idea to me is revolting and disgusting. I will admit that animals do have a place in our lives. Please keep them in their place. I will keep recycling and I hope the few dramas that are generated by my efforts will go 100% to the Hunger Center.

I asked whose idea it was to share the wealth. I choose to withdraw the question as no explanation is necessary because none is acceptable. I feel so strongly and emotional about this matter because I was a Depression kid myself, I've been there and I've done that. Whoever's idea it was to share the wealth with the Petpals, I hope they change their mind and show a little compassion to people who are down and out. Thank you very kindly.

Mr. William Hilf – 891 E. 237 St. I'm here tonight to speak about UpStage Players. We held auditions for Grease back in December and have now cast the show and between the cast and the tech crew this year, we have 132 participants ranging in age from 7-15 years old. This is a record for UpStage and we have expanded every year. We have a no-cut policy. Everyone who comes in and auditions gets cast and that's why we have 132 that will be gracing the stage at Shore, March 18th, 19th and 20th, 2005. That's a Friday, Saturday and Sunday performances. For more information about tickets, you can e-mail UpStagetickets@yahoo.com. Go to our website at www.upstageplayers.com. Or call (216) 731-5793.

I'm also here tonight to talk about an amazing young lady who happens to have been a part of Upstage, I believe this maybe her 4th year with us. You may have caught her last night or maybe even today on Fox 8 News. Her name is Ashley Allen. She is an 8th Grader at St. Felicitas. Ashley of her own idea has decided to sell her beanie baby collection which totaled 80 retired beanie babies. They all belonged to her. All for a donation to the American Red Cross to help the Tsunami victims. This was all her own idea. She came up with it on her own. Since then, I spoke to her, I don't remember what group she said, she's had 200 more beanie babies donated to her that she will be receiving shortly and she is looking for people to purchase them from her for a donation to the American Red Cross. I don't have her phone number with me, but they did give her e-mail address yesterday of Fox 8 news and it is fishplayguitar@aol.com. She's an 8th grader at St. Felicitas and is a wonderful example of what the youth in this city are doing for the City of Euclid and what our future is. Thank you.

Mr. John Conway – 291 E. 276. They say that desperate times require desperate measures and no where is this more relevant than in our city, the City of Euclid. There are many residents in Euclid who support our belief that Mayor Bill Cervenik should face a recall election. An election that you have to accept the outcome and simply just cannot ignore or overrule.

Additionally we also believe that it would be unfair for our committee to self-select out any members of this existing council from this process. Ultimately once again the residents of our city must determine at their own free will who they ultimately want to hold accountable for the current direction of our city.

Though recalls are seldom used it is a provision of our city charter. The same city charter that you as elected officials are sworn to protect. For many residents, a recall effort comes down to just simply two questions. They are: Is Euclid better off today than it was one year ago? Does Mayor Cervenik have a clear plan for Euclid's future over the next three years?

You may remember that Mr. Cervenik campaigned on 5 key points for improving Euclid's future. Number 1, attract manufacturing, technology and service jobs. Number 2, help improve Euclid City Schools. Three, strengthen our neighborhoods, parks and lakefront. Four, balance the city budget and demand accountability. Five, protect our safety and services.

After the completion of his first year in office, we believe that he has simply abandoned this plan. By doing so, not is he only tarnished his credibility, but he's successfully stood by and watched historic lowering of the city's credit rating and has placed the city at the brink of financial emergency.

According to the recall provisions of the City Charter, we were obligated to attach a statement outlining the grounds for the Mayor's removal. Listed here are some of the primary reasons for the recall of the Mayor. Additionally similar petitions have been created for all members of Council.

Count number one was your decision to overrule the vote of an overwhelming majority of your constituents on Issue 33 & 34 regarding the Hillandale rezoning.

Count number two. Your financial mismanagement in the form of money transfers, borrowing \$2 million to balance the General Fund and failing to control city spending, resulting again in the historic lowering of the City's credit rating.

Count number three. You have consistently excluded interest from public issues affecting their public safety, welfare and have demonstrated complete lack of compromising abilities.

Count number four. Your mismanagement has left manpower for fire protection, streets and sewer maintenance at dangerously low levels, leaving the entire City at risk in the event of a catastrophe.

Logistically speaking in order to successfully execute a recall election of the Mayor, we would need to secure over 3,400 signatures from Euclid registered voters. Our goal is to obtain the necessary signatures by February 20th so that we can ensure that the recall election will take place as part of a Special Election scheduled for May. What people need to remember is that throughout this process most of everything that you've heard or read about from the recall election in California last year of Gray Davis is different than the process we would need to go through here in Euclid.

One of the most significant differences is the fact that upon proper number of signatures and petitions being validated, when it comes time for the Special Election, at that time, you are only determining whether or not the elected official should be allowed to continue in their current position. If they are elected out of that position, then the Vacancy clause of the City Charter will take effect at that time.

There is no doubt that executing a recall drive against any elected official is a very serious matter. But as I said before, desperate times require desperate measures. We truly believe that Euclid should be a city that we can all be proud of again. We truly wish and hope for the days of this community that can be united, healed and move in a right direction. Unfortunately, we simply do not believe that the Mayor has a clear plan to accomplish this. The concerned residents of the City must again determine at their own free will who they want to hold accountable for the direction of the City. They will need to determine that they believe that Mayor Cervenik has earned the privilege of serving the city for the remainder of his three years left in term.

I believe this is an opportunity to send a message to the current Mayor, the current Council and any future Mayor that accountability is at an all time high in the City of Euclid. With that being said, I'd like to thank you for your continued support and I hope that everyone has a safe and happy New Year. Thank you.

Mrs. Rebecca Conway – 291 E. 276 St. I'd like to applaud the women correction officers who showed strength and perseverance in saving their jobs at the jail. If they didn't speak at this podium and research their job rights, they would now be unemployed. As we can see our Law Director, Christopher Frey, was wrong, very wrong. Per the Order of the Ohio Civil Rights Commission, the City must continue to employ these women. Congratulations to them.

I think we can learn a lot from this situation. That our Mayor and our Law Director do not always share the truth. Unfortunately with this Administration, we the residents must research the law, make our own phone calls to pertinent entities and ask questions to acquire the truth. If Mr. Frey and the Mayor were wrong in this situation, then they too can be mistaken with Hillandale. On that note, I'd like to take a moment to speak about the recall.

To help facilitate a successful recall drive, we have opened up a storefront facility that has become known as Recall Hall. The Hall will open for business on Saturday, January 8th at 7:00 AM. The address is 22744 Shore Center Drive which is three storefronts away from Perkins Restaurant. Ongoing hours of operation in January are as follows. Mondays, Wednesdays and Fridays 9:00-1:00 and 5:00-9:00. Saturday 7:00 to 4:00 and Sunday 11:00 to 4:00. For those of you who would like more information about the recall, please join us for a public meeting on Thursday, January 6th in the Shore Room at the Euclid Public Library. The meeting will begin at 7 PM.

As many of you know we are a grassroots organization. We do this because we care about the future of our city. We respectfully ask for your help to offset the expenses associated with the recall effort. Any donations can be mailed to the Euclid Awareness Recall Committee at 26930 Gary Ave., Euclid 44132. Thank you.

Mrs. Madeline Scarniench – 1511 E. 221 St. Item (267-05) on the Agenda tonight. I'm fully in support of hiring Bob back under these circumstances, but I do have a question. The contract says that he's also going to provide our related special services to the community through the economic development projects and other departmental activities. The other departmental

activities, are they going to qualify to be paid for through the HUD grant? There are certain things that you're allowed to do with that money and my question is, is that allowable whatever it is he is going to be doing? Or will that money have to come out of the General fund?

Director Pietravoia – I do share the same concern that you have. We will absolutely make certain that any activities that Mr. Gliha is involved in qualify under the Block Grant program. He is more aware than any of us what is eligible or not eligible. I've worked with the program for over 6 years myself and I'm also familiar with the regulations. I will ensure that we won't cross over into areas that are not Block Grant eligible.

Mrs. Scarniench – Sometimes Harvey Mlachak and I, most of the time we don't agree on a lot of things. His statements tonight are one of those things. Every year the Mayor, our current Mayor, the previous Mayors, they have a golf outing and their money all goes to different charities throughout the city. And they are all good charities, every single one of them. Yes, our pets don't mean as much as our children do, but its an idea and maybe next year the money will go somewhere else. But to slight one group over another, everybody who works as a volunteer in any organization thinks they do it for what's right. So I hope you will leave everything as it is, for this year and let Petpals benefit. They have worked very hard for the last year and a half to be able to keep the shelter open, given hundreds of animals new homes. I don't know what I'd do without my dog. He's like one of my children and my kids are gone. So all I have at home is my dog. So, I wouldn't want him on the street and know that he would be euthanized if there was no place for him to go. So I commend you for doing that.

How much does a Special Election cost? Does anybody know?

Mayor Cervenik – By Charter it can be done in the May primary election, there would be no additional cost.

Mrs. Scarniench – We wouldn't have to pay for that? Okay. That's good. Everybody has a right to their opinions and to recall City Council when they are going to be voted on, they are up for election again in November, to be is absolutely ludicrous. To put people through this. I thought we were supposed to start healing. When a new Mayor comes in and I don't care who the Mayor was, if it was Ed Gudenas sitting here or if it was Joe Smoe, the first year they're in office, anybody is in office, is fixing what was wrong before you got here. You know what? Bill Cervenik didn't spend the \$7 million that was in the coffers. Bill Cervenik didn't cause the problems. If he hadn't have done what he did, this would be costing us a lot more money. I believe that with all my heart. I've stated before I think there was an easier way to go about this. The Church has a right to build, but as long as you make sure that the homes are built to the specs and qualifications that this City requires, there should never have been an issue here.

To go and recall, why are we wasting our time? I assume that in a couple of weeks we are going to hear the State of the City and I would assume that we are going to start to hear some good things and the plans that Bill promised us, I'm going to hold him to too. Because while I was out there campaigned, I campaigned very hard for him because I believed he was the right person for this job. I know most of the people that are still sitting here tonight, don't agree with that. If this goes through, that everybody gets out there and really votes their conscience and council will still be sitting here and we'll see new faces in November and Bill will still be sitting here for another three years taking the City forward the way that I believe they all can. Thank you.

A break was taken to change the video tape.

Mr. Joseph Udovic – Police Chief Maine, I had a chance last week to fax you over 11 questions. Is it possible for you to address some of these this evening? Have you had a chance to do some research on them? I'll read them to you and you can go through them real quickly.

How many part-time employees did Warden Clinton hire in 2003? I know you wanted to max-out the number more than three that she recommended in 2003.

Chief Maine – Do you want me to do these one at a time?

Mr. Udovic – Yes. What is our current rate that we charge our jail space? It was set at \$100 but Warden Clinton wanted to reduce it to \$75.

President Sustarsic – Mr. Udovic, I was wondering if maybe to expedite this, if it wouldn't be any problem to present these to the Chief.

Mr. Udovic – I faxed them over last week one day.

President Sustarsic – What response did you get?

Mr. Udovic – I have not gotten a response yet, that is why I'm asking these questions now in public.

Chief Maine – I don't know if I'd be able to answer Mr. Udovic in 5 minutes. I have the questions he faxed. He said he was going to bring these up at the meeting tonight. I've got some facts and figures, but I don't know if he has to read everyone of them. I'll be glad to provide the information that he wants.

President Sustarsic – Do you want the Chief to respond? As opposed to just reading the questions or whatever?

Mr. Udovic – That would be appreciated, thank you have a good evening.

Chief Maine – Mr. Udovic asked how many people we hired in 2003, in terms of part-timers. We didn't hire any more in 2003. 2004 we were authorized to add another part-timer. About the time we got around to that, it became apparent that we were probably going to have to make some adjustments to the 2005 budget, so we didn't hire another part-timer in 2004.

The rates that are charged in the jail. We get \$62.50 a day paid by the Cuyahoga County Sheriff's office. We get \$91 a day paid by the federal government. We get \$100 a day from other municipalities.

You asked if the \$91 a day from the federal government was reduced. It was not. It is still \$91. We did have a reduction in the amount collected from the federal government in 2004 over 2003 but that was offset by almost a exact overage from the other municipalities. Essentially our collections in 2004 were I believe \$541,000 for housing other people's inmates and the year before that was \$546,000. It was that close.

You wanted to know about cost associated with transportation. I believe I answered that a little earlier when you weren't here. That is, right now we don't really have any history to work off of. So we're going to try to do it with off duty personnel. Obviously we'll have a better answer to that sometime into the year.

You believe that we have a total capacity of 160 in our jail. It is about half that. We have a total capacity including females of about 83. We have room for 66 male inmates and 17 female.

Our staffing used to be 6 corrections officers and one supervisor on days and evenings. That will now be 4 since we are now reducing two of the posts that were associated with the female side of the jail. Our average daily inmate population in 2004 was between 72 and 73. We hope to have a net savings of somewhere around \$325,000 by closing the female side of the jail. You said, were we supposed to enter into a contract with Cuyahoga County that would guarantee us a certain number of inmates. No, we were not. I believe that is most of it. Some of them were based on assumptions that you had weren't entirely correct so I didn't bother answering those. If you have more specific questions, I'll be glad to answer them later on or you can send me and e-mail.

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

COUNCILMEN'S COMMENTS

Councilwoman Mancuso – Happy New Year to everybody. Hopefully everyone had an enjoyable holiday. I have two questions, one for Director Will. Do we yet have final figures for our Irish Fest? Third times a charm, I'm sure.

Director Will – I was just on the phone today with representatives about the Irish Committee. They did just recently send a check last week while I was out so I will put that all together and have that for you at the next meeting.

Councilwoman Mancuso – So we'll know expenses versus revenue.

Council Meeting

January 3, 2005

Page 23

Director Will – You won't know expenses as far as the Irish Festival. I don't get detail from them. What I can give you right now is what our costs were as far as the city and what we made from that. But not as far as the Irish Festival, their entertainment budget, etc.

Councilwoman Mancuso – Second question is, have we yet made a decision on who is going to manage our Lakefront Community Center? As far as managing it, renting it, have we made it public?

Director Will – We currently have sent out requests for proposals and had responses from two different companies that we've been negotiating and we're trying to work out an agreement right now with one company and hope to bring it to City Council next meeting on January 18th for your approval. Not only for the agreement with this rental company, but also the fee schedule for the rentals.

Councilman Sustarsic – I would like to wish everyone a Happy New Year. I would like to say thank you to the Service Department. They did an excellent job. I know it took a lot of time. It is hard work and I've done it for quite a few years before I was here. I think another crew that doesn't get, they are not out there on the roads doing the work, but they are in the garage and maintaining the trucks and they do a heck of a job and they were working real hard to keep those trucks out there running, making sure all the snow got plowed. That's all I got to say for now, so see you in the Committee next week.

President Sustarsic – It was interesting, I did a little bit of research as well as far as surrounding communities. Everyone always seems to compare Wickliffe to the City of Euclid as far as services. If memory serves me right, I think we had 10.3 square miles and Wickliffe is only 4.68 square miles. There's quite an appreciable difference. Anyway with all that in mind, please extend my thanks to everyone on your staff, you especially, to all those, anybody involved in the city that had anything to do with the helping of digging us out. With the amount of snow that came down and what the numbers we had to work with, it was really a job well done. Hope we never have to go through that in the near future again. Again, congratulations on that.

Congratulations to Jai Walton. I know she'll do a terrific job when it comes to the Civil Service Commission.

Also January 10th, it was stated we will have a Finance Committee Meeting relative to the tax collection department and presentation thereof. Wednesday January 12th, we'll have a Safety Committee Meeting discussing the E. 223, that portion of Miller Ave. that they're looking to possibly vacate. January 26th there will be an Executive Committee meeting and there will be a presentation on Shore.

Also I'd like to say, lastly if, being that we're still, hopefully not too far removed from the Holiday spirit and taking care of our fellow man and that, any donations that anyone can make monetary or otherwise to the Red Cross or any other organization involved with the victims of the horrible Tsunami tragedy overseas, would be greatly appreciated by one and all and everyone. Just remember that we are all here and it could affect anyone, so we need everybody because we have to help each other out. Thank you.

Councilman Daly – I'm going to take this time to respond to Mr. John and Rebecca Conway. When we entered office, this new Council and this new Administration, the City faced a \$2.5 million budget deficit. During the budget hearings, Mr. Conway came to the podium and stated that he had 14 years in the financial industry as a banker. His suggestions were one, he opposed this city borrowing \$2 million. He also opposed any lay offs to school guards. Opposed lay offs to firemen. Opposed lay offs to police officers, to jail personnel, the Streets Dept., even our Sgt.-at-Arms. He came out against cuts canceling the summer fair, council losing health care benefits, closing Shore. He came out and opposed any raising of revenue through fees for garbage, through fees for street lighting, through either higher income taxes or higher property taxes.

He came out against borrowing money, raising money or cutting spending. All when we're facing \$2.5 million deficit. The one suggestion he did come up with in an e-mail to me was that if possible, and he didn't know if it was, we could cut overtime by 2.5% which would save the city \$40,000. He then came up with a way to spend it in the same e-mail.

He is also, him and his wife Rebecca, have also supported spending, additional spending. They've insisted that we spend an additional \$700,000 on a golf course clubhouse. They supported the law suit by a citizen that has cost the City \$60,000 over the golf course project. They've also insisted through a law suit that we continue to fight the legal battle with Providence

Baptist Church. A fight that even their attorney recognizes that even if we should win, the minimum cost to the City would be \$300,000.

So I don't see how someone in a finance background can justify all these positions when the City faced a \$2.5 million budget deficit when it came into office. I have a few questions for Mr. Conway. One, if the City did not borrow money or raise money, what affect would that have on our manpower as far as fire, streets and sewer?

Secondly, if we had followed your direction in falling into fiscal emergency, what affect would that have on our bond rating?

Three, you say you're not going to self-select. So if you are unable to obtain enough signatures to put everyone on the ballot, will you put anyone on the ballot? With that, I wish you a good night.

Councilman Delaney – I have a question for the Law Department or the Mayor. We haven't received any legal summary to our legislation in the last couple of weeks and I just wondered if that was going to return?

Mayor Cervenik – The Law Director is not here this evening, we'll get that answer to you.

Councilman Delaney – One other thing with the talk about recycling. I realize, I think St. Robert's also does a newspaper recycling or has a drop off. Two years ago, three years ago when we went to every other week, I think all the information was put together where people could go, all the different fundraising outposts, the Boy Scouts, whatever. If it's possible, I think those bulletin boards were put up on the cable station. If we could run those once again to show our residents that outside the 3-4 places that we put, there's probably another 6-8. If we could collect all that information up again and put it back out there so the residents know some places are closer than others that would be helpful.

Mayor Cervenik – We will do that. What you're going to find and I guess this is probably because it is a new program, people don't quite understand is that this is not a contract between the City of Euclid and Petpals and the City of Euclid and the Hunger Center. Abitibi is a private corporation that will put those containers on virtually any private property owned by a non-profit so they can gain money also. The schools have been doing it, I believe Villa Angela St. Joe's is doing it. As Councilman Delaney said, St. Robert's is doing it. Other organizations can do that of their own power. We pick these two because the drop-off locations were also locations of public property that these two non-profits were using. We fully intend and Abitibi fully expects more containers to be in the City of Euclid and they firmly believe that within a year the output of recycled paper the tonnage, is actually going to be considerably higher than what we've experienced at curbside. People in our community are going to rally behind the Petpals and the Hunger Center and St. Robert's and Villa Angela St. Joseph's. For instance, if the hospital was to put one of their property, their employees would be dropping their papers off there and they could raise money in that respect. Lincoln Electric could do this for their foundation. It is endless. So it is just not the City's program. Abitibi is a private program that we're taking advantage of. Any of those non-profits that we are unaware of that have the bins on their properties, please call my office and we'll make sure people know they are there. Recycling is good for all. It was a very difficult decision to end the curbside recycling because we all need to recycle and save the planet. I'm a firm believer in that. We're just going about it in a slightly different way now. But we think it is a positive way in the long run.

Councilman Gruber – First of all I'd like to thank Mr. Carpenter on Kapel Dr. During the recent snow storm many of our seniors up there, the senior snow plow program was late getting to their homes, Mr. Carpenter took it upon himself to go out there and plow his neighbors and friends and strangers out for no cost to them and that was a real piece of mind to the folks up there. I would like to thank Mr. Carpenter from Kapel Drive and the city employees. I know how difficult it was. I know that Councilman Langman and Councilman Sustarsic along with Mrs. Gail's husband were out plowing out neighbors. Myself was on Kapel making sure that our seniors got the necessary supplies they needed. I would like to thank everybody for that.

First of all, Recall Hall, I would like to direct this question to Mr. Petkovic. Will there be any type, before this gets started, anybody says anything is political, will there be any type of permits necessary, occupancy permits? Any changes to the building as far as ADA accessibility for bathrooms? Also, the question would go to the Fire Dept. and I'd like you to answer these questions when I'm done so you can have the time to think about it.

Mr. Mayor, I have a question for you. How many firemen have you laid off?

Mayor Cervenik – I have laid off no firemen.

Councilman Gruber – When did you close Station 3?

Mayor Cervenik – I did not close Station 3.

Councilman Gruber – That happened under the last Council's watch?

Mayor Cervenik – Yes.

Councilman Gruber – How many policemen have you laid off?

Mayor Cervenik – None.

Councilman Gruber – Thank you. Who will be the victims in a recall? It will be the citizens of the City of Euclid. That's who's going to suffer. Everyone of us up here will be out there working for our jobs, I know I will. I'll fight vehemently for this position. There will be infighting amongst Council. It is going to take time away from the citizens of Euclid. We know the targets, the Mayor and ourselves. The truth is some will fair better than others. The last Mayor recall in this area was Dennis Kucinich. Look where he is now.

What will this do to Euclid? EAC has done a wonderful job in dividing the city. Costing the taxpayers hundreds of thousands of dollars, supporting plans at the golf course that have adopted, would have cost the people \$700,000 more. This is fiscal responsibility?

It is funny at the Court, this Council, a duly elected Council by the citizens of this City, their decision was taken to Court and the star player at that Court hearing was previous Council President Ed Gudenas. I thought that was a little funny. The City prevailed and we are moving ahead with the project that will put our golf course in the forefront of the area.

Who will suffer in this recall? The citizens of the City of Euclid. It is going to take your duly elected representatives' time and effort away from serving the people. It is a pretty time consuming job as all of us will answer. We've had many, many phone calls over the last couple of days and we've responded to each and every one to the best of our ability. If we missed some, I apologize, but we tried the best we could. We are out on the streets, we were working with the people. This is going to take time away from you.

The question to the voters is, do you support the people you elected in the election, or do you support the people that primp and preen in the green room out there in the hallway and try to get your attention for 5 minutes each week? You know where we are. You know where we've been. You know where we'll be. So I fully support the Mayor and most of these council members. I do have questions when a new council member misses two-thirds of the budget hearings and bemoans the amount of phone calls. Another one claiming that he'd be fiscal responsible and supports a plan that would cost us \$700,000 more. Those are some of the questions you also have to ask yourself.

I support the people's right to choose. Remember where we are, where we've been and we will be there for you. Regardless, we'll make time for the citizens. Thank you.

Councilwoman Holzheimer Gail – I would like to go back to the recycling for a minute and I understand the drop offs are new. If I read the letter correctly we do not have to separate the recyclables. Is there any requirement as to how you put it in the bin? Should it stay in a bag? Do you know any of the specifics about that yet?

Director Gulich – You can put it in anyway you want, just don't put trash in it. It does not have to be separated. They have this amazing machine and the previous Council did get an invitation down there, maybe I was a little remiss in not inviting this Council for a tour of their facility. It is an amazing thing they do down there.

Councilwoman Holzheimer Gail – We have gotten calls from residents who are concerned about this and my response to them is that it was a budgetary decision. The city will be saving money by doing this. I think it is important that if we're able to track the tonnage of the weight of the recycling that still happens. I don't know if we had figures from the last couple of years of how much has been recycled through Waste Management. Will Waste Management continue to keep track of how much they pick up for their bin and can we ask Abitibi to do the same thing?

Director Gulich – Councilwoman Holzheimer Gail, those tonnages will be tracked as it always has been. They will be turned into the Cuyahoga County Solid Waste District. They will be out in the infamous annual report. We are turning in 2004 numbers right now. We like to make sure we get everything in there. We do recycling in our Service Dept. that people aren't aware of with oil and other things that is a credit for us. So we want to make sure we get all the credit we have do. But to get back to your original question, yes, all these Abitibi tonnages and the tonnages we're generating here, those are also figured in. It is a pretty amazing thing. All those containers, have a registered weight in a computer system. Every time the truck comes out, they are weighed. There is a specific number for each container and those tonnages are tracked very closely. The answer is yes.

Councilwoman Holzheimer Gail – I had the opportunity to talk to Hank a couple of times on Thursday the snowy day and I don't think I've ever heard the stress and fatigue that I had that day so I want to thank you and your people for your hard work. I'm sure most of my colleagues did receive a number of calls and I was able to talk to the Mayor that night as well. I appreciate his call to keep us informed. One of the main questions was about the aprons. I understand that the priority is getting the streets plowed. That was an enormous job that day and following day. Just ask residents to keep in mind your neighbors who are older or who are disabled and cannot clear out their own aprons and if at all possible help them do that. I don't know, Director Gulich, if you have other suggestions if there are people that can help do that. But just ask residents to be aware that it is something that unfortunately the City just does not have the manpower to do. If we could all pitch in and help, that would be a big help.

Mayor Cervenik – I spoke with a gentleman, the faculty at St. Ignatius. They have service hours and a program where the youth go out in the neighborhoods afterwards and do the plowing of the aprons. I'm going to talk this week with our School and Villa Angela St. Joseph to see if we can't do something there. I had 4-5 calls. I know my Law Director and his son went out and shoveled some woman's apron. I was out of town. Just because she was concerned, she had a doctor's appointment and she couldn't get out. We're going to look at see if we can get some volunteers to be able to help out a little bit. It would be virtually impossible for the city to plow out, you'd never get the streets done. We are looking into the volunteer. But the best thing is, take care of your neighbor.

Councilwoman Hufnagle – As we have closed out 2004, and look forward to the promise of a new year, please consider these few thoughts. Much has been made about the 13,000 people who voted no for the referendum in the last election. These are some things that you might not hear from the EAC, the Taxpayer's Alliance or printed in the Observer.

Euclid has 37,000 registered voters. So that means that 65% of all registered voters either are in disagreement with the group, or just don't care. Sixty-five percent is almost a 2 to 1 margin in opposition to this group. Yet some in this group keep telling you how they speak for the majority of the citizens. Which majority is that exactly?

Of Euclid's 52,000 citizens only 25% of all residents apparently agree with this group. To my fellow citizens, I am asking you to put an end to the obstructionist, me first, alliance. Because they have done nothing to benefit our community. I challenge anyone to tell me what this group has done to make Euclid a better place.

You should know that this group tried to become a party to the law suit brought by Providence Baptist Church. This group's motion to intervene in the law suit was denied by the Federal Judge, Kathleen O'Malley. Quoting from her ruling, this group has not cognizable legal interest, claim or defense, much less a substantial legal interest. And this is the group that claims to represent you.

If this group believed that your vote on November 2nd was actually going to be the decisive factor in the Hillandale law suit, then why did they seek to become a party to the law suit? You can answer that question for yourself. However, it is reasonable to conclude that somebody in this group realized that Federal Court was going to be where Hillandale was decided, and not in the voting booth.

If you reach that conclusion, then ask yourself why does this group want you to believe that Mayor Cervenik with the support of certain members of Council made some back room deal to make your vote null and void? In fact it was only the Mayor and some council members who said on numerous occasions that this matter would be decided in Federal Court.

So why does this group continue to tell you that your vote didn't matter? Why do they continue to pick on a subject that is guaranteed to inflame your emotions? No American wants to hear that their vote didn't count.

You should know that this group went to Court to try to stop the building of the new Briardale Clubhouse. Once again, they were denied. On December 7th Judge Villanueva concluded that the Mayor had not violated the Open Meeting Act.

Why does a taxpayer group keep costing the taxpayers' more money? The filing of the restraining order cost the City at least 21 days construction time. Which taxpayer does this alliance represent? These actions have cost the actual taxpayers of this City more than \$100,000 in legal fees. Not to mention the many hours spent by the Law Director, the Mayor, the Recreation Director, the Council Clerk and other city employees responding to their obstructions. These nuisance activities only rob the City of valuable time and hinder the work of the city from moving forward.

Why is the group always opposed to everything supported by Mayor Cervenik and some members of Council? Could there be a reason, or is it just as simple as we have done everything wrong and they are always right? I know that I will be attacked for what I'm saying. Unfortunately I'm almost getting used to it. In print I've been called the blonde bombshell, a nazi, one of the three stooges and huf-n-puff. If these public meetings that are guided by ordinances to provide for structure and decorum, I have been called arrogant, I've been accused of impropriety, I have been shouted out from people who do not have the floor and I've been called a liar.

This group has made an art form of attacking. All they can do is attack because they have nothing to offer. Some people in this vocal minority think that if you say something long enough, it becomes reality. However reality and the truth are not always the same thing. Nobody actually believes that reality TV is the truth. It is reality as the producers intend for you to see. So too is the reality of this group.

Please ask yourselves why is this group opposed to everything supported by Mayor Cervenik and some members of Council. Why? Ask yourself that question. Why? Or better yet, the next time a petitioner comes to your door or stops you along your way, ask them why. This group has lost with the voters, they have lost in Court and they want you to give them the opportunity to run this City. Why? Thank you.

Councilman Langman – Well Hank I think you're going to be up-to-bat very soon again with another storm bearing down on us. I want to ask you a few questions about what your opening statement. How many heavy trucks do we have available for what is predicted to be another heavy snow fall?

Director Gulich – We have a total of 9 of the large dump trucks. Currently 6 of them have the spreader boxes on. We do have 5 spreader routes throughout the City to cover. Two on the hills, I won't get into to much detail.

Councilman Langman – How many of the smaller pick-up with plows that hopefully will be a little more effective this time?

Director Gulich – We have about a dozen.

Councilman Langman – Okay, we have about a dozen of those. When we go ahead and actually salt on some of the side streets, who makes that call? Or is it more of a resident induced action?

Director Gulich – I rely on my Superintendent to make that decision. He's out there on the roads. Obviously I can't be in my office and I can't be driving around, but we do confer. Obviously we have to make sure we have a supply of salt in our shed. We can only store so much salt. We have to be able to get a guaranty that more salt is on the way. We certainly can't get caught with our pants down and have no salt. It is a combination decision and obviously residents and I don't blame them, they often tell us about a spot where they may have slipped through an intersection. If they are having a problem, I certainly don't mind them letting us know.

Councilman Langman – Would you go over again your priorities as far as plowing and salting?

Director Gulich – I don't know if I'll call them my priorities. They have been the city's priorities for about as long as anybody could remember. First priority are the hills. Not that we have anything against wards that don't have hills. But obviously from a safety standpoint, that is the first place we hit. We have the mains, the state routes, the county roads, those are also primary spreader routes as well. Then when we're sure that we have those properly maintained

and in a safe manner, we'll move to the secondaries. We'll get the secondaries cleaned up and then at that point we will move onto the side streets.

Councilman Langman – Salt is not usually spread on side streets unless the Superintendent of Streets

Director Gulich – Certainly not as we plow, that would be rather inefficient method of salting side streets to salt as we go. Obviously we study the weather conditions. Sometimes we know perfectly well temperatures are going to be up in the 40's or 50's for the next couple days, or vice versa, we know they are going to be plummeting down into the 20's and staying there. A number of reasons affect our decision on that. Then again we can have different conditions in different parts of the city. We could have rains falling near Lake Shore and snow is falling up on the hills where we have a little higher elevation. Lots of factors.

Councilman Langman – I certainly appreciate your efforts Hank in dealing with this. I do thank the Mayor for calling me to ask how everything was going in the Second Ward. It was a little rough, but we got through it all right. One of the observations is that we need to use our phone system and message system perhaps a little more efficiently to let folks know what's going on as far as plowing or in the case of the Waste Management situation. That would take some of the burden off of myself, the Mayor and so forth, being the point person for having to disseminate all that information. I know that Waste Management on their phone system did have a message indicating when they might be in certain areas and I would like to know whether that is possible to modify the messages that are in the Service Dept. or whatever department on a relatively short notice so that we can be in better contact and explain the situations to the residents. Do we have that capability?

Director Gulich – To some extent we have that. We can't create a perfect world obviously, but certainly in conditions less severe like Sunday's rather wimpy snow storm, we had things under control. We had relatively few calls. Unfortunately the bad storms seem to want to hit right around the holidays and it is hard to disseminate all of the information you'd like to get out. I can't recall ever not being able to return all my calls. I tried to return the calls by getting the requests accomplished and leaving at that.

Councilman Langman – Chief Maine, there was a parking ban in effect. Do you know if we wrote additional citations for parking violations during that time? Did we tow any cars?

Chief Maine – I know that there were additional citations issued, parking bans, snow ban citations. I don't have a number. I can try to contact the Court to see how many there were. But, we don't tabulate those, those are tabulated by the court. I would imagine that there was also a couple of tows. We tried to work with the public knowing that they were under a lot of duress and a lot of times were put in circumstances where they were either plowed out so they couldn't get into their driveway or they were caught at the end of their driveway. Like Mr. Cook said, there were a lot of our officers that were pushing people in and out of the street and into their driveways and helping clearing. I would like to take this opportunity to thank both our on-duty personnel as well as our auxiliaries for doing that. They worked very hard that day.

Councilman Langman – Thank you, I'll follow up with those figures.

ADJOURNMENT

Councilman Langman moved to adjourn. Councilman Delaney seconded. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council

