

**COUNCIL MINUTES
FEBRUARY 7, 2005**

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

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

Excused: Gruber

Councilman Daly moved to excuse Councilman Gruber. Councilwoman Holzheimer Gail seconded. Yeas: Unanimous.

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

Invocation was given by Pastor Joseph Saliga.

A moment of silence was held for Mr. Frank Chukayne.

COUNCIL MINUTES

Councilwoman Holzheimer Gail moved to approve the Council Minutes of January 18, 2005. Councilwoman Hufnagle seconded. Yeas: Unanimous.

COMMUNICATIONS

Council received the following communications:

A report from Director Will on the Summer IrishFest.

Memos from Director Pietravoia on the Harbor Town Project & Royal Appliance Manufacturing.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik – I agree and want to extend my personal as well as the sympathies of all the members of our community and the administration to Mr. Chukayne’s family on his untimely passing. We also had some other tragedies in the City of Euclid in the last few weeks. Mr. Ricky Reese, who is a housing inspector, his wife past away a few days ago and we also send our sympathies and condolences and prayers to his family. I would like to turn it over to Chief Cosgriff who will talk a little bit about the other tragedy a family of Euclid experienced this week.

Chief Cosgriff - It is with great sadness that I must announce the tremendous loss suffered by the Mataraza family and the Euclid Fire Dept. On the morning of January 19th, when we responded to the home of Lt. Jim Mataraza, a 13 year veteran of our department. Jim had past away sometime during the night and was found in the morning by his wife Kim.

He was the C-shift Lieutenant at Fire Station #2 and he truly loved his job and this community that he was so proud to serve. He is survived by Kim and their three children as well as the rest of his loving family. He will be deeply missed by all of us.

I would also like to acknowledge all the support from members of our community as well as the surrounding communities. I don’t want to begin naming names, for fear of leaving someone out. Please know that your help and consideration during these difficult times was greatly appreciated. Thank you and please remember Jim and his families in your prayers.

Mayor Cervenik and Police Chief Maine Resolution 12-2005 to Dennis Coy upon his retirement as a Safety Force Dispatcher.

Mr. Tom Johnson from the Covenant Lodge of the Masons presented Chief Maine with Teddy Bears to distribute to children that are involved in police matters.

Director Will – I would like to take this opportunity to thank the Euclid Chamber of Commerce, the sponsors, the volunteers and all the residents that participated in the 2nd Annual Winterfest that was held on Saturday, January 29th. It was a great time had by all. There was 19 people who played disc golf. Forty people played 9 holes of golf at Briardale. Nine softball teams and seven companies who participated in the Chili Cook-Off. Hats off to the Chamber. They had a great event. We're already lining up our plans for next year and I hope more people enjoy it next year. Again, thanks to everyone.

Next I'd like to take this opportunity to announce on Saturday, March 19th, the Euclid Jaycees along with the Parks & Recreation Dept. will be hosting our annual Easter Egg Hunt at Sims Park at 1:00. This event is free and open to any children ages 8 and under.

Mr. Adam Fender, High School Baseball Coach for Euclid High School and the Summer Baseball Team presented Mayor Cervenik with a plaque for winning the Continental Amateur Baseball Association's World Series of the Year Award for 2004.

Director Gulich – Our trial closing period of Miller Ave. has reached its one week marker. We'll continue on for the next three weeks. We'll give some more adaptation time to the local traffic people and do some traffic counts and bring back a study to Council at the appropriate time. Glad to report no major incidences of any kind over that period. I understand Saturday night a couple people did move some of our temporary barricades, but that wasn't a total surprised. We have been monitoring that and will continue to do so.

This week I'm very, very happy to announce I'm starting hiring of six new employees in the Streets & Sewers Dept. The budget counts approved in December provided for that. It is a long way to go to get back our former forces, at times back in the 70's, 80's, 90's we had two and three times as many people in this department. Brining on these six people will certainly be a boast to our people over there that have been working very hard. I want to give them credit, all my superintendents, motor maintenance, Kathy Will's department as well. I'll also be asking the Mayor for some equipment purchases. We've been negligent on bringing up our equipment over the last decade or so. We need to start doing that.

Also in the good news department, last summer council authorized the Mayor and Administration to turn in Issue II applications for 2005 funding. We did turn those applications in the fall. They were reviewed in December and January. Pleased to report back Issue II has made us an offer of a \$1.2 million 0% loan that would go towards a \$1.75 million project that would involve the reconstruction of 222 from the freeway all the way back to Tungsten. It would include widening, pavement replacement and increasing the clearance underneath the railroad underpass there. That loan would be bolstered by \$300,000 grant the County is offering and a standing \$300,000 on that grant and a standing \$265,000 grant we have from ODOT, for a total financing package there.

I would like to announce recycling has been more successful than we ever thought. It has been successful to the point where we're having a hard time keeping up with the pick-ups. I talked with Waste Management, we will be increasing to three pick-ups a week. I'm also considering and I will discuss further with the Mayor the possibility of moving one of the locations. The Sims Park location has been very successful. We're very appreciative of that. We are considering moving that to the large municipal parking lot behind the theaters. There's 7 different points of access over there, wide open spaces. Come summertime when there is children in the park and lots of animals in the park, we feel that there might be a better location than that for the drop off recycling. We will continue to monitor it. Ms. Will's people have been helpful. We do have our fine workers going up there and policing it up. It seems after a nice weekend as we've had, these drop offs are inundated and again we're very pleased that they are successful. They're successful to the point where we need to do a little more and that's what we intend to do.

Chief Maine – When I become aware of a scam or something else that's going on in our community, I like to try and bring people up to speed on it. Evidently there are calls

being made in other communities from people identifying themselves as AT&T technicians. What they are asking you to do is while they are on the line, dial 9, 0 and the pound sign. They say they are doing this to test the lines.

If you get a call like that, none of the phone companies have that procedure. What they are doing is that provides access to the person who you were talking to, to then use your line to make long distance calls to anywhere in the world. If you get a call from anybody and they ask you to dial 9, 0 and the pound sign, don't do it. See if you can get some identification. See if they'll give more information and then dial your phone company and make them aware. Hopefully this will prevent some people from getting long distance phone calls that didn't make. Thanks.

Mayor Cervenik – It gives me pleasure this evening to be able to present to City Council and residents the Harbor Town presentation by K&D Group and Coastline Investments. We have here tonight Doug Price, CEO; Karen Harrison President. Mike Caito Project Architect from City Architecture. Nancy Tracz from Smythe Cramer. Pat Kost from the Patco Group. She is the financial consultant. Gigi Benjamin, Legal/Bond Counsel for Calfee, Halter & Griswold, LLP.

The City of Euclid has been discussing and contemplating lakefront development for quite some time. I'm here to tell you tonight that it's here. It's real and it's going to be fantastic. It is going to be the jump start and rebirth of the whole lake shore area and downtown Euclid. We have K&D Group, Coastline Investments and all of these individuals here tonight to thank for that.

It has been a long process. In the year or so that I've been Mayor, this project has transformed to something even more spectacular and phenomenal than I thought possible. The value of this project is almost double in one year's time. We're talking about a total project value of close to \$40 million. That's a lot of new money invested in the City of Euclid.

I want to thank all the members of my administration and I think every single one of them have been involved in one way or another to get us to this point. I'm looking forward to this presentation as well as you are. I'm going to turn it now over to my Development Director, Frank Pietravoia.

Director Pietravoia – I just wanted to briefly comment that the presentation we made part of the Administrative Report because the first three items on the legislation docket tonight are related to the Harbor Town project. Mr. Price has been saying for some time that they have been working diligently to refine their plans and we're finally at a point where we're ready to unveil them this evening. I'm going to turn over the presentation to both Mr. Price and his architect, Michael Caito. Upon their completion, we'll be prepared then to go right into the legislation assuming Council is as well. We can entertain questions or comments as part of this presentation or during the legislation, whatever is Council's preference. Thank you. We just need a second to set up the boards. I would like to comment that the packages that were distributed to Council are the same as the boards that are going to be presented. We are going to orient the boards towards the audience so they can be viewed on camera, on the monitors. There are also some extra packets that the architect has brought along if there are members of the audience that would like to pick up a package as well.

Mr. Doug Price – Hello my name is Doug Price. As the Mayor said, I've been working with pretty much everybody in this room over the last couple of years moving this project forward. I again want to thank the Mayor, City Council, special to Councilman Langman, for the tireless support and Frank Pietravoia. Really everybody here has had a piece in the action here over the last couple of years to bring this project forward.

As most of you know, we've invested heavily in Euclid. The start of this project was the renovation of the old Americana and Waters Edge apartment project. We completed last year along with the completion of the club house facility stored at the 242 Street, the entrance to this project.

We have really established a first rate team to bring this project forward. City Architecture which has done some of the finest projects in the City of Cleveland and throughout our area and really specializes in this urban in-fill kind of housing. We're very happy to have them working with us. We have been refining this plan over the last year. You may not read about it all the time in the paper but every month we've been

having project meetings with the City, working with Pat Kost to refine the financing and the various elements of this project.

The plan at this point is the next couple of weeks to be marketing the buildings. Smythe Cramer is our team that will be marketing this. They will be for sale over the next couple of weeks. We plan on construction this summer. The first building constructed will be the front loft building which will serve sort of an entrance. I don't want to get into Mike's presentation. Mike is going to present all of this stuff for us. We're very excited and really working in the City of Euclid has really been a pleasure. It has been a pleasure for Karen and myself for many years now. I think everyone here is very lucky to have the team that's here because I work in a lot of cities and this is a K&D City. I just want to tell you that. We're going to get this done. It is very exciting. It is going to be cutting-edge stuff. City Architecture has done a fantastic job. I'll turn it over to Mike Caito.

Mr. Caito – For those of you that might not be familiar with our firm, City Architecture, we do a lot of urban infill and a lot of neighborhood creating in the inner-ring suburbs and in Cleveland. Our products are all over town. Lately our latest focus is really focusing on waterfront communities. We're successfully in the middle of completing a project in Lorain called Harbor Walk. You might have seen ads for it in the Plain Dealer. Our firm is also involved with redeveloping and redesigning a master plan of the whole lakefront in Cleveland. That might take a lot to get accomplished.

The more exciting thing is really this project. I can see the light at the end of the tunnel on this one. We started working with Doug on this project a couple of years ago when we started to design what could possibly happen on E. 242. As you can see when you drive down there new stone wall out front which adds a significant architectural change to the way that street is now used to function. We have a state-of-the-art leasing center as their, Doug when he built the building actually exceeded our expectations and actually put cedar siding on the building which we were not expecting. He just went all out with it. It is a beautiful building. That really is our gateway into what we are going to be creating.

We've got two dots to connect. We've got the new leasing center on Lake Shore and we've got the Lake which is a wonderful asset to Euclid. Most communities in Cleveland don't really have shoreline like Euclid has. Basically what we've created is a new gateway that sits between two high rise apartment complexes. In order to create a very unique neighborhood that has a lot of open space and leads in with the new public boardwalk that is along the marina and along the curb lake edge. I know this is very far away from you and you can't really see it. There are handouts sitting in a box along that windowsill.

242 Street is going to be a new residential street that is going to incorporate new lofts and townhouses. We are proposing to build 132 units here in about 4 different styles of buildings. Loft, townhouse, marina townhouse and dock side townhouse, all of which I'm going to show you in a few seconds.

There's also a large marina parking lot that is on the eastern edge that will help feed the boardwalk and the marina itself. We are taking advantage of not only the bluff that is there and the hillside, every single unit is going to have a water view. This is a great place to stroll around take in the neighborhood.

Some of the aspects that we have put forward on this is the ability to have public access to this boardwalk. We are creating a boardwalk that wraps along the northern coast which is where the marina stems off of. There's a large parking lot which feeds that marina so there's always public access to that boardwalk. Behind that boardwalk is where the housing starts. All of our housing will overlook the boardwalk and the lake and the marina. We find this is going to be a truly unique place to live because there will be nothing else like it in Cleveland. Nothing that we're doing in the city is going to be like this. Nothing is going to have this type of homeownership opportunities.

The drawing that is pulled out is view looking down our main street, 242, looking back. What you're seeing in this view is the loft building that is going to have a bridge connector that is going to cross the road. That bridge connector piece, this is the view from Lake Shore, they are actually going to drive underneath a very tall, two story opening. Cars and people can walk through. That's going to be the link to our new central street. It is going to have a park down the center of it and townhouses wrapping along either side of it.

Everything we're doing, like I mentioned earlier, we're maximizing waterfront views and a lot of glass. Our townhouses are going to range in size from about 1,000 sq. ft. to 2500 sq. ft. Our townhouses are going to range in size from 1,500 sq. ft. to 2200 sq. ft. and everything in between. We've provided private heated garages, high ceilings, lots of glass, roof decks because the views here are going to be amazing. This is a very contemporary, very resort-like feeling here in terms of living at Harbor Town.

Our townhouses are also going to have a very light and airy feeling. Again, maximizing the window sizes, everything is going to be directed towards the lake. We also have the opportunity for roof top decks so they can take in the views.

We've got a range of prices that we're working on in terms of sales price and we're continuously redefining the project. As we've been working on this, we've actually been trying to open up more of the lake to the center of the neighborhood by scooting houses around and moving town homes around to maximize views so that it does not feel like an enclosed complex, that it is very open to the lake.

I don't want to take up too much time, if anyone has any questions, I'll be more than happy to answer any questions.

Mr. Price – A couple of comments before I turn it over to Nancy from Smythe Cramer to make a sales presentation. I'm going to talk about the marina for a minute. We have been working over the last year and a half with the Army Corps, ODNR, EPA, everybody you have to work with when you touch the water, for a marina. We are very close to getting a permit on the marina. The marina is 200 plus slips with a gas dock, there will be a pump out station, there will be a port that you can set boats in the water. Really going to be a first class facility. I think our timing again is really good on this because of all the turmoil that is going on in Cleveland. I don't know if you've read about the marinas and the mayor wanting to open up marinas to the public and they are all upset. This is really going to be good timing for us here, with this plan because there is so much uncertainty going on in the City of Cleveland.

As Mike said, we're have a chance here to be first. Everyone has been talking about lakefront in Cleveland. It is going on. There's plans, there's plans, there's plans. Well we're actually putting the shovel in the ground, so I think that's very exciting.

I'm going to turn it over to Nancy now from Smythe Cramer and we can answer questions at the end.

Ms. Tracz – Good evening Mr. Mayor and members of Council. My name is Nancy Tracz and I'm so proud to be part of the beginning of a wonderful, wonderful event. Smythe Cramer company is bringing with them their resources, we have a wonderful company that is very capable of bringing this from its fruition to its completion. So, we are here and we are dedicating our time and our people. An excellent marketing department to make this a wonderful, wonderful success. We thank you and we are just ready to go here. Thank you.

Mr. Price – One other thing here we didn't talk about is there is also a restaurant planned for this site which will have dockage right off the back of the restaurant. If you are familiar with Pickle Bills, that type of atmosphere. So we think it will bring another venue to Euclid that isn't currently existing.

Public access from the boardwalk and the large parking areas for the cars as they walk down. Hopefully, eventually connect to Sims Park at some point. That really concludes what we have. I'll take questions now.

Councilman Langman – This is truly an exciting plan and it's a fruition of a lot of hard work over many, many years. I look at the schematics and it seems very similar in look to Stone Bridge. Is that a fair comparison? I noticed there are some architectural features that look the same and that's a great project in downtown.

Mr. Caito – I have to say there are similarities in that Stone Bridge is a project that K&D is doing in the flats. It is very contemporary. It is very popular.

Mr. Price – Stone Bridge downtown, we started out with 160 units, which was going to be 38 condominiums and the rest apartments. We're now up to, we've now converted to 90 condominiums because it has been so successful. We are virtually sold out. We will probably be selling for the next couple of months and we'll be sold out and actually

announcing a new building. But, it has been a real success. Its layouts feel, the product is similar here. High end finishes. Standard finishes are granite countertops, solid doors, maple cabinets. So it's not vinyl flooring, it is not hollow door. It is a high-end finish product, right off the bat, stainless steel appliances. We've also allowed the buyer some flexibility, they can change a few things here or there. We've learned from what we've done down there and we've perfected the product. This sort of blends itself into the architecture that exists in Euclid and we're trying to give it that resort-lake feel. It does have some aspects. We plan on using the cedar siding here and some of the other things that might see along the lake in Euclid.

Councilman Langman – I know the Mayor mentioned some folks that are involved. This project is the sum of many, many people over many, many years. I would just like to mention and I would remiss if I didn't, Mayor Oyaski's role in all this, the prior administration who was very supportive. I also would like to mention Bud Edwards from Shoreline Contractors and Brian VanHalen from Brush Shore Inland Marine. They've been instrumental in helping us determine what is buildable in the lake and Ted Webster from Technical Engineering who determined that the lake is buildable, there is no shale in the shallow waters so we can move forward and do the dredging.

The project is much bigger than any of us that are sitting here in this room today, and its been the sum of a lot of work over a lot of years. This is going to be a home run, not only for Euclid, or the second ward, but really it is a regional project. If this community, I mean northeast Ohio, if we're going to compete with other municipalities and other regions, we have got to embrace the waterfront. This project along with 205 is a home run for the region.

President Sustarsic – Following up with those words, we're very appreciative of the presentation made this evening. We look forward to working with you on this and I think this could pretty much be said that this is one of those things that's putting Euclid on the move, that we're not really stagnant any more. We are making process, there is a future. As I've said before, the light at the end of the tunnel is not a train, but it's a bright future. I think we've overcome a lot of things and this is just one of many examples of that. Any other further comments on this from the administration or from the presenters? Thank you very much.

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Municipal Court 2004 Annual Report; 2004 Housing Department Annual Report; Self-Insurance 2004 Report; Fire Report of November & December, 2004; Safety Committee Min. of Jan. 12, 2005; Executive Committee Min. of Jan. 26, 2005; Recreation Commission Min. of 11/30/04 and Board of Control Minutes of 1/10/05; 1/18/05 and 1/24/05. Councilman Langman seconded. Yeas: Unanimous.

Councilman Langman moved to waive the 24 hour Notice and Place on the Agenda Ord. (286-05), Ord. (287-05) and Res. (288-05). Councilwoman Holzheimer Gail seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE

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

Mrs. Dorothy Fike – 20271 Delaware Rd. I have several questions. I'll start with the one that has already been answered by Mr. Price I think. I went to a public meeting in December from the Ohio EPA on the possible degradation of the water quality in Lake Erie due to this marina project and the breakwall. I wondered if they heard anything about the permit yet and did I understand Mr. Price to say that they have not heard yet but they expect it soon. If not, that's what I thought I heard him say.

The second thing on the same item #2, 284, in the ordinance it talks about public purpose and Exhibit B. There were not enough copies by the way of those things that they had for the audience over there so I didn't get one. But there was no Exhibit B in the packet and so I'd like to know what is the public purpose as mentioned in the ordinance, 284.

I'd also like to know the extent of the incentive district. I think that's what it is called. Because according to the ordinance thing that I have here from 242, it seems to include another little street to the east and it is under 644-07. I don't know what's down there but according to the plat it seems to be included so I'd like to know just how far does it go. The part that is included with the ordinance packet, it does seem to go to this little street, all the way to 252. That was another one of my questions because that is included 644-07, does include 252 Street. There is another street in there that I don't know what it is, can't identify it.

That's the three questions I had on the second item on the agenda. On the third item, the service contract with Patricia A. Kost. I would like to know how long this will be? The ordinance gives the hours but not the time that it would take. I would like to know how long this contract might cover.

#5, the period with the Forko Enterprises. I think this ordinance should go into committee because the contract is not included. It says under usual contract that the Law Department comes up with, but it doesn't say what is included. I have a very important question on that is because I guess the citizenry that I've been talking to, that we thought when the new senior center would be built that the citizens could still rent it. I would like the council to tell me or someone to tell me if they do rent it out, if it's a caterer, will anybody who rents it have to use a caterer or can they bring in their own food? That makes a big difference in what you can do. The Clubhouse you could always bring in your own pot luck or whatever.

I have a question on one of the two that were added. No. (286), the Kmart property. I'd like to know if they are going to take the entire property? I think that's Kmart on Babbitt not the one on the hill. I would like to know the amount of the incentive grant. That's not listed. It just talks about its 5 years and its renewable for another 5 years and it is out of non-tax money but they don't say how much. When you get to it at the time of the agenda, I would like my questions answered. Thank you very much.

Mr. Richard Eberhardt – Manor Party Center. I would like to direct this to the Council. This has to do with the rental of the new senior center, community, etc. My understanding is that it has been awarded to a caterer and this caterer is going to be paid a commission from the rent. Theoretically that commission is coming out of my tax money. They are competing with me, with every caterer, every restaurant, every person that serves food, you are giving this caterer a cutting edge.

What I'm asking you to do is to take this back to Committee and hire an independent who has no interest in catering. That would be a fair, balanced way of doing it. I would do it. I would book that hall. I have been booking halls in the City of Euclid since 1962. Anyone in this place has no more experience than I have. Yet, not one person has ever come to me and asked me. They asked me for my advice. I do not want to cater there. I would book it for you, for the booking fee and I wouldn't cater there. I would sign a contract. But I would tell you, I would have a hard time not trying to sway those people to go from there to the Manor. Or, what I have a hard time if I was an outside caterer not trying to tell those people, here are three other caterers, but. I already have an advantage. You're paying, as I understand, 30%. If it is \$1,000 booking, I'm already making \$300.

I would like to ask one question. You have a caterer going in there on a Sunday morning to do a little shower and it snows the night before. Who is paying for that snow removal? The caterer? Heaven's no. I am, the restaurants down the street are. Every single person who pays taxes. My taxes in this city is in five figures. My payroll in this city is in 6 figures. I'm not asking for anything but a fair shot for all the other caterers. Please, when it comes time to vote on this, bring it back to Committee and take another look at it. Thank you.

Mrs. Madeline Scarniench – 1511 E. 221 St. – I guess we're all talking about the same thing. I'm also concerned about (280-05). I, too, and this wasn't having a conversation with anybody, think this should go back to Committee. I really have a problem with this. We were told we were going to see a contract and we were going to see the rental agreement tonight. I don't see either one of them. My concern is again for the community groups that have always used the different buildings. Are we guaranteed we are going to pay the same price to use this building as if we were using the Shore Room

at Shore Cultural Centre? I doubt it, the way this seems. After listening to Mr. Eberhardt, I'm really positive it wouldn't be that way.

I'm very concerned about this. Will people be able to bring in their own food? They don't want a caterer, they want to rent the room. That's what this has always been about. This sounds like we're going to be letting somebody running their business on city property. I was opposed to this when people wanted to do this at Shore. I'm opposed to the way this is right now. So, I hope you will send this to Committee and we really hear about what's going on. Thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. I just want to say, whoopee. To see all of these new projects coming to Euclid, Ohio, so I guess that what is going on other in the City is of no effect.

What I'd like to talk to you about though is to ask Mr. Pietravoia, who I had a wonderful conversation with last time, and at that time you may remember that I asked you about guarantees for the city. I am totally applauding bringing the Royal Company here to Euclid. But I have a question based on safeguard for the city. With this project with these people right here, we know that's here to stay. So anything that we give up as a city, we know we are going to get back in the long run. I notice here that this is for a 5 year period, which is also based on the abatement. Why can we not get a 15 year lease on Royal? So that we know that they are not going to be able to shop themselves around to another city and get another abatement. We need to secure anchors in the city. I'm just asking Mr. Pietravoia, as well as the administration, can we, if we're going to give up 75% abatement, can we get 15 years guaranteed lease, so that we know we are going to make money on the back end for what we're giving away on the front? Thank you.

Mr. Vic Leanza – 25651 Edgecliff Dr. Euclid. It is a pleasure not to be talking about Hillandale for a few minutes. I looked for 20 years and finally found a piece of property on the lake, my lifetime dream and have moved here, built a home and have been living here 6 years just east of the Harbor Town project. I'm looking forward to the project being completed. But I would like to ask if Mr. Price is still here. I'll leave my card here for Mr. Price.

I want to know some of the environmental impact ramifications of the project. I had to secure permits from the Army Corps of Engineers, the Environmental Protection Agency, Ohio Department of Natural Resources, Coastal Management, City of Euclid and you name it. I have plenty of permits on my wall. Two years building, but Edwards and Shoreline Contracting doing the revetment and I can tell you a few things about shoreline contracting if you care to know the ins and outs. What I would like to know and you don't have to tell me this evening, but I would like to know, since I will be down wind and down water of your project and the prevailing winds on Lake Erie are southwest throughout the summer; northwest throughout the winter and about 20% of the time from the northeast. The general flow of the lake is from west to east. The natural sand moves from west to east. Any departure for a parallel shoreline, that means, obstructions such as my own 50 ft. pier, stop that flow and build up the sand on the upwind side, that would be mostly west, and create a suction and pull which is a deterioration and erosion of the down wind side, generally east. I want to know what that's going to do so I can make plans before I come to dinner at your restaurant.

And, also, I want to know, if you have an idea about the environmental impact of the 200 boats? Are you going to have a launching ramp? I would like to know some of those answers probably in private. So I'll leave my card here for Mr. Price or anybody else. Thank you very much.

Councilman Sustarsic moved to rise and report. Councilman Langman seconded. Yeas: Unanimous.

LEGISLATION

Res. 15-2005 Notice to School Board.

A resolution authorizing the Clerk of Council to provide notice to the Euclid City School District regarding proposed Tax Increment Financing for the Harbor Town Development Project. (Sponsored by Mayor Cervenik)

Councilwoman Hufnagle moved for passage, Councilwoman Holzheimer Gail seconded.

Director Pietravoia – This is the first piece of legislation and the first step toward making the exciting project that you heard about tonight a reality. This would be the first step toward putting in place a tax increment finance district, or you'll hear us refer to it as a TIF district for the Harbor Town area.

TIF is a financing mechanism that's proposed to help fund the public improvements that are related to the project, as was described this evening by Mr. Price and his architect. This Resolution before you specifically authorizes the Clerk of Council to notify the School District about the proposed TIF. Our State laws require that this notification come from the legislative authority.

A sample letter was attached for members of Council giving an idea of what would be in the notification that would go to the School Board. Essentially it will include a list of the parcels and the boundary of the proposed district as Mrs. Fike asked earlier. Members of council do have that map and list of parcels and we will make sure that you get a copy of that, Mrs. Fike, so that you can see exactly where the boundaries are. The description that Mrs. Fike was referring to is more of a general description. We use the existing public streets as the eastern and western boundaries, but in fact the district is a little bit smaller than that and you will see it on the map that we provide.

The State law also requires that the School Board take an action on the proposed TIF when the length of time that the TIF district will be in place is greater than 10 years. For this particular project, we're proposing a 30 year period and we'll explain that a little further on the next piece of legislation. The School Board's action has to take place before council takes an action on formally putting the district in place. The next piece of legislation on the docket is the actual TIF ordinance and I'll describe that as we get to that piece of legislation.

After the first reading of the TIF ordinance, we will work with the Clerk of Council to send the required notification to the School Board. It is important for us to start this process now, to give the Schools the proper time that they need to consider the proposed TIF as well and then to send their action back to Council.

I had prepared a legislative summary for members of council, since there's a lot of detail associated with a project of scale. In that I explained to Council that this process is time sensitive to get the district in place. It is important that we get the district established by the end of March of this year. The reason for that is that we worked with Cuyahoga County, in particular the Auditor's Office, to understand how and when properties within the TIF district are valued for purposes of the TIF itself. Essentially what they do is help us to determine the base value.

The way a TIF works is that after the new project is built, there is a new value. It is the difference between that starting point and the new value that determines how much of a public financing can be generated from the project. So its important that base be essentially at its low point.

The County will revalue properties after the end of March. As Mr. Price explained, he expects to start construction this year. So if we miss that benchmark at the end of March 05, the value of that new building that takes place in 05 would be part of the base. That would not be a benefit toward the project and our ability to help publicly finance the public improvements.

Therefore this evening the Administration is recommending passage of this Resolution, the first item on your agenda so that we can get the notification to the School Board in a timely fashion and get the process completed by the end of March. I'd be happy to answer any questions or other members of the team would be happy to answer questions on this particular item.

Councilman Langman – Director Pietravoia, I may jump around between this piece and the other piece, so forgive me. I knew I'd be remiss in not mentioning, I forgot to mention Pam Hanover who also helped on the initial preparation of the TIF districts. Our own Bob Gliha who worked with me quite a bit over the past few years. So, they also deserve kudos.

Director Pietravoia, are we going to terminate the current TIF district that's in place?

Director Pietravoia – Yes, we did an analysis. Part of the work that was completed over the past few months by Pat Kost was to look in a very detailed way at the existing district that was established in 1994 versus putting a new district in place and how much we would be able to generate to help finance the public improvements in the project. We determined through that analysis that the new district could generate \$1-\$2 million more in public financing capacity than the old district. We are recommending and you'll see as part of the next ordinance that the old district be removed or rescinded.

Councilman Langman – Do we have a paper version of that comparison? I know we had talked about this over the past several months. Can I get that?

Director Pietravoia – Yes, we can provide, we'll have Ms. Kost prepare a summary of that for council.

Councilman Langman – I don't know if you can answer this or perhaps the Law Director, we had spoken about perhaps retaining a portion of the old district. Is that legally viable or not?

Director Pietravoia – We did look at that as well and I'm going to ask Ms. Benjamin our legal and bond counsel to help address that question.

Ms. Benjamin – The property cannot be within two TIF districts at the same time. Because of the criteria for establishing an incentive district, we would have to carve out just a little piece of the existing district. From a technological standpoint, there wasn't really enough retained, if my recollection is correct, to make a difference economically, retaining just a portion of the old district.

Councilman Langman – I guess my question is, can we retain any of the old district, excluding the new district we want to create? For example, behind the Garden Home Estates.

Director Pietravoia – There were actually two different districts put in place and the one that you're describing behind the Garden Home Estates is a separate district that we're not addressing tonight. We're not actually recommending at this point that one be removed. It is not part of this area.

Councilman Langman – So we can keep that, in other words?

Director Pietravoia – At this point, we are not recommending that one be removed. That was, however, specifically set up and related to funding for the senior center. The way the TIF law works, the improvements that are listed when the ordinance is passed by Council, those are the only things that the TIF funds can be used for. So in that particular separate district, only senior center related improvements could be funded. In this particular district for the lakefront, another reason to add to Ms. Benjamin's explanation, is that the improvements defined in 1994 were not as broad as what the project is actually ending up including. For example, the boardwalk, public parking, and things of that nature were not named in that ordinance. By State law we can't use, if we kept the old

district, we wouldn't be able to use the TIF funds generated to fund those types of improvements.

Councilman Langman – My next question, Director Pietravoia, I'll save until after, but we've talked about this before. If development happens behind Garden Home Estates, can we use any of those proceeds? I'd still like an answer to that eventually. Thank you.

Councilwoman Holzheimer Gail – I just wanted to share the information that Director Pietravoia had given to us. We all know that the schools have an operating levy on so its difficult to ask the Schools to forego taxes. But under the current real estate taxes they receive just over \$24,000 and once the project is completed, even with 75% diversion, they will be receiving over \$122,000 close to \$123,000 a year. There is a gain to the Schools. Unfortunately in today's world, the abatements and incentives become necessary tools to make the projects happen. This Schools will be gaining and correct me if I'm wrong Director Pietravoia with those figures. In addition to that is the additional payroll tax that they will be receiving as well. So the Schools do gain in this.

My question is, you or the Mayor will be negotiating with the Superintendent what that exact will be? We'll receive that back when it comes back to Council?

Director Pietravoia – Yes, that is part of the next step in the process is to actually sit down and continue the negotiations with the Schools. As part of the next ordinance, we are going to have Ms. Kost give a brief summary of the financials related to the project.

Councilman Sustarsic – Would those negotiations occur within the next 14 days? Is that part of that time frame for this to go through?

Director Pietravoia – We actually have until the end of March to get the district in place. If it takes a little longer, we do have the opportunity over the next several weeks for those discussions with the School Board.

Councilman Delaney – I just have a comment. I thank everybody for this wonderful update on Harbor Town. It certainly is good to see and it was much more than just an Administrative Report. Very, very nice to see.

I think that would I'd like to say is I'm very proud of my colleague Daryl Langman. Before he was elected to Council, he was the one who was bringing this forward to the City saying tax increment financing could be a tool and he was just dismissed that it was impossible. When he was elected those pieces of legislation he had sponsored were immediately put through. Some of the people that we have here with Patco and Mike Caito of course, those were some pretty interesting debates on getting you people on board, having you here and three years into this project I think the product that we're seeing is the result of his diligence and hard work. I know that he wouldn't pat himself on the back, but I'd just like to say congratulations to all of you and congratulations and thank you to Daryl.

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

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

Ord. (284-05) TIF-Harbor Town

An emergency ordinance establishing the Harbor Town Incentive District and declaring improvements to certain parcels of property in the Incentive District to be a public purpose for purposes of Section 5709.40 and 5709.42 of the Ohio Revised Code.
(Sponsored by Mayor Cervenik)

Councilman Daly moved for passage, Councilwoman Holzheimer Gail seconded.

Director Pietravoia – As I stated under the last item, this ordinance is referred to as the TIF ordinance as it is the piece of legislation that will actually establish the Harbor Town TIF district. If you'll bear with me I want to explain just briefly for members of the public and listening audience a little bit more about a TIF so that it is understood how this type of mechanism helps to pay for public improvements in a project like Harbor Town.

As I mentioned earlier State law allows cities to establish a TIF district and to use a portion of the property taxes that are generated from those parcels within the district to pay for public improvements that will actually benefit the entire district itself. Taxes are still paid at the same time and in the same amount as they would be if the TIF did not exist.

Since these future taxes are essentially creating a dedicated source of income that could be used to pay off debt, it allows the city to issue bonds at the beginning of the project to pay for the construction of the public improvements that were described as part of the presentation tonight. The bonds are then paid off over a set period of years, in this case we're proposing 30 years, using the taxes that are coming into the TIF.

You'll notice in the ordinance for members of Council and those that have seen the docket, the State law identifies a number of different types of TIF's. The most appropriate one for the Harbor Town project is one that's referred to as an incentive district so you'll see the legislation referring to as an incentive district. This is the particular TIF that the State created for projects that include housing within the TIF district which is a major component of this project.

Mrs. Fike again asked about the boundaries and the criteria that they were based on. To qualify as an incentive district under the State law, the criteria are similar actually for those used by HUD for community development block grant purposes. We went back to the 2000 census and determined which areas qualified for low to moderate income funding. Then we matched the boundaries that came closest to the Harbor Town project, in this case, the census block that this project sits within, and those became the boundaries of the proposed TIF district.

Essentially it falls between E. 238th Street on the west and the private drive on the east, I believe it is Sikora Drive if I'm not mistaken. So it falls a little bit short of the East 252nd that's in the language of the ordinance.

What can the TIF fund? State law requires that the TIF ordinance identify the public improvements as I mentioned earlier that will be funded with the TIF fund proceeds. Attachment B, and I apologize apparently it was inadvertently omitted from the docket but you do have it this evening, describes what those improvements are. To ensure that the City has maximum flexibility and funding the improvements needed for the project, we define those very broadly.

Generally the ordinance identifies in Attachment B any public street construction, utilities, including underground utilities, streetscape or other decorative improvements. The breakwall itself. The proposed public boardwalk and public parking to serve the boardwalk and other public areas of the project. There's a comprehensive listing in attachment B, but that gives you a general idea of what's proposed to be funded.

We've already discussed briefly what happens to the existing district. This ordinance would rescind the 1994 district primarily because we can generate a greater potential for public funding out of establishing a new district. One of the other reasons associated with that is that the old district that was established in 1994 only has 19 years remaining. Whereas, the new district can be established for a 30 year period again.

At this point I would like to ask Ms. Kost to give a brief summary of the financial analysis that she's prepared. Members of Council were given a copy of this as part of their docket package that went to them. If you could give a verbal summary of that, I would appreciate it. Thank you.

Ms. Kost – From the Patco Group. There's an attachment called Harbor Town Financing Summary. What we attempted to do was to summarize the transaction here. These are all estimated numbers, but they are based on the most current information that we have and maybe subject to change based on the evolution of the plan.

Basically these estimates are 144 total units, although you've seen the plan that states one hundred and thirty something. Again this is evolving to maximize the potential of the site. We were estimating on 144 units that's townhomes, lofts and the flats for sale

product. Approximately 28,950 sq. ft. of commercial product, that may change or vary based on how the plans proceed. Boardwalk, parking, marina and breakwall and that includes all of the estimates of the public improvements costs that we have at this time.

The total estimated project cost is approximately \$39.9 million or \$40 million. The value that is projected based on the project when it's stabilized, and when we discuss stabilization we mean at full build out and operations, the units are sold; is approximately \$37 million. You might ask why is the project cost higher than the value. One of the things on the diagrams that you saw was the large arm around the marina and that is the breakwall. The breakwall is a large cost component to the project and it does throw off revenue. So therefore that's the discrepancy in value.

If we look at the real estate taxes, this is an estimate based on the current area where the new development will be built. Currently those parcels are throwing off according to the Auditor's records about \$39,610 a year. Our estimates based on the new improvement, annual real estate taxes and this is just from the new buildings that are going to be built on the area currently outlined is \$740,000 a year. That includes all taxing authorities.

Based on the \$740,000 in new taxes from the new development we can analyze what the issuance estimate would be and proceeds that we would have to apply to the project cost, the public project cost. Based on a 30 year issuance, 100% of the city, county, library and Metropark taxes being diverted and 75% of the school's tax is being diverted over a 30 year period. We can maximize and again this is a maximization, it may not be actually what we issue coming to council with final numbers. The bond issuance estimate is approximately \$7.3 million.

Out of that issuance amount, we have to set aside 6%, is what we're using as a market rate, interest on the bonds for almost three years until the project is fully built-out. After the first year of development, 75% of the project would be built. It will hit the tax rolls and it will be built-out the next year. We have to put aside interest reserve to pay the interest until those taxes fully come in. That along with all the transaction costs that are going to be reimbursed to the city and are paid at that time, with a bond fund raiser. Those are the things that are subtracted from the \$7.3 and why you see bond proceeds applied to the project and the waterline replacement of \$5.6 million. The actual dollars available to pay for these improvements is \$5.6.

What is the amount assuming we have 100% of the authorities and 75% of the Schools, that we are diverting of the total tax that will be billed of \$740,000? That's approximately \$617,000. That's assuming 75% is of the School's taxes are diverted.

Bullet number 4 talks about the district formation selection comparison estimate and I can get you the detailed numbers on that. I'll hand them to Frank to provide to you. I do want to say one thing in looking at the district. In going to the County Auditor's Office, we did find out that the base value of in those properties from 1994 to 2004 had actually been reduced. This significantly impacted the amount of proceeds.

Just looking at point #5, the schools real estate tax estimate. Of the \$39,600 in tax that's being thrown off today, approximately \$24,000 is the Schools tax. We estimate that 75% build-out of the project, one year in arrears build out tax bills, which will be 2008, the Schools will receive \$93,000 upon 75% completion of the project and upon full completion, stabilization \$122,000. This amount of course will escalate as the value of the project escalates over 30 years. The bond amount that's diverted, is diverted based on this value at the completion, it is fixed, much like a 30 year mortgage. Any increased value from increase over time is not taken to pay the bonds down. This is a fixed amount at completion of the project.

The income or payroll collection estimates basically shows that the schools and this is a total of over 30 year period, the schools will receive \$3 million approximately. That is assuming an average income for the 144 units and also with a conservative assumption that none of the residents are employed within the city. This is assuming they are employed outside of the city. This is a pretty conservative number. The income taxes to be collected by the City over the 30 year period is approximately \$2.4 million.

If you take the real estate taxes that the schools collect, 25% over a 30 year period, that's \$4.3 million plus the income taxes of \$3 million. The schools will benefit by approximately \$7.5 million over 30 years term of the project. If you have any questions, I'd be happy to answer them.

Councilman Langman – Ms. Kost this deals with the tax increment financing. What about the new market tax credits or anything like that? Can you give us an update on your investigation of that finance mechanism?

Ms. Kost – A number of instruments can be utilized for construction financing. New market tax credits is an excellent program because interest can be gotten below market, substantially below market. In talking to a couple of different institutions that are allocated the tax credits, K&D and Doug Price's chief financial officer is aware of the availability of these funds. They need to be borrowed directly from the project developer for project construction. We are on top of and I've been conversing with the CFO on a regular basis about who's got allocations and where they might go to apply for that funding. It is an excellent source of chief construction financing so we're definitely looking at that as a source. K&D is.

Councilman Langman – Thank you. I do appreciate your work. You've done a tremendous job, you really have.

Councilwoman Holzheimer Gail – Thank you Ms. Kost. You had indicated that this works like a mortgage and it is fixed at a certain rate. If the projections exceed what you had hoped, does the extra tax go into this tax increment fund? Or does that go to the taxing authorities?

Ms. Benjamin – Any excess tax increment financing revenues would remain in the TIF fund created under the ordinance and can be used for the same purposes. In many cases they're used to reduce the amount, to prepay a portion of the debt so the whole thing is paid off sooner. In fact we have to use either to pay the debt or for similar improvements.

Councilman Daly – I know a lot of people who are up here now and in the past have worked very hard in this project, but one person that I would definitely like to thank is Mr. Price and K&D Group for investing this kind of money into the City of Euclid. I believe Euclid is a good investment and I think the future is very bright and I'd like to thank you.

Councilman Langman – I don't want to belabor the point too much, but the parcels that are listed on the Exhibit for the Incentive District matches the map almost one to one, is that correct?

Director Pietravoia – Yes, they should match exactly.

Councilman Langman – When we terminate the old district, will it only be these parcels in question that actually get terminated, or everything in the old district?

Director Pietravoia – Everything in the old district would be terminated. Ms. Benjamin might want to comment on that.

Ms. Benjamin – My recollection is that in 1994 when the new law became effective, prior to July 22, 1994, we could establish the TIF and use it for residential purposes. Your 1994 TIF ordinances were adopted prior to July 22nd and therefore were allowed to be for residential purposes. After July 22nd the law changed until I believe 2003 when this incentive did not permit residential use except in certain limited circumstances. In 2003 the law was changed again to allow an incentive district to be created and again allowed the use of TIF for residential purposes. The transition rules from 1994 Act essentially said if you amend a TIF ordinance that you can no longer use it for residential purposes. That's why the entire 1994 ordinance needs to be repealed. I think we need to make a correction to the language in this ordinance, which we will by the time it's considered on second reading to repeal the entire ordinance.

Councilman Langman – Thank you for clarifying this. It is unfortunate because I think once the project gets rolling, you're going to have spill-over development on the other side of 238th, which would be the western side. It would be nice if we were able to harness those revenues for other projects.

Councilwoman Holzheimer Gail- There were some questions asked by the audience about erosion control and environmental issues and also about a boat launch. I don't believe there's a public boat launch as part of the plans. But I wondered if anyone could address the erosion issues, or perhaps if we could plan to do that at a later date. This is the first reading tonight of this ordinance?

Mr. Price – We are addressing the erosion issues. Our engineer has been in constant touch with the Corps and the EPA. It has to do with the sands and there's different things they are doing with the breakwall, with flow through channels and some other things to correct that. That definitely is involved in this and I will speak to the gentleman that was here, I have his card and we'll deal with that. They really found very few problems. But again, this was something that has come up and we're dealing with it.

Councilman Langman – Yes, part of the process of securing the permits are to do the environmental studies and any impact on the aquatic or land-based life. And as Mr. Price said design in the breakwall are channels to let the sand flow through and the water flow through because you can't have a stagnant basin. That would cause problems. So that has to be engineered into the breakwall.

President Sustarsic – Okay, thank you. Seeing no further comments, reminding everyone that this is the First Reading and as was mentioned appropriate amendments will be made in the future when we discuss this further. Thank you. Again, first reading.

Ord. 16-2005 (279-05) Contract Patco Group

An ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a professional service contract with Patricia A. Kost of Patco Group, Inc., 1900 Superior Avenue, Loft #104, Cleveland, Ohio 44114, for the purpose of providing financial advice and to act as a lead negotiator for the Lakefront Development Project, in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00). (Sponsored by Mayor Cervenik by request of CS&ED Director)

Councilman Sustarsic moved for passage; seconded by Councilman Daly.

Director Pietravoia – I think as has been evidenced tonight and in the past, Pat Kost and the Patco Group as been an essential part of the project team in helping to make this project a reality. This project will allow the final analysis needed just prior to the bonds being issued to take place over the next several months.

There was a question asked about the term of this contract. We didn't put an actual deadline in. It's not to exceed contract related to a dollar amount of \$30,000. We expect that will be sufficient funding to complete the analysis and to bring the project to the implementation stage. So rather than tie to a specific date, we're tying it to a product and an activity instead and that is completing the financial analysis so that the project can be implemented.

President Sustarsic – Any questions or comments?

Councilman Langman – Director Pietravoia, does that mean then we've spent the initial 30,000 or was their additional monies beyond what was originally allocated for this contract?

Director Pietravoia – Yes, thank you, Mr. Chairman to the Councilman, we are close to expending the initial dollars that were originally allocated for Miss Kost and the Patco Group. This would supplement the original dollars. The original dollars were 30,000. I'm sorry I gave you the incorrect figure earlier. The original dollars were 30,000. We're coming close to having expended those funds and this contract would extend the amount of time and hours in the amount of not to exceed \$35,000.

Councilman Langman – So is it a safe assumption to make that Miss Kost is going to be doing a lot more work to bring the financial picture into focus?

Director Pietravoia – Absolutely, I would also remind Council that the State's TIF laws allow these costs to be recuperated at the time or reimbursed I should say to the time that

the TIF bonds are actually issued. So any legal expenses and financial analysis can be part of the TIF proceeds and paid back into the funds that these originally came from.

Councilman Langman – Are we going to come back and do a similar item with our legal representation in the near future or are we okay with that for right now?

Director Pietravoia – At this time we think we're fine with the dollars. If we do need to come back before actual bond issuance, we'll do that well in advance of that time period. But right now the dollars, we estimate we have about \$36-37,000 remaining in that contract.

Councilman Langman – Again, I noticed that you switched the TIF funds we're going for. Is that because of the relatively higher balances in the Clay Matthew TIF Fund?

Director Pietravoia – We did review those funds and I believe, I'm looking Mr. Gliha because he helped me to determine where we should be looking for these dollars.

Mr. Gliha – Councilman, your question and answer were correct. We have a higher revenue source in the Clay Matthews TIF Fund and we have the Bennington Hamlet funds dedicated to some other encumbrances so the most free balance would be Clay Matthews.

Councilman Langman – Just one comment. I'm very happy with this legislation. I'm glad that we're doing it now. I'm a little concerned, though, with the process especially with this piece of legislation since I was one of the original sponsors along with the Mayor. I didn't know anything about this being on the agenda until I got my packet. Now if we're going to talk about unity and collaboration and cooperation, when I spoke with you, Director Pietravoia, you should have told me that this was coming. That way members of Council could have been on this legislation if so desired. I think it's important to this project, really for the last piece of legislation and this one, I think we should all be on here because the project is just that important. Thank you.

Director Pietravoia – Mr. Chairman to Councilman Langman and all members of Council, I will just make a continuing commitment to you to work as a team with Council. Obviously, we can't bring a project like this forward without Council's support and I will commit to try to get information to you earlier in the future.

Councilman Langman – Well, you know how I feel. Actions always speak louder than words.

Councilman Daly – I don't need my name added to this. I had nothing to do with this so I don't need a pat on the back.

Councilman Daly moved to close debate; seconded by Councilwoman Mancuso. Yeas: Unanimous.

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

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

Ord. 17-2005 (286-05) Royal Appliance Incentive

An emergency ordinance authorizing the Mayor of the City of Euclid, Ohio, or his designee, to enter into an Incentive Grant Agreement with Royal Appliance Manufacturing Company (hereinafter referred to as "Royal") for a five (5) year period beginning 2005 and ending 2009. (Sponsored by Mayor Cervenik by request of the Director of CS&ED)

Councilwoman Hufnagle moved for passage; seconded by Councilwoman Holzheimer Gail.

Director Pietravoia – I'm very pleased and excited to be able to bring this project forward to you this evening. We have been working for several weeks now to try to prepare an incentive package to attract a division of Royal Appliance to the City of Euclid. We completed that negotiations late last week and that's why the item was on your docket as an add-on. We didn't meet the original deadline. But I think Council recognizes, as you have in the past, and I believe you'll recognize in a project like this tonight that timeliness is always important. We're in a competitive situation with other communities in the Cuyahoga and Lake County area so we worked to bring this forward as an add-on so that we could move forward with the project as soon as possible.

We have representatives here tonight from Royal Appliance. Mr. Andy Klaus the Chief Financial Officer for the company and Mike Comer, the Plant Manager who also happens to be a Euclid resident. This project involves Royal Appliance moving a division that's currently in Mentor, Ohio. We're bucking the trend of moving, businesses usually from Cuyahoga County to further out. In this case we're moving a business from Lake County into Cuyahoga County. They have what's referred to as their Refurbishment or Return Center at that location. They will be moving that center to the former K-Mart building at St. Clair and Babbitt.

To respond to one of the questions earlier they will be using the entire building, which is tremendous. This takes another vacant property off our Vacant Property listing. They will invest, they've estimated approximately 4.1 million in new personal property investment essentially that will be equipment that they use at this site to wash, repair and repackage the products that Royal Appliance manufactures. There will also be various other assembly equipment and the actual inventory itself that's part of that \$4 million value.

They will be bringing over a hundred jobs to Euclid, approximately a \$3.4 million payroll. With that would be associated yearly income tax of about \$98,000, totaling close to \$488,000 over the 5-year period that this incentive package is designed for.

There was a question asked about the term of the incentive package. The lease agreement between the current owner of the K-Mart property and Royal Appliance is for a 5-year term. They will have an option to renew and I know that after improvements are made to the building, both the owner and the tenant, there will be a desire to stay in place beyond 5 years if it's practical. But the reality is that it's difficult to commit in this day and age beyond the 5-year period. So we adjusted our incentive package to reflect that. If it had been a 10 or 15-year period, the incentive package likely would have been greater than what you see before you tonight. So that's in answer to the question that was asked earlier about the time period.

I spoke just to the enterprise, the first piece that's on is the Enterprise Zone abatement. As I said, it's a 75% abatement and I will speak to the Incentive Grant as part of the next discussion on the next ordinance. Mr. Gliha and I would, who assisted in helping to package this incentive package would be happy to answer questions.

Also Mr. Klaus may not want to make a few remarks on behalf of Royal Appliance.

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

President Sustarsic – Mr. Klaus?

Mr. Andy Klaus – First, I'd like to thank Mayor Cervenik and his staff. I can say that the Mayor was very proactive as well as Frank and Bob, both, in working with Royal and helping us move into the City of Euclid. We're looking forward to it.

Secondly, I'd like to thank yourself, Chairman and Council, for voting on these incentives for us. It's become a fact of business that we have to focus on bottom line profitability. The Return Center operations we have are not the most profitable part of our business, but they're a very important part of our business and part of the business that we wish to retain within northeast Ohio and these incentives make it, make it very possible for us to do for a long-term. Again, thank you.

President Sustarsic – Very good. Are there any questions or comments?

Councilwoman Mancuso – Let me ask you what brought you to Euclid to move from Mentor?

Mr. Klaus – What we've done is we have a facility that we currently own in Mentor, the building is a little bit over 300,000 sq. ft. We do not need the size of facility that we have for the operations that we currently conduct so we've been formally marketing the building for sale for the last several years. Finally, someone stepped up and they want to take the building. So we were forced to look at alternative areas and looking at the best space available for our operation, it came down to a Euclid facility, which is the facility at 1200 Babbitt Road and another facility in Mentor, Ohio. And the structure and the facility at Babbitt along with the incentives makes that location more appealing, as well as the workforce. The workforce that we have is much closer to Euclid and its surrounding communities than it is to Mentor.

Councilwoman Mancuso – Welcome to the City.

Mr. Klaus – Thank you.

President Sustarsic – Thank you. Any other questions, comments?

Councilman Sustarsic – I'd just like to say, I mean, this is a great thing. This is a great accomplishment to the Mayor, Administration. That building's been vacant for quite a while now and it's going to be good to see some life going on over there and look forward to them being there, so thanks guys.

Councilwoman Hufnagle – I would just like to thank Mr. Pietravoia, Mr. Gliha for working on this. I know that you were working on it to the last moment and we're very excited and I'd like to thank you. And this is actually the second business that you moved from Lake County into Euclid in the last four months into Ward 3 more specifically so I'd like to thank you for that.

And I know in the audience this evening is also Mr. Semarjian, who happens to own the building. And I know after I spoke with him when he purchased the building he was very excited about having it in this location and he felt that he would be able to bring a business in here that would be good for the City. And hundred jobs is definite a win-win and we should all be dancing on the rooftops this evening. Thank you.

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

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

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

Ord. 18-2005 (287-05) Royal Tax Incentives

An emergency ordinance authorizing the Mayor of the City of Euclid, Ohio to enter into an agreement with Royal Appliance Manufacturing Company (hereinafter referred to as "Royal") for the granting of special tax incentives (75% - five years personal property) for a project that will enable Royal to establish its operations within the City of Euclid at 1200 Babbitt Road and to locate employment opportunities within an Enterprise Zone located in the City of Euclid. (Sponsored by Mayor Cervenik by request of the Director of CS&ED)

Councilwoman Hufnagle moved for passage; seconded by Councilwoman Holzheimer Gail.

Director Pietravoia – This is the second part of the incentive package that I referred to earlier. It's structured as an incentive grant and just as the name implies the way we propose these grants is that we work, we establish a base payroll with the company. And as long as they maintain that base or grow from there, they will receive a grant on an annual basis. We estimate in this case that the annual grant will range from 19, an average of \$19-20,000 per year and that will be combined with the abatements that they will receive as part of the Enterprise Zone on the last docket item.

I would like to comment to members of the public that are listening as well Council. For Euclid to remain competitive we have to continue to consider offering incentive grants of this nature. We did this for the Marine Mechanical project where there was substantial retention and new job creation and we believe the same grant is merited in this case with a hundred plus new jobs coming into the City that didn't exist here before. Mentor offers these types of grants. Solon. Mayor Campbell has announced recently in Cleveland that they are going to begin to structure similar incentive grants as well and I believe there are at least a couple of other communities that are doing the same thing. So it's, it's important, in my opinion, for us to be competitive in attracting companies like this to be able to offer these grants to supplement our Enterprise Zone abatements. Thank you.

President Sustarsic – Thank you and I think it would add to it that I think the location is everything because of, again, with developments proceeding as they are on the lakefront, different housing going on throughout the community, the relationships to the freeways, the 2 railroads going to town, minutes to downtown Cleveland, it's a good spot I think and very beneficial for anyone moving in as well as for the City. So I thank you for your efforts.

Mayor Cervenik – I would like to formally, even though they haven't voted yet, welcome Royal Appliance to the City of Euclid and, hopefully we can do more projects with Royal. I need to commend Frank Pietravoia and Bob Gliha. They worked extremely hard on this project. I know 2 Fridays ago we were in my office on a Friday at 6 o'clock making calls on people's cells phones to, trying to keep this deal alive. We were successful. There will be more successes like this popping up every day. We are committed to the business community to the growth and development of all business in the City of Euclid not only existing but also new. And that is our #1 goal in the Development Department and I firmly believe I have the right team and the right people in there doing the job. And again, on behalf of the citizens and myself, I want to thank you for your work and you've got a lot more things coming down the road. Thank you.

President Sustarsic – Thank you, thank you very much. And on that I'd like to entertain a motion.

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

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

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

President Sustarsic – Welcome to the City.

Res. 19-2005 (285a-05) NOACA Grant

A resolution authorizing the Mayor of the City of Euclid to submit three (3) Grant Applications to the Northeast Ohio Areawide Coordinating Agency (NOACA) seeking three (3) Seventy Five Thousand Dollar (\$75,000) Planning Grants Two Hundred Twenty Five Thousand Dollars (\$225,000 total) from the Transportation for Livable Communities Initiative (TLCI) to provide Federal funding to conduct or contract for the planning of transportation improvements that will strengthen community livability. (Sponsored by Mayor Cervenik)

Councilman Sustarsic moved for passage; seconded by Councilman Delaney.

Director Pietravoia – I'm dominating the agenda tonight, but this time rather than giving money away we're going after some funds for the City of Euclid. We have been encouraged by NOACA to seek grants under what's, a program called Transportation for Livable Communities Initiative. It's a tongue twister. In this case we need authorization

through this resolution so that we can actually make the application as we've done in the past.

There are two projects specifically that we'd like to go after these planning dollars for and that is, as listed in the resolution, transportation and streetscape-related planning around Lake Shore Boulevard, Babbitt Road, East 222nd Street intersection as well as the rest of downtown Euclid. And then the project that we brought forward to Council a couple weeks back, the Euclid railroad greenway and multi-purpose trail project. This is the old Euclid railroad right-of-way that's along the Cleveland-Euclid border. We have gone after funds to actually construct the trail there. This grant would provide us dollars to actually do the planning and design work related to that trail.

We're being encouraged to go after these dollars and we believe that we can be successful in drawing down both grants. There is a maximum on these grants that they provide of \$75,000 to each applicant. We're providing for the maximum. That doesn't guarantee that we'll actually get that full amount, but we are seeking the maximum that the grant provides. I'd be happy to answer any questions that Council might have.

President Sustarsic – Any questions or comments?

Councilman Langman – Director Pietravoia, for the junction of Babbitt and 222 and the Boulevard, what did you have in mind?

Director Pietravoia – You may recall we have been doing some preliminary engineering work to help improve the flow of traffic at that intersection given the complicated nature of the two major roads coming together at Lake Shore and all the driveways from the private properties at that location so this would help us to further study and hopefully come up with a good solution for improving the traffic flow at that intersection. But really, this can be much broader. I'd like to see the grant actually applied to the entire downtown business district particularly as to relates to trying to do some beautification and streetscape enhancements in setting a design for that and actually coming up with design plans for streetscape improvements for downtown Euclid.

Councilman Langman – I trust that you are aware of what KA did. I hope we can use that as a touch stone.

Director Pietravoia – Yes, in fact, this would actually help us to move from that study to, towards actual implementation.

Councilman Langman – Very good, thank you.

President Sustarsic – Thank you, any other questions, comments?

Councilwoman Holzheimer Gail – Just a detail question, we don't have the amended ordinance in front of us. I know we received it over e-mail and I believe Regina read the old one. Do we need to, I guess, why was the other project removed and do we need to take any action on that this evening? Amending the ordinance.

Director Pietravoia – We were being pretty aggressive in going after these grants and realized after further analysis after we submitted the first copy of the resolution that the third project wouldn't actually qualify for this particular source of funds. So we did the amendment just to bring it down to these two projects.

Councilwoman Holzheimer Gail – Director Frey, do we need to amend it because Regina read the old one?

Director Frey – The legislation that is before you tonight is for two grant applications in the amount of \$150,000 total under temporary number 285a-05 so that's the piece of legislation we'll be acting on.

President Sustarsic – Okay, so hope that answers your question. Any other comments or questions relative to this?

Councilman Sustarsic – As far as like beautification downtown, I know in years past we used to have the hanging flower baskets, I mean, I know a lot of residents contacted me because it really did a nice job of beautifying the downtown area. Is that something we could bring back with this money or?

Director Pietravoia – That could be part of the design work that's done as in the category of streetscape so it could be looked at. This money wouldn't actually fund implementation, but it would fund the design of improvements to the downtown area.

Councilman Sustarsic – Okay, thank you.

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

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

President Sustarsic – I think at this particular point in time we do have time left on the clock but I think we'll take a couple minute break so that we can grab the opportunity to change tape. See you in a couple minutes.

Ord. (280-05) Forko Enterprises, Inc. Contract

An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into an agreement for a period of one year with Forko Enterprises, Inc., 23555 Euclid Avenue, Euclid, Ohio 44117, for the purpose of acting as rental agent for the Euclid Lakefront Community Center. (Sponsored by Mayor Cervenik)

Councilman Delaney moved for passage; seconded by Councilwoman Holzheimer Gail.

Director Will – This evening when I came in here we were prepared to ask you to sign a contract with Forko Enterprises. There seems still to be quite a few questions in regards to the contract that you have in front of you including the fees and our rules and regulations. At this time if it is Council's wish, I put this in Committee; however, it does need to be moved quickly because we are receiving a numerous amount of calls each and every day that I have recorded and I need to pass those along. With every day we delay this we will miss an opportunity for money that we can be collecting into the General Fund. But if Council would request or like to put it into Committee, I would be more than happy to sit down and explain everything and invite Mr. Foreman from Forko Enterprises to meet with us.

Councilwoman Mancuso moved to place the legislation into committee; seconded by Councilman Sustarsic.

President Sustarsic – I think, again, I'll suggest the Executive Committee where all of us can take part.

Roll Call: Yeas: Daly, Holzheimer Gail, Hufnagle, Mancuso, T. Sustarsic, J. Sustarsic
Ordinance placed in Executive Committee.

President Sustarsic – And again what we'll do is we'll check out the schedule and hopefully within the next week or so.

Councilwoman Hufnagle – I would like to see this addressed as soon as possible because I get inquiries about this building also and every day that we don't take care of this we're losing money. And I think the contractor out there needs to have some sort of a timeframe so if we could even set the calendar tonight.

Mayor Cervenik – I would strongly suggest as well that the Council meeting, which I believe would be February 22nd, would be the target date to have the piece of legislation discussed and moved out of committee so it's very important that we do this.

President Sustarsic – Okay, well, I don't know if anybody wants to get together on Valentine's Day. It's an option. Why don't we make it on Wednesday the 16th if that would be amenable?

Councilwoman Holzheimer Gail – Can we do it this week?

President Sustarsic – That would be a choice, too.

Councilwoman Hufnagle – Do we need more time, though? Does it?

President Sustarsic – We'll get back to you within the next day or so. We'll get back to you because realizing Wednesday is Ash Wednesday as well and I have some other things going on. Okay, tentatively we'll say tentatively Wednesday.

Ord. 20-2005 (277-05) 2005 Truck Purchase

An emergency ordinance authorizing the Director of Parks & Recreation of the City of Euclid to purchase a 2005 Ford F-350 Dump Truck with plow through the State of Ohio Cooperative Purchasing Program. (Sponsored by Councilman Daly by request of Parks & Recreation Director)

Councilman Sustarsic moved for passage; seconded by Councilwoman Hufnagle.

Director Will – The next two pieces of legislation you have in front of you are to purchase two new trucks for our Parks and Rec. Maintenance Department. In 2003 our Recreation Commission formed a Recreation Capital Subcommittee. Two members of our Rec. Commission are on this and various residents, who advise the staff on our priorities. We sit down and try to meet at least every month to sit down and figure out what do the residents want. We invite public to come to the meetings.

One of the items that's never looked but always requested are vehicles for our Maintenance Department. In the year 2004 alone we lost four of our vehicles. Three because they just stopped working, another one this past December, the truck during the snow storm did catch on fire and was out of commission. Fortunately, everyone was safe that was in the vehicle.

The first truck that we're looking to buy is a dump truck that costs \$30,743 and that would be paid for out of our Recreation Capital. If you have any questions, I'd be glad to answer.

President Sustarsic – Questions or comments?

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

Councilman Langman moved to suspend the rules; seconded by Councilman Delaney. Yeas: Unanimous.

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

Ord. 21-2005 (278-05) 2005 GMC Pickup

An emergency ordinance authorizing the Director of Parks & Recreation of the City of Euclid to purchase a 2005 GMC 2500 Wheel Drive Pickup with plow through the State of Ohio Cooperative Purchasing Program. (Sponsored by Councilman Daly by request of Parks & Recreation Director)

Councilman Daly moved for passage; seconded by Councilwoman Hufnagle.

Director Will – Again, the same comments go. This is a pickup truck with a plow, \$21,153. And I must take this opportunity to thank Mr. Gulich. He and John Zigman were working with us and coming up with such great prices. We're going to get these two ordered as soon as possible and I'd appreciate your support tonight.

President Sustarsic – Thank you and are there any other comments or questions on that?

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

Councilwoman Holzheimer Gail moved to suspend the rules; seconded by Councilman Langman. Yeas: Unanimous.

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

CEREMONIAL RESOLUTIONS

Res. 12-2005 (28-105) Dennis Coy

A resolution of appreciation to Dennis Coy upon his retirement as a Safety Force Dispatcher for the Euclid Police Department in December 2004. (Sponsored by Mayor Cervenik and the entire Council)

Res. 13-2005 (282-05) Betty L. Winkelman

A resolution of appreciation to Betty L. Winkelman upon her retirement as an Animal Control Officer for the Euclid Police Department in October 2004. (Sponsored by Mayor Cervenik and the entire Council)

Res. 14-2005 (288-05) Frank Chukayne

A memorial resolution in remembrance of Frank Chukayne, longtime resident, public servant and a friend to many, who passed away on February 4, 2005. (Sponsored by Mayor Cervenik and entire Council)

Councilwoman Hufnagle moved for passage; seconded by Councilman Delaney.

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

COMMITTEE OF THE WHOLE

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

President Sustarsic – And again, keep in mind this is the public portion of the where the audience can address the Council on any issue for the good of the City. Please state your name, address. Comments will be limited to 5 minutes. Please proceed.

Mr. Ron Emser – 26501 Farrington Ave. Tonight I choose to talk about an online source for everything that's good in and around Euclid. It's none other than the Lakeshore Group. For those of you not that familiar with the Lakeshore Group it started back in July of 2002. Primarily the organization works with citizens, merchants and with the City. We over the years have done things like the Candlelight Cuisine rolling in Shore Cultural Centre incorporating Mama Catena's, the Euclid Orchestra. Everybody kind of makes a little money on this. It's a fundraiser kind of thing. The wine tasting over the Moss point, we raised \$2,000 for the Henn Mansion. Our group got together and we worked on a spring cleanup over on the beach back in '03.

We've had things like the progressive Mardi Gras party. At that point we worked with merchants of Brogan's when they were with us, Erie Waters, Main Event. We even put together and supplied a local Cajun band for Main Event for the Mardi Gras a couple of years ago. And it's just a long list, Beach Club Bistro, Corner Beverage, Copper Top, Lake Shore Coffee House and other recipients have been Euclid Hunger Center and, again, Euclid Orchestra and Henn Mansion.

We have, our website is lakeshoregroup.org and you'll find a chronology of all the things that we've done and which brings me to the latest one that we're putting together and it's simply the, it's a St. Patrick's Day bus trip. It's going to start here at Erie Waters. You end up getting some snacks and a couple of drinks are provided. Jump on a bus and we go around Cleveland. Jumping on and off the bus several times taking in

some magical pubs all around town. So primarily, I just wanted to let everybody know about this. This program gets watched quite a bit so you can go over to lakeshoregroup.org or call 216-731-5213. That's 731-5213 and don't delay there's only 55 seats on the bus and last year it filled up pretty quick. But I have here invitations I'd like to give everybody, all the Council members and one for the Mayor here so Mr. Nagy, at your convenience, you can grab these and pass them around. Thank you.

Mr. Tod Guntner – 390 E. 257. I would like to thank all the citizens of Euclid for their tremendous support of the new recycling programs available here in the City of Euclid. They have gone well beyond our wildest dreams. In fact yesterday there were more cars in line to drop off paper at the Shelter than there was at both car washes on Lakeland put together and it was 50 degrees outside. I would like to thank the citizens for their support, whether they go to the Animal Shelter, here to City Hall, or to the Hunger Center. Everybody benefits from recycling. Thank you very much.

Next I would like to talk about Sophie. You are wondering who Sophie is. If you have been watching ECTV, you know who Sophie is. If you do not, Sophie is 8-9 month old Terrier mix, who had a broken femur and dislocated knee. I looked at the x-rays, it is not a fun thing to see a knee separated from a leg on an 8 month old puppy. This little girl is about 8 pounds. This was done deliberately. It is unbelievable that there are people in this world that would do this to a defenseless animal. This dog has been fostered last Tuesday. She went into surgery. She is expected to have a 100% recover. She's got several pins in her leg. She's even walking on it after less than a week. What we have done, PetPals has paid for this. This was a \$1,200 surgery. I would like to thank the Vet who gave us \$550 discount, so it only cost us \$749.83.

What we did is set up a Sophie fund. If someone wants to donate to help out Sophie, we set up a special fund specifically to pay for Sophie's surgery. I know there's people out there, they don't want to donate and just throw out \$20 for membership, or throw out \$50, because they don't know where it's going. So if you'd like to participate, we set this fund up just so you can help Sophie out. If you would like to, just send a check, money order, or bring cash to the Shelter, 25100 Lakeland Blvd., between Babbitt Rd. and E. 260th. For people who remember that have been here awhile, it's right near the old bus terminal. The phone number is 216 289-2057 if you have any questions. Phone hours are 9-4:00 PM Tuesday, through Saturday. Office hours are 12-4 Tuesday through Saturday. Also 6-8:00 PM on Thursday. We have a number of animals up for adoption right now, so please come and take a look at see what we have to offer you.

Mr. Matt Sarver – 26550 Shoreview. This evening I rise in protest against this Administration's law suit against resident Jerry Corbran, in which he is accused of willfully intending to hinder and harass the administration and to delay a public works project, referring of course the Briardale Golf Course Clubhouse.

The Administration is seeking monetary damages against Mr. Corbran. Mr. Corbran stood at this podium on several occasions asking in vain for the Law Director to respond in writing as to how the new Administration could willfully and legally stop the Knuth Center Clubhouse renovation project already in progress, as it had been approved the previous Mayor and Council. He was never given an answer.

Mr. Corbran along with members of Council, objected to what they felt was a flawed process leading to a 5 to 4 Council approval of an alternate plan, 10 months after the original plan was approved and bids submitted. Mr. Corbran used the 30 day period before the new plan became effective to seek a Court Order to stop demolition of the historic Knuth Center. Following an abbreviated hearing, the Judge deliberated for seven days before ultimately denying the injunction. If Mr. Corbran's court action was indeed frivolous as the administration charges, the Judge would have likely thrown it out immediately. Instead the Judge considered Mr. Corbran's request for a week before ruling.

Why is it that this Administration is going after Jerry Corbran, considering his long and impeccable record of service to this City in the interest of the golf course? Please note that in 1974 and 1975 he was a coordinator of the Ad Hoc Citizen Committee credited with bringing Briardale Golf Course to Euclid. He assembled a 100 plus initiative petition for us to gather 3300 signatures, in the dead of winter mind you. He uncovered a Briardale land tax overcharge in the County Auditor's files. He passed the information to the Council President, who brought corrective legislation saving the city \$44,000 annually. 1975 he was appointed by Council to the Advisory Committee to the

Architect. 1978 he formed Euclid Golf Association and founded two weekend leagues. 1993/1994 he was appointed by Mayor David Lynch to the Golf Course Advisory Commission. 1994 upon hearing of \$55,000 annual watering costs for course irrigation, retired designer Corbran and a professional engineer friend volunteered their time and expertise to design and supervise a construction of a unique pumping system that draws water out of the huge storm sewers beneath the course to fill the irrigation ponds. The system has saved the course water costs an estimated \$40,000 year for the last 11 years. That' \$440,000.

1995/1996 he was a member and first year chairman of Council-created Golf Commission. 1997-2000 he was appointed by Mayor Oyaski to two terms on the Euclid Recreation Commission to advise on golf matters. His commitment to the City was not limited to the golf course. He provided leadership to stop further high rise over development and a federally mandated swim beach at Sims Park, as well as providing a concept for redevelopment of Shore Cultural Centre. In 1995 Mr. Corbran designed and built a topographic model of the Hillandale area, then another of a combination senior community center in Memorial Park and then of a lakefront marina and breakwall. All of these were on display at City Hall.

He then founded the Marina Harbor Committee which was a long time champion of tax increment financing for the breakwall in the face of many years of administration and council ignoring the process. Mr. Corbran, who will turn the big 80 this year, has shared with me that he is very pleased that tonight the TIF legislation was before this Council. In addition this involved and active resident was a combat infantryman in WW II, receiving a Purple Heart in the wake of the Battle of the Bulge in 1945.

I can think of no other resident who has more of a right to question the future of Briardale Greens than Jerry Corbran. Is this a vindictive person who would file a law suit described by the administration as frivolous against a city that he has worked so hard to serve and served so well? I think not. If the administration succeeds in its effort to collect damages from Mr. Corbran, it is likely that his Veteran's Disability Compensation and Social Security benefit will be garnished by the City. Mr. Mayor, if bringing suit against residents and putting their financial future in jeopardy is your way of standing up for good will, then you know what, I just don't get it. Thank you.

Director Frey – Mr. Sarver, the City did not file suit against Mr. Corbran. The City filed a motion within the suit brought by Mr. Corbran asking for its expenses to be returned to it. That is in excess of \$4,000 in defending the law suit that Mr. Corbran brought. The Sunshine Law, pardon me sir, The Sunshine Law has a provision in it that allows the Court to make a determination that if the suit is brought not in good faith, or frivolous, then the City must recover its costs. That's what we've asked the Court to do along under Civil Rule 11 for the same type of activity. If the Court makes that decision, it's the City's choice then whether it will collect those fees. That was our actually expense in defending the matter. That's what we've asked on behalf of all the taxpayers of this City, for those costs to be reimbursed.

Mrs. Mickey Bell – 150 E. 208 Street. First I'd like to offer my congratulations to all of the people through all of the administrations who have worked to bring the lakefront project to fruition. The plans look wonderful and I think it will really help restore Euclid to the city that it used to be when I was growing up.

Now however, I would like to talk about another situation which caused me a bit of concern about the city. I was recently circulating recall petitions and I knocked on the door of an elderly person. This was Saturday afternoon, so we chatted for a bit since both of us have lived here our whole lives and then I asked the person if they would sign the recall petitions. Their response was, I'd love to see the bunch of them out there, but I won't sign because I don't want them around here bothering me. I don't want any trouble.

I started to leave and then the resident called me back, asking me how the recall was going. I said pretty good. The resident responded to me, well if they're not going to make it, you come back here and see me and I'll sign it. If our fellow citizens are afraid to exercise their right to free speech and to demand accountability from their elected officials, than Euclid has bigger problems than how to use a piece of property.

The popular vote has always been paramount in deciding how and by whom we will be governed. Maybe it is time for those of us who love our liberty, to put a stop to the politics and to be governed by our Constitutional Rights.

Mr. Ray Petrea – 353 E. 232 St. I would just like to remind the public that we're in the midst of a diabetic epidemic. It doesn't seem to be going away, it seems to be getting worse. The fact of the matter it spans all age groups from young babies even to senior citizens in their 80's & 90's for their first diagnosis. We're all subject to the ravages that diabetes can do.

In northeast Ohio 1 out of 16 people have diabetes. There is a bunch more in a category known as pre-diabetes. That's approaching the standard for diabetes but it hasn't quite been reached yet. People who are diabetic, or pre-diabetic would be very wise to take an aggressive approach in maintaining their health against the ravages of diabetes. In addition, people who have diabetes also have related chronic conditions, such as high blood pressure, kidney problems, they are subject to getting worse and worse and worse.

I've already discussed in the past some of the very adverse consequences that can occur. It is important for the person to take responsibility for maintaining their own health under the advise of the doctor and other health people. These people have spent years and years and years and years training in their specialty to be able to administer to us with chronicle illnesses at the time we need it. They also spend months and months in re-training and update training. Thanks to the scientific investigation going on for a cure for diabetes all over the world, we now have the best opportunity to maintain control of our diabetes. We have instruments and knowledge that we can have personally to check on our blood sugar levels on a daily basis. Some people check their blood as much as 12 times a day.

I recommend an aggressive approach to maintaining your health. You need to see your doctor who specializes in the treatment of diabetes. Your doctor will most likely refer you to other specialist. It has impressed me that people involved in the treatment of diabetes do it on a volunteer basis and they see the rewards of their effort when a person is able to maintain normal blood sugar levels.

There is scientific evidence that maintaining normal blood sugar levels does help you to maintain a healthy lifestyle and slows down the adverse consequences of this progressive disease.

You would be wise if you have a family history of diabetes, if you are over 30, if you are overweight, to get screened for diabetes and adhere to the recommended treatment levels for this insidious disease. Thank you.

Mr. John Herak – 78 E. 224 St. I did not vote for George Bush in the last presidential election. I do not consider myself a Republican or a Democrat. I try to pick the right candidate who I think will do the best job and go for that person. But the more I read about Mr. Bush, the more I thought he should be behind bars instead of running for President. I've got a lot of friends Republicans and they thought I was out of my mind and out there for saying that. You know if I had said something like this over in Iraq as an Iraqi citizen about Saddam Hussein a year or so ago, I could have been taken out and shot or had my head cut off.

But I don't live in Iraq. I live in America where the idea of democracy is free exchange of ideas and the freedom to change things in a lawful manner. Mr. Jerse calls us a bunch of crazies. Mr. Hagan calls us dishonorable. I wonder what these guys would have called our founding fathers if they were around a couple of hundred years ago.

So at a time when we are asking young people to risk their lives going over to the military to give people of Iraq the chance to experience a democracy in action, I find it ironic that a group of professional politicians would come into our town, from what one newscaster called the Mayor's Dog & Pony Show and criticized us for our recall effort. A right given us as U.S. citizens living in a democracy and allowed by our City Charter. Apparently people like Tim Hagan, James Rokakis and the entire group of Democrats in attendance at the Mayor's rally embrace democracy only when it suits them.

The statement made by Mr. Rokakis that was conveniently edited from the tape that you are watching on TV these days, that we should not only be stopped, but we should be crushed, is something one might have heard at a Nazi rally by Adolph Hitler. I personally think Mr. Rokakis should be run out of town on a rail for this statement. What everyone should think about when they see the Mayor's rally on Channel 23 is that the ERC is a grass roots movement trying to make Euclid a better city. We were assailed at that rally by the Mayor's political cronies, most of whom don't know much about Euclid and really couldn't care less. Thank you.

Mr. Harvey Hutter – 1446 E. 204 St. I'd like to talk about virtual reality. Mr. Cervenik and some of Council decided to hold a press conference. They invited Tim McCormack, Stephanie Tubbs Jones, Jim Rokakis, Tim Hagan to attend and unfortunately none of them could. So they contacted Looney Tunes Productions and a virtual press conference starring all of your favorite cartoon characters.

Let's look at who was virtually there. Tim McCormack. Tim said, say yes to goodwill, whatever that means. Tim was played by Foghorn Leghorn. Stephanie Tubbs Jones, Stephanie never really has anything to say that makes any sense anyway, and this was no exception. Stephanie was played by Penelope Pig. Penelope is Porky's sisters, mothers daughter. She never has anything to say worthwhile anyway. Pardon me?

President Sustarsic – It has been a tradition up here not to demean or talk down or bring down people. So I would appreciate it if you could clean it up a little bit and proceed and get to the point of what you're trying to say.

Mr. Hutter – Clean it up? I haven't sworn. What do you mean, clean it up?

President Sustarsic – In other words, don't go on the attack against people. Don't demean people otherwise you'll be ruled Out of Order.

Mr. Hutter – Okay. Let's look at Jim Rokakis. Jim, Jim, Jim, Jim, Jim, Jim Rokakis said you can't beat these people, you have to crush them. What does that mean? When you step on a grasshopper and it sticks to the bottom of your shoe, we've all had that happen. You take a few steps, it usually dies because it was crushed. Do I need to check the obituaries everyday to see if I'm still here?

I will remind Jim Rokakis that he is in office to serve us, not to threaten us. Jim Rokakis was played by the Tazmanian Devil.

President Sustarsic – Mr. Hutter, you are Out of Order.

Mr. Hutter – Just one more.

President Sustarsic – You are Out of Order. I asked you once and I'd appreciate it if you would take your seat.

Mr. Hutter – Let's look at Tim Hagan.

President Sustarsic – Thank you very much. Next speaker please.

Mr. Hutter – Tim Hagan, pardon me sir, but Tim Hagan said that I'm un-American. What is more un-American than

President Sustarsic – You are Out of Order sir.

Mr. Hutter – a recall petition.

President Sustarsic – Sir, you're out of order, thank you. Next speaker please.

Mr. Hutter – I still have a little more time.

President Sustarsic – No, because you were ruled Out of Order.

Mr. Hutter – Well, I wanted to point out that Bill Cervenik was played by Daffy Duck.

President Sustarsic – Sgt.-at-Arms, would you please help escort the gentleman out.

Mr. Hutter – That's all that needs to be said about that. What they need to do is watch 21 & 23 it is a good

President Sustarsic – Mr. Hutter, please. Please you've been asked. You are Out of Order.

Mr. Hutter – It is a good cartoon show, just open up a beer, sit back and enjoy the show.

President Sustarsic – Next speaker please.

Mrs. Joanne Hanlon – 364 E. 211 Street. This makes me very sad after all the positive things that were voted on and discussed here this evening. I personally feel that this recall movement is so detrimental to the City of Euclid therefore I want to ask each council member individually to answer me either yes or no, whether they support or our against the recall of the Mayor. My second question to each individual is did you have anything to do behind this to get the ball rolling to do this wonderful thing that makes Euclid see so great in the papers? Can I ask each council member to answer me? Why can't I? If I want to know if each council member is for or against the recall of the Mayor, why do I not have right to ask each member to answer that question?

President Sustarsic – At this particular point in time, no they can, they will address you and they can answer you in Councilmen's Comments at the end of the Committee of the Whole. This particular portion is not necessarily meant to be a back and forth or debate session with anyone on the administration or council. They can answer when they do have the Councilmen's Comments.

Mrs. Hanlon – So when they answer, I want each individual to tell me two questions, are they for or against the recall of the Mayor? And did they have anything to do behind the scenes in starting the ball rolling, which I think makes the City look, we have people out with businesses, Council people, the Mayor, trying to bring businesses in. Like somebody said, can I do it with you, you might not be here next year. You were elected for 4 years, but you might not be here. If that's a positive for the City of Euclid, I do not see it.

Mrs. Ann Raukar – 246 E. 272 Street. Mayor Cervenik, Council President Sustarsic, Council members Gruber, Hufnagle, Daly and Tony Sustarsic, came on the job handicapped by the Providence Baptist Church. It appeared that they were also beholden to the political maneuvering of Mayor Oyaski just prior to the last election. Some Council members had to be shocked into realizing citizens would not tolerate the nonsense they brought on board. They came with a chip on their shoulder as did the Mayor. Not only did we get sucker-punched on Hillandale, now we have Briardale. It was shocking to see Knuth Center a good building lying on the ground totally trashed. What a shameful lose. Here was a done deal, all systems go, plus \$300,000 already spent and now just blown away. What a senseless act. Shame on you Mayor.

I just can't understand the Mayor not seeing the value here. What about demolition cost? Is it any wonder the Euclid Awareness Committee was formed? The committee has been charged with divisiveness, not so. Corruption divisiveness and stupidity have been going on in the Oyaski administration and Bill Cervenik was a master of all three when he was council president. I can vouch for that. I am a victim of this corruption and stupidity.

I'm not a member of any organization but I fully support the Euclid Awareness Committee and their recall promotion. I contribute to the cause for it is needed to protect our rights as well as the Constitution of the United States of America. Four churches in our county were recruited to serve as political clout during election periods. The church in Collinwood, a total failure is a monument to Cuyahoga County Commissioners and Cleveland Councilman Michael Polensik. The church slated for Karous Park was wisely withdrawn by the Minister even though the land was free. The past week it was discussed upscale homes in Oakwood never paid taxes since they were built. I wondered if these have a connection with the church built in Oakwood.

The Providence Baptist Church and its outlandish demands has proven to be a stumbling block for the politicians who thought it would be a push over, due to Mayor Oyaski's skills. He was successful to some extent in maneuvering to overcome their loss of two years to the so-called Four Horsemen. However, it has been a black hole for all of us. Did Mayor Cervenik settle the Church's law suit as soon as possible because there are things that could not pass closer investigation? There is an air of fraud to the whole business of Hillandale. This Church clout has been felt before the Church was even built. The founding fathers of our nation wisely kept church and state separate. No cowardly

and despicable politicians want to destroy this important legislation for their own selfish purposes. By the way Mayor, have you thought about the monument you will leave at Briardale? Thank you.

Mrs. Ginger Lennon – 22450 Seabrooke in Euclid. I'm a proud citizen of Euclid and this is on a much lighter note. I want to tell you that I am the President of the newly formed Elvis Shake Rattle and Roll Fan Club of Cleveland, Ohio, but we are in Euclid. We have officiated since June 3, 2004. We are officially recognized by Elvis Presley Enterprises in Graceland and I am proud to say, we are putting on a benefit show for St. Jude Children's Research Hospital, the Polycystic Kidney Disease Foundation and Shore Corporation. This benefit will also benefit Shore. It will be an Elvis Tribute Artist on April 16th performing a live Las Vegas-style Show featuring Walt Sanders & the Cadillac Band. This is going to be a fantastic show for a great benefit. I have all of the approvals in order with St. Jude's and PKD. There will be booths there that night for St. Jude's and PKD so everyone can learn more about it. PKD is a kidney disease foundation which affects more than muscular dystrophy, sickle cell anemia. If you go to www.onenightwith.net, that will be the performer that you can read all about PKD and also St. Jude's you know what they do.

Just to give you a little idea of what we have already done in our short time since we've formed, we decorated an Elvis theme tree for Quaker Square in Akron. It was bid on, everything was donated by the members and ornaments, tree. We raised \$275 which went directly to Akron Children's Hospital. Currently in January we have a teddy bear drive going. We collected almost 100 teddy bears and those will go to Rainbow Baby & Children's and Akron Children's Hospital. Next year we hope to have this much bigger because this was our first year's event. We've already got the okay with Playhouse Square Center. We will have people coming to the Elvis Tribute Show bringing teddy bears. We hope to get close to 2,000 teddy bears.

The tickets are \$17 in advance and \$20 day of the show. The show time will be at 7:30. This will be at Shore auditorium. If anyone is interested in helping, I will welcome any ideas, any help. We are on a shoe-string budget all the time. The fan club will not profit from this and we live by our motto, to keep Elvis' memory alive with honor, dignity, respect, raise money for charities and have fun. We have now currently 52 members and we average 2 members per month for a memberships, for the fan club and we also have 49 members on our Cleveland Elvis Meet Up site. If you go to your search engine and you type in Cleveland Elvis Meet Up, you will see that we come up right there at the first thing and you can see everything that we are doing. This is great, great event called One Night With You featuring Walt Sanders and the Cadillac Band. I hope to see a lot of you there. I will be up every meeting to announce this and let people know. Put the word out and you will see flyers everywhere in this City. Thank you.

Mrs. Susan McGinn – 141 Sunnycliff Dr. I was just wondering if any of you got to see the comic strip in the Plain Dealer yesterday in the Metro section about a prominent developer in Euclid who is now doing garage sales. I thought it was pretty funny.

Yes, actually Ed Gudenas did donate I think \$35 to the Euclid Awareness Committee as well as many family members of Council, the Mayor and several other citizens, many other citizens. The article last week in the Sun Journal pointing out, three actually of our council members who are being recalled and how their family was behind this, some of their family members did donate to this but that's their right, just as another council member sitting up here this evening has a member of her family as treasurer of the pack supporting the Mayor against the recall. So its their right and I don't understand why any of this big fuss has to be made over Mr. Gudenas or any of our council's family members.

But anyhow, tonight I have a rhetorical question and it is, which is it? This is directed toward the Mayor and his administration. Is it unity or is it division? You can't have it both ways. We hear talk of working together. Yet meetings are held and certain people are excluded. A perfect example is two weeks ago the meeting that Mr. Herak mentioned previously, the press conference. We saw school board members, we saw many city employees wondering if they were on the clock. We saw library staff. We saw council members. We saw our big-wigs from downtown, Cuyahoga County democrats, which by the way I am a democrat.

We did not see, Patrick Delaney, or Councilman Delaney, Councilman Langman and Councilman Mancuso. They weren't invited. What good does it do to continue to excluded these people? How does that encourage unity?

Which is it, is it truth and honesty or fabrication? You talk about being honest and truthful, presenting the facts. Yet a video has been shown over and over on public TV to the residents of this city and it is manipulated and edited, not showing the despicable behavior and the attacks that were made on Euclid citizens. How is that being truthful and honest.

Which is it, is it serving the people or is it self-serving? We hear talk of doing what's best for Euclid. Yet City Hall is insulated with cronyism and nepotism. How does that speak to the best interest of Euclid? It sounds more like taking care of your buddies and your family members is more of a priority than the business of this city. I'm glad to see some of the Mayor's and Council's relatives are here tonight in support of them. It is about time.

Euclid Awareness is about keeping voters informed. It is about making public servants accountable and productive. It's about the democratic process. We have all lived here long enough to see the damage done by past-political decisions. We believe we no longer have the luxury of time. The City is in big trouble. Our poverty level is on the rise. We have the highest rate of subsidized households, 9,000, in Cuyahoga County with the exception of Cleveland. Young families have migrated to other cities and our seniors are getting older. We've been used as a pawn for county politicians. The majority of our leaders have lacked vision and creativity and arrogance interferes with consensus.

We all know the economic issues facing us as an inner-ring suburb. But we must strive to overcome them. We cannot settle. Harbor Town is a good start. It has been a vision of many, past and present. Many are to be thanked for this effort, especially K&D for believing in Euclid. But I submit to all of you and more importantly to the people of Euclid, the time was yesterday. We cannot be distracted. There is no time for apathy. We must do whatever is necessary to move this city forward. Thank you.

Mrs. Colleen Mastalski – 136 E. 201 Street. Freedom of speech is a wonderful thing. There will be no name calling up here by me. There will be no dog and pony show. There will be no props or anything. Freedom of speech is a wonderful thing and to do it in a calm and respectful manner is also a wonderful thing.

About 15 months ago the citizens of Euclid elected Bill Cervenik for Mayor of Euclid. Shortly thereafter the EAC was formed. I am sad to say that this Awareness Committee has not made me aware of anything but their self-serving political agenda. They have worked tirelessly in direct opposition to Mayor Cervenik and most of council. No matter what the issue is, be it Hillandale, the golf course, this group has voiced their opinions in an utterly appalling manner.

The utter lack of respect and mean-spirited name calling is truly an embarrassment to the majority of the citizens of Euclid. I am a supporter of voicing one's opinion but I believe each person's voice should be heard in a respectful and calm manner. I know from personal experience that Mayor Cervenik is someone who is willing to sit down and discuss issues that everyone might not agree with. This is how working together towards a common goal is done. I have known Mayor Cervenik for a long time. And yes, I am his cousin. That has nothing to do with why I'm up here tonight. Once again we have the mean-spirited, lack of respect. I didn't speak while you were speaking.

He has always worked for the best interest of all the citizens of Euclid. I think the EAC should think long and hard about this city's future. Mayor Cervenik is working hard to make good things happen here, as is Council. Thank you Mayor Cervenik for your dedication to all the citizens of Euclid.

Mr. Bill Mabel – 24661 Hawthorne Dr. First I want to talk about Tim Hagan, Tim McCormack, Stephanie Tubbs Jones, George Voinovich, Ed Jerse. They have served this community well. To be kind of trashed here tonight is inexcusable. When about, Mrs. Hufnagle, if you remember a couple of years ago when you weren't here, when this Council okayed about a million and some dollars, where did it come from? The County Commissioner. Next time these people need to get up here and start trashing that.

Tim McCormack almost was the Mayor here within 200 votes. He has cared about this community for a long time. Mr. Mayor, the other thing, you have developed a relationship with George Voinovich for a long time. Your Dad, any good politician has

to develop connections with other politicians. If you can't see that, we won't even get the lakefront done. You've been instrumental in that. You need credit for that. It is unfortunate, some of my friends have said in Lake County, why does he even keep going. You've had a successful business. You've raised your family. You're a grandfather and your trying to do the best in this community and this is the first time I have heard this kind of appalling conversation. Where is please and thank you? It is not here.

The other thing is I think that this has a very negative effect when it goes out in our greater community. It will be hard to bring it back. The other thing that I do know about you Bill, and the clergy that are around this town, have great respect for you. That has been something that you have worked for many years on. I was one of those at that celebration. I remember a doctor introducing you that delivered more babies in this community and there was a lot of great people there. I remember the applause that you got, the paper didn't write anything about that. It was really overwhelming and I know it was overwhelming for you. When it come to the TV they did take that but they didn't put the caption to it.

I also want to remind you and those other people that talk about corruption, in the Euclid Sun Journal, January 27th, furthermore this newspaper supported Cervenik, Hillandale rezoning stance. The issue that put EAC over the edge and drove it to open a recall office and circulate petitions. Last fall we urged the voters to say no to repealing the zoning and a few weeks later we backed Cervenik when he settled the Hillandale case. You saved us money. Even this law suit with Jerry Corbran, you saved us money. He didn't have to get on there.

I just conclude that I do support you Bill and its unfortunate that a man with your integrity that you need to be booed and hooed on this. Plus all the other people with integrity that have served our greater community and that we will be going to them and saying please give us some more money. Thank you.

Mr. Brian Tomazic – 1996 E. 228. I came here completely unprepared to speak. I've been coming to these things on and off for quite a few years now to kind of gauge a temperament of the environment of everybody in here. It is not really a dog and pony show. What it is is a circus. People come here to boo and people come here to jeer and have their snide comments in the background. Everybody does it. If you have something to say, come up here and talk about it. You shouldn't sit here and the whole temperament of this place, it is just bad. It gives the entire city a bad reputation. All of you need to look at yourselves and say am I doing this for the benefit of the city. Coming here bringing puppets and whatever is not doing any good. What you are doing is creating a circus-like environment in a place where we should be conducting business.

Mayor, everybody sitting up here, Council, I came here today. I had no idea what was on the agenda. I come to attend because I want to know what's happening in my city. To find out that Twin Value or Kmart building is being occupied, complete shock to me. I never thought it would be filled again. But, you guys did a great job. But nobody wants to commend anybody on that. They all want to look at the Hillandale project, they all want to look at the recall election. Let's build on something positive. Business will come back into the city. Give it time. These people up here have been cleaning up everybody else's mess from previous Council. That's just the way that it works. On behalf of me and a lot of other people that support you guys are doing a great job. Thanks a lot.

Mr. Victor Goodman – 20201 Glen Russ Lane. Tonight I speak with a heavy heart for I have lost a loved one of unequaled importance in my life. At a time of great loss, you take moments to rethink your life and what is important in it. As we all know to well that in a blink of an eye life alters, it changes, it is over. In light of that reflection and in honor of that memory, I have come here tonight to state why I am in total support of the process of the recall.

If those who oppose the recall have the right to descent, then so do I. They cannot have it both ways. My rights and their rights are equal and both must be upheld. Here are just some of the reasons to which I support the recall. One, I found it very strange that the only Board of Control meeting not taped was the first one of this Administration in December, 2003 at which the work of two full years of a council and signed into law by a former Mayor were discarded outright by this current Mayor. That the entire project was scrapped for the current Mayor's ideas only. I am referring to Briardale.

Two, that the current Mayor called out 11 citizens' names that did not see eye-to-eye with him and return Euclid to the 1950's and the Joseph McCarthy era of politics.

Three, that members of this current administration stoop so low as to call citizens with a different point of view on an issue names which are forbidden by Robert's Rules. That they invoke the flames of racism for political gain.

Four, that this current administration refused to discuss in good faith any and all alternate plans for a new golf course clubhouse.

Five, that this current administration refused to discuss in good faith any and all alternative plans for the city health care issues. The current Mayor was quoted on the record as stating this is what I want. My only question is, is this what is best for the people? There is no "i" in people.

Six, that this current administration refused to discuss in good faith all and any alternate plans for tax collection.

Seven, that this current administration added insult to injury by naming Brian Meister to such an important new position in light of his verbal rampage of the people at this podium. So much for working together to heal I guess. Much better plan to rip off the scab of the wound and let the bleeding again begin.

Eight, that this current administration does listen. They don't hear. I was appalled as many citizens were of the, beat them and crush them remark, of Jim Rokakis at the current Mayor's pep rally. It is refreshing to know that the supporters of this administration would stoop so low as to again name call and they don't even live here. I would ask why the pep rally was edited and presented to Euclid residents as a Mary Poppin's version? Must be that the whole real tape would have incited these citizens of Euclid to tar and feather. If you must put on half-truths, don't. Remove them as they are worthless distortions of the truth. Also I would like to know why they are on 23 when this is a pact and you told us that pacts can only go on 21.

The good people of Euclid will have the right to decide whether this current administration some or part, should continue. This time their vote will count. Please note, that I have not referred to Hillandale as any issue. Although it is a part of my reasoning, it is just that, a part, it is not the reason I support the recall. Sticks and stones will break my bones, but names will never hurt me.

Mr. Mike McGinn – 141 Sunnycliff Dr. One McGinn is plenty up here so I'll show up this time and try not to make a habit of it. The reason I'm here tonight was my wife encouraged me to watch the Gateway presentation where the Mayor had a number of people come and support them. I turned it on for all of 30 seconds, I just happened to tune in when Tim Hagan was speaking. He called Euclid Awareness dishonorable and I turned it off because that was enough.

I really don't understand why Euclid Awareness can't hold the people who have been elected to work for them accountable. I think its fair. I don't think people always like it. I remember having a Vice President who would sit me down on a Monday morning and ask me, tell me what you're doing this week. I'd have to look somewhat organized, I'd have to have a strategy. I'd have to be able to problem solve and I'd have to be productive. It was never really a fun meeting. It made me, I thought, a better employee and in the end I thought it was good for me and I thought it was good for the company that I worked for.

Being accountable isn't fun, but I endorse Euclid Awareness going to the public officials in this city and making them accountable. If any of us were to go buy a car and we brought it home and it didn't work, and you went back to the dealer and the dealer resented the fact that you came back and said the car is faulty, I think all of you would be angry or feel that their actions were unfair.

More to the point, I look at how this city disconnects at times. I see where Euclid Awareness was formed and why it was formed. I sit home and watch Council and talk to my friends and I talk to people who aren't my friends, and I look at the business of the City. I come up with the fact that I don't think many of the people who work for us are good listeners. I had my little boy tugging at my pant leg the other day. Dad, Dad, Dad, Dad, Dad, Dad, Dad, Dad. All he really wanted to do was me to look down and affirm him and listen to him and hear what he had to say. Many times I look at this body, this chamber here and I think, why don't they listen. I've got a good way to get rid of Euclid Awareness. It's include them.

I look at Euclid Awareness and I see a lot of talent. I see a lot of good ideas. I see people with business acumen. I see people with managing abilities. I see people who are

dynamic, who have ideas. I think this City needs that. It is like going to the golf course and only playing a couple of clubs. You leave a lot of clubs in the bag. I think that seems kind of foolish. I think including people, getting everybody pulling on the oars at the same time would do a, would go a long way to get rid of Euclid Awareness if that's your goal. I, myself, when the Mayor was elected thought he's elected. Let's see what he can do. I wasn't part of an agenda. Many people think let's get him out right away. Let's give him a chance. But I don't think that the Mayor has shown a lot of ability to listen. I think Euclid Awareness tugs at his legs and say please listen, please listen and I think he doesn't to spite them. And I think they in turn get more angry, more frustrated, less affirmed, less involved.

I don't know what the Mission Statement for the City is, but I think it should be up here. And I think it should include excellence and I think you should reference it from time to time. And any of your actions that aren't about excellence I think you should reexamine them. Thank you.

Mr. Paul J. Hribar – 19425 S. Lakeshore Blvd. I've been living on S. Lakeshore Boulevard since June, July of 1952 where I raised 5 children. I've been a lawyer for over 60 years. I'm still practicing law fulltime in the Pena Building it is now the Omni Park Building for about 30 years there. I head up a group of 9 independent associated sole-practitioner lawyers, including one of them being one of my daughters. I used to have my office in the Kapel Building for 12 years and I'm certainly interested and love Euclid and I'm concerned very much about its welfare.

I'm here this evening because I love Euclid and I want to support and endorse the facts and opinions set forth in the Plain Dealer's editorials, main editorials of January 26th and in the News-Herald of January 30th, which concluded that the recall is a dangerous and divisive procedure and also Mayor Cervenik did the right thing when he settled the Briardale, I mean, Hillandale lawsuit. And also I'm very happy that the man you heard tonight who's spending millions of dollars, Doug Price, at the Mayor's conference said that he thought that the recall is a horrible idea.

Okay, now when you talk about things, I like to use the who, what, when, where, why. You use that in contracts and most of agreements or whatever you do. So let's take the who first. Who am I to speak here? Am I qualified? When lawyers have witness on the stand, they want to qualify them. So I have to qualify myself in this respect, as far as experience, I've been a lawyer for over 60 years. I've been, handled hundreds of real estate actions of all kinds. I've appeared before many Planning and Zoning Councils. I represented many builders in Euclid back in the 19 late 40s and 50s when we were building Euclid. I've worked with all the mayors and all the officials of Euclid for all these years and I find the present group very cooperative, very intelligent and very honest and outright.

I also was Vice President of St. Clair Savings & Loan Company in charge of mortgage loans and escrow for about 9 years. I've been a licensed real estate broker for about 50 years. With respect to community development, I've been past President and officer of the Eastlawn Property Owners Association, Euclid Veterans Club, the Chamber of Commerce, the FOPA, the Elks and I really do involve myself in the City of Euclid here. I was acting Judge 15 years and I also was a member of 4 Charter Review Commissions.

So I think as personal is concerned, I traveled all over the world 4 years ago as a Naval Officer and then years as a tourist. I've been in 60 countries and I can tell you that Euclid is one of the finest place in the world to live. We have everything right here.

Now that's enough of the who, what about the what? I don't have time to address everything, but let's take the Briardale situation. I've talked to many people and the consensus seems to be that the voters voted to rezone the property to industrial because of their, because of the poor reputation and track record and plans of the church that owns the property to develop it. So what happened is this, when you do have problems, sometimes you solve one problem but it creates another problem. In this case the vote to rezone the property collides with the law of the land. What I mean is that the property of owners have the constitutional, the fundamental right to have the property used in its best and highest use. It's obvious that the Hillandale land is not suitable for industrial use. It's been there for 30 years. We haven't changed places like Addressograph and Chase Brass for commercial for the mall and other stores and so on so this would be an unconstitutional act to deprive these owners the right to use their land the way it should be. So that, if this thing went to trial, it'd be a very complicated case, it would raise other

issues like racism and religion and so on. Involved Federal things, it would be a terrible long, drawn out expensive case to try.

President Sustarsic – Excuse me, Mr. Hribar.

Mr. Hribar - Most lawyers agree that Euclid had no chance of winning the case and...

President Sustarsic – Mr. Hribar...

Mr. Hribar - ...and be subject to heavy fines and penalties...

President Sustarsic – Mr. Hribar, excuse me, your 5 minutes...

Mr. Hribar – ...in the City of Mayfield Heights. I'll just finish up. So the only sensible...

President Sustarsic – No, your time is up. I'm sorry. I'm sorry.

Mr. Hribar - ...liable to millions of dollars. That was the thing to do to settle the case. Thank you. I'm sorry.

President Sustarsic – Thank you. Next speaker, please.

Mr. Mike Mihalich – 101 E. 202. And actually Sheldon Berns is in Moreland Hills right now trying to knock down their Zoning laws. They have a 2-acre minimum and he's working with somebody right now trying to knock it down to a half acre. So he's out there trying to strong arm somebody else.

But before we get on to that, I'd like to, the Euclid PTA Scholarship Dance is Friday, February 25th. It's a \$45 donation. Rich Eberhard was in here speaking before. It's at the Manor Party Center awesome food, awesome place to have an event. There was a couple of, there's open spaces for community businesses to advertise in their program. I'd like to thank Queens and Kings Beauty Shop, Villa Beach Communication, Euclid Meat and Sausage, Guys Pizza and Jay Dee Cleaners for giving me some donations today while I was out. And anybody who's wishing to make some donations or needs to buy some tickets can get a hold of Jean at 481-7443 or Sandy at 731-9134.

Recall. Why am I sticking out for Euclid? Why is family's name on the Mayor's hit list? Why am I drawing fire from those who oppose me or my stand and they threaten my freedom? I'll explain. I love Euclid and it's a matter of choice and finishing what is started. I chose not to ignore the citizens unlike the Mayor ignoring 13,000 voices when he settled the Hillandale issues, knocked Knuth to the ground. Strong arming a senior citizen for trying to hang on to Euclid's history, fabricating a million-dollar budget surplus and most recently staged a rally where County politicians, who know nothing of our community, came here specifically to threaten citizens. Tell me, Mr. Mayor, how can you now ignore people signing petitions to recall you because I can't?

A disabled World War II veteran and his elderly wife made every effort to get their signature on the recall petition on one of the coldest days of the year and claims what is done is a violation of what, is why he has fought in wars.

A first-generation American, her accent still thick from her European language says this is not the reason I came to America. When things like this happen, they are not supposed to happen in America. When the 30, 40, 50-year old, lifelong Euclidians tell me of the many years that have gone by since Euclid was at its peak and not only leading the area in industry but in education as well and how they are saddened by what it has become and more saddened by where it may be going unless things change.

A widow tells me her children have fears of her living alone living where safety forces and City services have not kept pace with demands. An African American school teacher, who was recently laid off from his job, has like me traveled to many different places in this country and he knows it doesn't have to be this way.

Those people I mentioned and many others are the exact reason why my neck is out and the necks of many others. Citizens of Euclid it's not up to me or this committee. It's up to you. Again, we offer you the opportunity to have your voices heard. I and countless others have acted. Now it's your turn. You can either choose to act or you can

choose to abstain. Come to Recall Hall. Don't wait for someone to show up at your door. It's time for you to make the effort. Good night.

Mr. Dennis Berzinskas – 2890 S. Lakeshore Blvd. Now Lower Lake Shore Drive really does have a ring to it. It gives it a little class.

Preamble to the Constitution, We, the people, Mr. Cervenik, we are the people. If we cannot get our word across to you and talk to you as citizens on a local basis, how are we going to do anything in Congress? How are we going to be heard there? Your disassociation with people shows what this country is coming to. This is why people are upset. We, the people, that's why we're here. That's why we're fighting you and I fought you ever since you've been my Councilperson. People are learning about your ways. You want to control, Bill. You want the City. It's not going to happen, Bill, not that way.

Where's the 5-point, 3-point plan? It's kind of pointless now. What have you people been doing? You. What about housing? Why are we having zero down payments for housing? Why do we have predator lending? We have over 300 homes in this City that are empty. What are you doing about it? What are any one of you doing about it? Let's get to some of these issues. Let's start working. You've got a lot of work to do. You're asking for \$75,000. It's not going to make or break anything here. It's just like when he would have \$3400, \$35,000 plans, \$67,000 plans for Shore, plans that sit on shelves that don't do anything for Euclid. What are you doing for Euclid people? Get up off your dead ends and start working.

Miss Jessica Wren – 925 E. 248th St. Before I get started, Mr. Cervenik, my father wasn't able to make it; but he would like to publicly thank you for taking time out of your busy day to meet with him and he greatly respects you for it.

I'm going to make a comment as a young person, who watches Council meetings, which is a rarity. Watching this I am appalled. Your group of an adults agree to disagree. That's what I've been taught. That's why I'm in college. That's what this podium is for. There is no need for this hate. Hate has become everyone's favorite word.

What's happening in Euclid at this point in time is a exercise in democracy. There is no need for either side of this equation, this situation to overreact or under react simply if you're approached to sign the petition. Sign it or decline it. There's no, there's nothing to it. At the time this recall process goes to the ballot box, simply go and vote. There is no need for this.

I, I really don't know what else to say. The recall is a exercise of democracy. That is it. There is no need for people to come up here and use hate. Thank you.

Mr. Joe Udovic – 21371 Naumann. I'm going to take a page out of Stephanie Tubbs Jones's book. Nothing up my sleeve, I've got nothing prewritten.

First question I'd like to ask Director Frey. At Sunday's paper you mentioned Ed Gudenas is behind this. My question to you is what proof do you have? I'm talking about hard, concrete proof. If you have no proof, you just slander a man's name and I think maybe that man should sue you for \$4,000 and pay Jerry Corbran's legal fees and that's strictly my opinion, though.

Yes, tonight I will be speaking about what happened at the Mayor's function. What I see, I've heard people say this was a dog and pony show but I'm going to describe it another way. This was a strong arm tactic. We had politicians from Cuyahoga County and Columbus and from Washington come down here and try to say, just like what Mr. Meister did, and that's all it was, was a strong arm show. What I find really appalling is there's 10 people who potentially are going to be recalled. Some members were not invited to be at this meeting. That's my question. Why isn't, why wasn't every Council member allowed to be there? Why wasn't the press allowed to ask questions? Now from what I understand at the EARC meeting the press was wondering what they were doing there. And they were not allowed to ask no questions. I found very interesting that I see Mr. Meister here at one meeting. He's saying, doing this muscle thing and that's what I see this whole meeting was about. The Mayor was you're trying to muscle and run rough shot over the people. I mean, mind you I'm 40 years old, I only weigh 100 pounds, 120 pounds; but I go with the flow. If someone's going to throw me, I'm going to go with that throw. I'm not going to fight it. Like I said I didn't understand why certain people were not allowed, why certain press publications were not allowed to be at this meeting either. It was strictly by invitation only. So who are you trying to impress? If you really

wanted a, if you're talking about having an olive branch, fine, all of Council should have been there equally represented and it was not.

You're saying you want to work with the people. There are 10 people who are potentially going to be recalled yet only a select few were allowed to be there and some people were totally not allowed to be there. And that stymies me. If you guys want to work there, now you show unity.

A comment was made at the last Council meeting that all this disunity started in 2003. For history's sake let's remember in 2002 four courageous gentlemen ran and won a Council seat Ed Gudenas, Daryl Langman, Pat Delaney and I'm missing somebody, Fred Lisy. Sorry about that, he's not been here for a while. This is one, this is when this dissention began. These gentlemen were, wanted to work with the citizens and what the citizens wanted. And this is the history of all this coming apart. This is not happening 2003. Now some people might have short memories, but, hey, I've got a very long memory. I know what's going on. You. Thank you. Have a good evening.

Mr. Rick Wiegand – 44 East 224 St. I've been a resident in the City since the late 1950s. I grew up here. I'd like to be positive, but I have to respond to some things that have been said. It's amazing. You know, you hear people come up here and in one breath they talk about freedom of speech and they talk about this terrible things that are going on in Iraq, somebody just say. And then in the next breath they talk about a County politician who they don't like what he said and wants to run that person out of the city on a rail. I, it's just amazing the internal hypocrisy there.

And we've got people coming up here talking about politicians who spoke at some meeting. They don't know anything about this City. The last time I checked Euclid was in Cuyahoga County and I just, it's just unbelievable. And we've got people up here criticizing the City for trying to recover its legal costs from law suits that were thrown out of court, but we heard nothing about all those supporters of this group and the lawsuits they raised against the City while I was there, okay? Some in the millions of dollars for simple things like, you know, requiring them to paint their house. I mean, we don't hear about those kinds of things. We only hear what they want to tell you about.

You know, I mentioned last meeting that and I think it's pretty clear that this group, what they want to do is they want to try and redo an election from 15 months ago and that's all it's about and the News-Herald laid it out perfectly in the January 30th editorial that they had. And we know that also because Mr. Conway was leading, he's just sick of 6-3 votes so that's all this is about. The recall is about is trying to reverse the election of 2003.

I've been a prosecutor until recently retired. I've been a prosecutor in this City; I've been a prosecutor in the county and I've been a prosecutor in the military. And the ethical duty of a prosecutor is to see that substantial justice is done. In the process of the many, many juries that I've picked over the years there was one quality that I always wanted to see in a juror because I represented the people of the community. I represent the people in this community in Euclid in juries in this City for 15 years. And I always wanted to see people on a jury who are compelled to act by a sense of duty. Had the guts to make a tough decision even when it might be an unpleasant decision. And I think the decisions of the Mayor and this Council in matters involving Hillandale, the golf course, whatever it is, okay? That those decisions have always been underpinned by that sense of duty. I would tell juries all the time and try to imbue this to them that you have to be compelled, that decision, the concept of duty has to underpin your decision. If that does underpin your decision, you will make the right decision.

I submit that this Mayor and Council decision on those matters was underpinned by duty. Yes, it was unpleasant. Yes, it may not have been politically advantageous to them. And in fact in the short-term it would be disadvantageous to those individuals. But those are the kind of people that I want on my Council and my Administration in my City, people who understand the concept of duty.

You know, I remember back in 1987 the hotly contested mayoral election back then. One, Mr. Mabel mentioned the hotly contested election back in, Tim McCormack lost by 200 votes. It's interesting. Those situations would have been much more ripe for this type of action or recall because the vote was so much closer. But I think the decision, the reason that didn't happen, okay? Because the opponents of the Administration at that point in time, the opponents of the winning party if you will, hey, at least understood that the good of the City was at stake. And that's the difference here. This group does not

feel, in my opinion, that the good of the City makes a bit of difference. They're here for themselves.

A gentleman mentioned the carnival atmosphere they've turned this into. Well, I remember a movie the Big Carnival with Kirk Douglas where that particular group had a power structure based upon deceit, based upon half truths, hyperboles, lies and in the end what happened? It was disastrous for an individual and a whole town which had built up this whole gathering that it gathered before this deceit and these lies gradually disappeared and it went away.

So I submit to everyone that this decision on these matters if you're compelled by that sense of duty, you will reject this big carnival and this big lie that's being offered by this group of individuals. Thank you very much.

Mrs. Deborah Kinds – 177 East 192nd St. I've been a resident and a home owner in Euclid since July of 1983 and I'm proud to be a resident and home owner in the City of Euclid. I am not related to any member of Council or anyone that works for the City so these comments are strictly comments of my own. I will hold any member of Council or any employee of this City who I feel does not do a good job accountable. I feel that our Mayor, the members of Council and the employees that are represented as Managers on this dais today are doing a good job.

In the event that I feel that you are not doing a good job it is within my right come next election time to make that decision and vote accordingly. This past Friday evening I was in another city with my husband and we were at American Legion. My husband's a veteran. And we're walking out a couple asked us where do you all live? And we said we live in Euclid. They said we do too. Their next question was what is your position on this recall? I stated my opinion on the recall but actually before I could even state my opinion their comment, and I'm sure this couple is watching tonight, the gentleman I was talking to was actually, I believe, a Korean War veteran. What he indicated to me is we elected the Mayor and the members to this Council. If they do not do a good job, we should have them, we should give them the opportunity to do a good job during the time that they're elected. And at the time that they're not, if we feel that they have not done a good job, we should vote them out then. Why a recall, which is hurting and tearing the City apart? And that was a question and a statement that was made to me, which I wholeheartedly agree.

I feel that you all are doing a good job. If at such time as I feel that you're not, I will hold you accountable just like I would anyone else. Have a nice evening.

Mr. Don Miller – 21800 Ivan Ave. The reason I decided to step up here tonight, and trust me I'm extremely nervous. I've never spoken in front of any meeting in my life.

The first thing that is on my mind is I did not vote for Bill Cervenik, but Bill Cervenik is my Mayor. I am tired of the words I am hearing of how everyone is spoken about. The different type of names we use. I use Mr. Cervenik's name as Mayor, period. Mrs. Hufnagle, I don't agree with you on anything but I responded to you one day with an e-mail, which was not nice, and you responded quite pleasantly back with your opinion. That is how it is supposed to be done.

Kirsten Holzheimer Gail was one of the ones who helped me form a homeowner association about 4 years ago at St. Christine's Church. I knew nothing about what was happening. How to do it and she helped us create a great successful homeowner association. Mr. Delaney has come to some of our meetings and showed us what to do and for that I'm extremely grateful.

We can all disagree but the words I am hearing as I listen over and over as I watch it on television. I was watching on television tonight and I just got mad. I am so tired of the disrespectful nature that people stand up here and talk to their local politicians but never speak of a solution.

As far as the recall goes, yeah, I signed it and I'm going to tell you what I didn't want to and after I signed it I really didn't want to 'cause it just broke my heart. Everyone who's been elected here, guess what? You won. I've heard about amount of votes and this and that. You won. I wish there was some way to bring that to an end, some way.

Mr. Cervenik, I don't know if you grew up here in the City your whole life. I really don't know. I know I have. I've never been involved in anything. If there could just be some way to bring this City together, I don't know what that would take. I enjoy speaking with Mr. Delaney. He works hard with our homeowner association. He keeps politics out of it. I don't ask anything; he doesn't say anything. He just gives me

solutions on what to do. I just don't know what the answer is any more, but I love this town. My property abuts St. Christine's and we have a big backyard for all my kids. I have 4 kids and I love it. But I am so disgusted with what I watch on television any more. I think the organizations that have formed in the City have a wonderful heart. I think they mean well, but it's turned mean.

We can all agree to disagree, but the name calling. I enjoy that little newspaper that's here in town, but the names that are in it I disagree with it. We don't need to call each other names to disagree. We don't have to agree with everything. That's really all I came here for. Thanks a lot.

Mr. John Conway – 291 E. 276th. I certainly respect those individuals in the community who disagree with the current recall process. All that we've ever asked from anybody in this community is to respect the process. And those who are in favor of it, we simply encourage you to do exactly what you've done tonight and that's to come out here and use the same podium that we use every Council meeting to express our feelings as to the current situation here in the City of Euclid.

It's very easy for people to make a decision based upon those who have the courage to come up here and talk. But it's ultimately going to come down to those individuals within their own home to determine whether or not they want to participate in the recall.

Five weeks ago, the members of the Euclid Awareness Recall Committee started an ambitious journey and that was to provide the residents of Euclid the opportunity to ultimately answer two very simple questions. Questions that they need to answer themselves and they are do you believe that the City of Euclid is better off today than it was 15 months ago when Bill Cervenik was sworn into office as Mayor? And are you confident that Mayor Cervenik has a clear plan for Euclid's future? I again urge you to ask yourself these two questions and based upon your answer you will need to decide whether or not you feel that the Mayor has earned the privilege of serving the City for the remainder of his term or should he face a recall election in May. Tomorrow is processed to nobody especially when they're an elected official. This process is what needs to happen at this point if this City is going to move forward.

For several months leading up to the recall, many residents have approached me and other members of the Euclid Awareness Committee encouraging us to move forward with the recall. I must admit that in the beginning I was skeptical and did not want to rush into such a process. But it became very clear that the recall process had to occur for the City to move forward. It's also important to remind people that despite their own personal belief and despite your beliefs, Mr. Frey, the recall is not about personal vendetta. It is based upon the Mayor's performance. Ed Gudenas does not run the recall. We, the concerned residents of Euclid, run the recall.

We as residents have a tremendous opportunity to reshape the attitudes of our elected officials. We must no longer take the epithetic attitude that we cannot make a difference and that we cannot hold our elected officials accountable. As the Sun Journal stated apathy is far worse than turmoil. And now it is up to you on whether or not you want to make a difference in the City's future.

In 2003 I did not participate in the mayoral election. A mistake that I will never make again. I can never change the fact that Bill Cervenik became mayor because I simply did not vote. Because of this I can never say that I am upset that he won. But what I can do and what I will do and I have done over the last year is hold him responsible for his performance.

Many residents have expressed to me their concerns that they are intimidated to what Mayor Cervenik will do to those members of the community who support the recall. And more importantly they concerned that something negative will personally occur if they sign a petition. No one wants to be a member of the Mayor's next hit list. What I say to those residents tonight is to please join the several thousand Euclid residents who have demonstrated their willingness to sign one of the recall petitions. Please join the thousands of people who have stated that they can and they want to make a difference. My only request is that if you're waiting for a member of Euclid Awareness Committee to knock on your door please help us out and take a proactive approach by calling us at 732-1193 or stop by Recall Hall. We will come to you if you cannot get to us.

Finally on a different topic, it is often said that the ability to acknowledge one's mistakes and apologize for those speaks volumes to a person's integrity. This is something I've tried my best to maintain throughout the last year and in that spirit I just wanted to take a brief moment to officially and publicly apologize to Mary Jane Skala of

the Sun Journal. As I stated to her in our e-mails, Euclid Awareness Committee is not made up of seasoned campaign strategists or career politicians; but we are a grassroots operation made up of several concerned citizens. We do our best, but unfortunately, we are not experienced in the endorsement process. We will strive to do better in the future. And with that being said I would just like to add one other quick thing. My name is John Conway for those who choose to make it personal who have never met me, please introduce yourself at the end of the evening, I'm a reasonable person. Even myself and the Mayor have sat across the table and talked out our differences. Introduce yourself and we will talk. Thank you. Have a nice night.

Mr. Matt Lemieux – 24660 Puritan Ave. I'm not going to beat you guys up. You've taken quite a beating tonight. What I want to say is, I want to speak for what I think there are a great number of people at home who are thinking and doing. Folks who agree with you and disagree with you. You know, I respect the recall process. I don't agree with it in this instance. I think a recall should be reserved for something when the constituents are doing something malicious or extremely negligent. I don't think any one of you are doing that. Do I agree with you a hundred percent of the time? No. Do I agree with you some time? Yeah. But I don't think you need to be recalled for it. I firmly believe that every day, day in and day out you're coming here with the City's best interest at mind. I firmly believe a lot of people at home that you're doing your best. That you're working your hardest to promote the City that you're not trying to bring things down. You're not trying to stall things.

Just because I don't agree with you I don't feel that you're out for me that you're trying to stop the City, but I'm going to let it happen. I didn't vote for everyone here, but you got elected. I'm going to let you finish out your campaign, your time in office. I think everyone here should. I think you should be allowed to do so. I don't think you should be recalled because I don't think you did anything negligent or malicious. So continue the good work, this is a pat on the back to everybody up here because I think you are working hard, even though sometimes I disagree with you. So keep up the good work.

Ms. Julie Nowak – 155 E. 217th. I am Hugh Daly's niece and, yes, I am here today to speak for him. You know somebody bought a condo from him. These people take Zolof. Mayor's head on a platter, crush them. It's all the same thing very irrelevant and does not produce anything positive for the City. All it does is prove that there's a lot of personal baggage in this town and that's what it is. That's what it seems to be when you come up here and call people names. My family has lived here for a long time. My grandparents moved here over 50 years ago. Hugh has lived here all his life. I lived here while my father was serving in Viet Nam and moved back here 15 years ago with my mother. So to say that Hugh doesn't have Euclid's interests best at heart is false, which makes me question some of the motives and some of the things being said because some of those comments have been directed toward Hugh and, in turn, towards my family. It's hard to not take those comments personal when they couldn't be more false.

So the recall, it's not the process I'm against. I'm an American citizen, who's grandfather also fought in World War II. I think you'd be hard pressed not to find a single family here in Euclid who's grandfather, who's father, who's uncle, somebody served in World War II. Most everybody here has lived here for generations and has several generations living here. We all have the same story.

But it's very clear that there is and has been for the last decade a battle that is going on and unbeknownst to me a person growing up, as a registered voter and learning the whole process and concept that it is a personal of a personal nature. All you have to do is talk to anyone in Euclid and they either have something bad to say about him or the other person. And it's never really based on a fact or a certain thing that happened. It's always that he's a liar; you can't trust him and just kind of blanket statements. So it gives someone like me the only impression is that it is personal.

So whether the recall happens, it doesn't happen. Who's recalled; who isn't recalled. The question is what do we do after all of that because it's very clear to me that I don't know of anyone who's willing to unify. If you talk to people, and I have, I've talked to everyone on Council and I've talked to people out in the audience. And everybody says well, he did this; they said this; she's stupid. But nobody except for Mr. Conway who just apologized has ever said we could do this better. We could try this. We could get

together with them and him and bring the City together and that's what I would like to see.

I know I've reached out to Councilman Delaney and I've also talked to Dennis, and I'm not going to try to say your last name because I'll slaughter it. Both are very nice men and have, also, the best interests of the City in their heart. So it would be really nice if we could just clean the slate without a recall and just start working together. Start doing what we say. Start acting rather than just talking about it because actions do speak louder than words, but I haven't seen very many actions.

No it's not a good thing to ask people not to show up at a meeting, but it also sets a tone for the Administration when you don't show up for something as important as a mayoral inauguration. So with that said, it's just something I'd like for everyone to keep in mind because I think we really have lost sight about what it is all about.

It's not about the process that I'm against. I for one think everyone's doing a fine job. Do I wish we would all work together a little better? Yes. So just keep in mind that we do need to start working together and ask yourself what can I do to make that happen?

Ms. Agnes Turk – 104 E. 200th. I've lived in Euclid almost 50 years. I'm Slovenian and my Slovenian blood got very upset when Mr. Conway came up and said I did not vote. Anybody who didn't vote I don't think has a right to say what's going on. It's your vote and you should be proud of it.

First of all, I'm very proud of my Mayor and my Councilmen. I don't agree with you all the time. Sometimes I think you do a little funny things, but really, you do the best you can with what you have. Good night.

Mrs. Perlitha Taylor – 1495 E. 193rd St. Tonight I had no idea that I would be up here tonight, but after listen to all the comments and different things that been said, it kind of touched me a little bit. I know a lot of people have been up and they have spoke about how someone's coming up disrespecting people. Calling people out of their names. Well, I, too, was hurt when I was approached by several of my organization members stopping me, asking me about a tape they seen. That, and I want to know what tape? They telling me the Council tape. And I'm going okay, fine. I try to get away and they keep talking. I was approached several times. And then one night one lady called me and she finally start telling me about this tape and all the things I have said. And I said, wait a minute, who all was on that tape? And she responded only you. Well, that made me very curious. What person would be so devious? If you have a problem with me, I'm open. You can call me. I will talk with you, but to go and try to slander people I think that is outrageous.

When I first heard about it, my first thing I thought of call the Mayor and see if we can straighten this out, which I did. I talked to Mayor Cervenik. I felt okay. I'm going to leave it alone. I was not upset when Ed Gudenas did not win. That was the voters right, whoever they chose. But when I see a panel where everyone is voting the same way constantly, each time, no one asking any question that make me curious. That make me feel well, okay, this already been decided before they ever came to Council meeting. This is not right. This is not representing the citizen of Euclid. You do not think about your own personal feeling. Think about this City, Euclid, Ohio. Think about it. Think about the citizen in Euclid. Let your personal feeling go.

Mayor Cervenik, I respect you, but I feel the biggest problem here and the only way it's going to be solved if that you and Ed Gudenas sit down and solve your difference. I feel this is where the problem is, is between Mayor Cervenik and Ed Gudenas not with the recall. I feel people have the right to recall if that's what they want to do. Government is for the people and by the people. If you not working for the people, then it's a problem.

When the recall came up, you know, yes, I'm a member of Euclid Awareness because I am concerned of the citizen right. As a child I always worked with the citizen right and started very young and I have continued. But I still feel the biggest problem here is between the Mayor and Ed Gudenas because I notice every time something come up, the people are doing this because Ed Gudenas didn't win. That is not true. Talk to Euclid Awareness. Come to some of the meeting. Talk to Ed Gudenas. You, two, solve your problem. Do not put it all on the citizen. Do not destroy our beautiful City. Do not destroy it. You two may be able to get together and come up with some excellent ideas. If you have a problem with Euclid Awareness, sit down. Talk to Euclid Awareness. Try to solve the problem. People coming back and forth saying what they don't like what

they disagree with. We're not getting anywhere. The recall is here. Believe it people. It's here whether we like it or not. The recall is here. The voice of the citizen will be heard again. Before signing and making a settlement, I think the Mayor should have had a press conference with the citizen of Euclid to give us a reason why this was going to be a settlement not just settle the Hillandale problem. You work for the citizen. Let's get together. Let's join hands and be one city. Let's stop bringing outsiders in destroying our beautiful City. It's a beautiful City and I love Euclid. Thank you.

Mr. Dick Tomsic – 25571 Glenbrook Blvd. We, we've seen a few people up here with certain characteristics. One tried to be a comic-want-to-be. There's some people, though, really want to be politicians. The way they've been twisting words and using words and it's funny. If this person has acquaintances, they're friends. If that person has acquaintances, they're cronies. Notice how we use words in those different ways. Another one that was used tonight, this group has ideas; but that group has an agenda. Come on we're playing with words. Words that are aimed at generating emotions. And the quickest way to destroy a democracy is to generate emotions and have people start thinking with their emotions, voting with their emotions rather than using this.

One thing I would like to compliment the whole Council. The first part of this meeting I thought was great. You had some disagreements. You heard some citizens come up and say I have a problem with what you're doing here and someone comes back from the Administration says I agree. We will reexamine that. That's the way it's supposed to be done.

And then I get and this is where, I don't know, I'm almost going to sound like I'm anti-democracy. Then we get a bunch of people out here that are not rational. They're very emotional. Hit lists. Boy, what's a hit list? I don't know. Strong arm tactics, all of those phases they're aimed at raising emotions and most of those words came from one particular group. My first reaction is what are they trying to hide by raising emotions as opposed to saying let's think about what we're doing. Think about what is actually going on. Let's think about the consequences of certain things.

I have ideas, but they have an agenda. That's strictly spoken to raise emotions and to stop you from thinking. It's funny. We just got through with an election where the President was elected just barely 50% of the vote. Is the whole country in turmoil?

Voices from the audience – Yes. Yes.

Mr. Tomsic – Oh come on, come on, come on. There's a lot of people that feel (lots of talking in background), pardon me I have the floor. It's a rhetorical question if you don't know what that is.

President Sustarsic – Excuse me, sir, we'll give you your 2 minutes. We're going to break right now because it's one of those magical moments because of some reasons out in the audience that we have to go to 2 tapes. But at the same time, when we do come back, this gentleman will have 2 minutes and with all due respect to him, no one will speak while he's got the floor. So please remain in your seats.

Can we have some quiet, please? Excuse me, we're back in session.

Mr. Tomsic – Are you ready? Just a few things yet. One of the other things that came out, I've been saying with the general public speaking and boy, just the opposite of what, the way I usually feel that the general public should have every right to speak out. There's a lot of innuendo going on. This is implying certain things. We'll drag in things from Iraq. We'll drag things in from Cuyahoga County politics everything. And then we start pointing a finger at someone we don't like. It's innuendo and, again, that's one of those that is not fact, not laying it out. You're trying to induce emotion to cover up something.

Another point, no one should be denied their point of view, which is why we have the freedom of speech, which is why we have this. But one thing we sometimes do get confused is a point of view is not necessarily a fact. There's some people get very much confused because I have this point of view that is the truth. We have enough of those kinds of people around the world and they cause wars, real wars where people die and starve.

There's just one last quote I'd like to say when, before I finish. And it's, I think a lot of us run into it and I think about it when I get into an argument I start getting a little emotional is be reasonable. See it my way.

Ms. Janet Santorelli – 560 Hemlock. Well, this has been quite a night and a lot of people have said a lot of things. I have one question I'm going to pose to the Mayor. And may I say, Mr. Mayor, I really respect your Office. I don't know you as a person so I can't make any judgments. I'm just going to ask this question. Do you love this City? That's the only question I'm going to ask you. And then I'm going to go on to another thing.

There was a mayor. He was a mayor of New York City and he said this. If a sparrow dies in Central Park, I feel responsible. Do you feel that type of responsibility towards the people of this City? Do we have to beg for responsibility? Do we have to beg for accountability? We offered. The EAC came and said let's get together and let's talk. That never came to fruition ever. There could have been the meeting of the mind. You could have been open. You could have been truthful. People respect the truth. They may not like it, but they respect it.

Now we have a recall. It's a disgrace for this City, but you have left us no recourse. We have to do this. The City is at risk and no one is doing anything about it. Nobody calls John Conway and says John, come up to City Hall. I want to talk to you. Let's get this thing out in the open. Let's protect this City. Do you know the energy that's out there that could have been used to get this City going? Nobody realizes that. Nobody does anything about it. Now we have all this stuff going on. We're in the headlines constantly. People are criticizing us. We have the Federal government involved. Who's going to come up next?

It's a disgrace. It's disgraceful. And there is one question I have for the people of this City and it is the most important question for this recall issue. Has the Mayor acted in the best interest of the City? No, he has not. Consequently, the process of recall has been implemented. Recall is an extremely serious action with far reaching effects and ramifications. So be it. It will hurt all of us, but this is the course we must take if we are to survive. I, God bless all of you. Please believe that. Thank you.

This is my first Council meeting and I know very few of you that are on the Council. I am not related to any of you so I have no personal agenda. By trade, I am a researcher.

President Sustarsic – Excuse me, Ma'am, could we have your name and address?

Ms. Sanza Clark - 2 Brandywine Square – Oh, I'm sorry. It's my first meeting, excuse me. Friends started calling me and asking me what's going on in Euclid about the recall? I said, look, I don't know. The only thing I've heard and seen is what I've read in the papers and I don't believe in forming opinions solely on papers so I decided to come to this meeting. And with the exception of one gentleman, and I don't know his name, he was the only one that laid out a reason why someone would take such a drastic action as a recall. The only one. And I'm sitting here waiting to find out why there is a recall. What are the reasons? What have these people done that was so heinous that it would warrant a recall? Now, I'm talking in a nation where a President lied about weapons about mass destruction and not only did we not recall him we re-elected him. Okay, now, if that didn't warrant a recall, I can't figure out what these people sitting up here have done that was so drastic that we have to ask for a recall. And only one gentleman spoke and laid out, I forget how many items he laid out. Now whether I agree with him or not, he was the only one that gave me the reasons for it. Everybody else has rant and raved and went on an emotional field trip and I still don't know why they're having a recall.

Mrs. Madeline Scarniench – 1511 East 221. Dr. Clark, it's very nice to see you again. Hope you stay involved. I miss you. I remember when.

I don't know what to say. I want to talk about the press conference, the almighty press conference. I was there. There were a lot of people there. But I'm also very ashamed to see that the people in this room and other people how they disrespect elected officials. Unless you're a friend of Stephanie Tubbs Jones, it's Congresswoman Stephanie Tubbs Jones and so on down the line. I don't have to say everybody's name. It's appalling to hear the way they criticize and letters that say they have no right. Well, you know what? They do have a right. This is Cuyahoga County. This is who we elected to work for us and they have a right. And you know what? Because they were

there, they put their reputations on the line. But in talking with them they've all done the research. They weren't there because they're Bill's cronies. They were there because they believed what he did was the right thing. And anybody who read the paper and sees that the Federal government is now looking at us. Yeah, Bill did the right thing. They want records for the last 5 years. See how many other churches we tried to stop from coming here. And I don't think we have in the last 5 years but I remember a Jehovah Witness Church that tried to come, actually, two of them that tried to come. One up in Indian Hills and one on Euclid Avenue and they didn't get to be here. But that was before the law came into being. So, yes, what was done was the right thing. It may not be what everybody wanted, but it was the right thing. And everybody sits here and they talk and they say all their little funny things and it's like, excuse me. This is a microphone. Yeah, you're on TV. We never had this when we didn't have TV here. I think it's time to get rid of the TV so that when people want to come and hear it they can come here and they don't have to stand in front of the podium knowing that it's on TV. Because we've got so many reject comedians here it's really a shame.

It was a shame at the last Council meeting when a Councilman was slammed because he commended the guys who did the streets. Well, you know what? The Council that's sitting here right now did not lay off half of the department. Anybody who's out there working loves to have a pat on the back. And those guys did do a good job for the amount of people they were and for the amount of work they did. So to say he was wrong, that's ridiculous. We've got to find fault with everything that anybody says. And it is time to stop this.

A recall, and I do not say there is anything wrong with the process because our democratic process works well. But the reasons for this recall, just don't exist. They do not exist. So it is really strange that I get phone calls telling me why are they doing this? Somebody on Miller, they came to my door and the only petition they had was the Mayor's. I wanted to sign somebody else's. They wouldn't do it. A lady in here tonight, she says they grabbed me and told me that I needed to do this and this was why so I came here for myself. And it was really glad to know that what she saw, she liked what she saw here. She says she's finished with it.

People need to listen and understand and I hope you'll think about this because we are wasting time. And I've said it before, when a new Council sits, when a new Administration sits, they spend a year cleaning up the mess. And that's what they're trying to do and all of this bantering and yelling and screaming and name calling doesn't give them the time to do their jobs, any of them. So please, the Mayor has said over and over again he welcomes anybody to come in and talk to him. I know people who have come in and talked to him and have walked away very glad. They've told me that. How much does he have to do? I'm going to shut up because I really want to hear the State of the City so thank you and good night.

Mr. Leanza – (Gentleman who never gave his name and address) - I did not intend to come up, but I'm kind of sad. My first Council meeting was your opening one in December in 2003 and I think you all got off to a shaky start but you were going to limit the speeches to two minutes. You responded to the audience and went to 5. I've seen some progress in how meetings are conducted. I'm particularly pleased with Chairman Sustarsic and how he has conducted these meetings.

I don't know if the Mayor is doing a good job or a bad job. I don't have enough information and so I listen to some of these people come up here. My question here tonight is has anybody's mind been changed by tonight's conversation? Mine has not. If I had one of my foreign guests that some times stays at my house and brought him or her to this meeting, I would have been ashamed to let them see democracy expressed in this matter. I think freedom of this speech is our most precious right, but to have elected officials sit here and take verbal abuse offends me as a citizen.

Now the Euclid Awareness Committee has every right to speak here and has every right to organize a recall. I'm not sure about a recall, but I'm listening to see if there is any real reason for a recall and I haven't heard any tonight. I have heard inflammatory language. Comparing this Council and its leadership to Hitler to McCarthy. I've heard metaphors like running, running Mr. Rokakis out on a rail. If you know what that really means, it's a terrible image. I don't think our Council people should listen to this. No let me rephrase that, I don't think our Council people should have to listen to those kinds of metaphors. And I applaud Mr. Sustarsic for stopping two of the speakers. One on time

and the other on out of order. And I apologize to the speaker who said about the election or our country or whatever, I laughed. I should not have laughed. I was out of order.

So I would like to say that if anybody wants my endorsement, they need to give me reasons. Now I do endorse a motion, but not abuse. I would make one suggestion, you don't have to take it. I haven't agreed with every vote. I haven't agreed with everything the Mayor's done, but I would make one suggestion tonight. To you, Mr. Mayor, and Council, you can do this if you wish or not, to postpone the Mayor's State of the City address to next Council meeting because I think it's getting late and many people won't stay and so maybe that would be prudent.

I think, I voted for some of you. And regardless of whether I'm pleased with your work, I would rather see you fulfill your term so I can judge you on the full term, particularly Council. To put it on the ballot in May when you're three-quarters of the way through your term. So think about that. Did anyone here change their mind as regards to what has been said? Thank you very much.

Mrs. Rebecca Conway – 291 East 276th St. I just wanted to respond to some of the comments that have been made tonight. We've heard from a few people that some of the people at the podium have disrespected our public officials. I'd just like to remind some people about Bill's hit list. Brian Meister, a public employee, calling me a racist and anti-Semitic. Former Prosecutor Rick Wiegand, I was called a venomous snake at the last Council meeting. Miss Hufnagle, let's see, I'm an obstructionist. I'm a liar and I bring nothing good to the City. The County Democrats at your press conference, rally, whatever you decide to call it this week, I'm anti-democracy. I'm dishonorable. I'm anti-church going. I'm a liar and I'm a racist. These public officials should be at a higher standard than we are. And these are the public officials that have used these adjectives that I've just used.

Mr. Sustarsic, you told someone here tonight. Don't talk down to people. Don't attack people. And then we heard, again, disrespectful things from other people. We, we, I, we've heard that the EAC has a lack or disrespect, lack of respect.

Just a couple quick things. Two Councilmen sat here for 2 years working on a golf course plan and maybe you didn't like it, Mr. Mayor, but when they asked to be on your committee, you said no. That's disrespectful. The other thing is quick off the top of my head we can never get any answers to our questions either. Can you answer me? Can you answer everyone why you edited your press rally? If you were so confident that it was good for you and that the people would be encouraged by it and it would enhance not getting your recalled, why did you edit the fact that I was called anti-democracy? That I'm an anti-church going person. That I'm a liar. That I'm a racist. That's I'm dishonorable. Why did you edit that? Let me see it. They're calling me it; let me see it. You say that you're honest. You say you want to work with people and then you edit that?

As far as Doug Price and some other people that endorses Bill Cervenik, do you really think that Doug Price is going to come out and say he's for the recall? I don't think so. And as far as people saying that they haven't heard any reasons why the recall, we encourage you to come into Recall Hall. There are many, many, many articles, information. You can ask questions. The petition themselves have the counts on for each person why we feel they should be recalled. We talked about it in the paper. My husband's read the information here so if you missed, I apologize; but we're not going to read every reason why at every meeting.

And the last question that I have, your supporters, Mr. Cervenik, if they're so against this recall and you're doing such a fabulous job in this community, why aren't they up here defending what you've done or what they think you've done or what you've put in motion for the next year or two or what your 5-point 3-year plan is, whatever this plan is? Why are they up here trying to discredit a group of citizens that if you want to believe it or not have nothing to do with Ed Gudenas? It's not motivated by that. We are simply, we have an opinion that this City is not going down the right road with Bill Cervenik. That doesn't mean we're divisionists. That means we have an opinion. You can have yours; we can have ours.

The only thing that, that your side is doing is trying to discredit me. I bought a condo. I'm a venomous snake. I'm a racist. I'm a liar. How does that help, how does that tell this man here, if you want to win a vote, what you're doing good so he doesn't sign the recall petition. And I'm sorry, nieces and cousins, they don't fly with me, people, they're family. And to your niece, although she spoke very eloquently, I'm not

sure if she's here, she wants to talk about, you want to talk about not feeling bad when your family's attack, your uncle did it to me, personally.

President Sustarsic – Is there anyone here to speak to an issue?

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

COUNCILMEN'S COMMENTS

President Sustarsic – Now, if you sit back and think, we've got to remember why we were here tonight. We were able to bring over a hundred jobs with a new company, Royal Appliance. We bought two trucks, but they were much needed trucks. We saw a presentation, Doug Price, by the lakefront development which has taken years in the making; but at the same time, it's going to happen. And that will bring much needed disposal income and, consequently, attract families, businesses, more industry and I think that's a good thing.

And consequently, in answer to an individual that brought it up earlier, that is one of the reasons that I am against the recall. Because as has been said by others, you have to give people the opportunity to do what they were elected to do and to cut them short of that timeframe of that term that they have served is a discredit to the system and certainly a discredit to the City.

That being said and it's getting late and I'd like the Mayor to give his State of the City address some time before tomorrow so real quickly we'll say Wednesday, this Wednesday, February 9th 7 p.m. there will be an Executive Committee meeting regarding the catering at the lakefront.

And again, I'd like to welcome Royal Appliance and congratulations to K & D. Mr. Daly.

Councilman Daly – A few observations, we normally meet every 2 weeks, once in a while like this past meeting, we've had 3 weeks and it's amazing. It seems like we haven't been here for a month and a half and some monumental things have occurred in that time and I thought I would be remiss if I didn't note them.

The election that occurred in the nation of Iraq, people standing in line to vote knowing that they could be killed and that there were threats against them. Some witnessing suicide bomber and staying and having the courage to stay in that line and wait to vote. I think it sends a message to all of us that, you know, there's no excuse and for not voting. It's our civic duty. And I haven't voted in every election. I've voted in most of them and I don't think after what I witnessed that I'll miss another one.

Some people have said they felt threatened. If you feel threatened in this City, call Chief Maine. No one should feel that they've been threatened in this City and don't have the right to say what they want to say.

Now I don't agree with this recall. I don't think, I don't think there's any reason for it; but you know, if people want to try to do something, that's whatever they want to do. But when people compare themselves to Thomas Jefferson or our Founding Fathers, if you go back and read and look what they went through for this country, I mean, they would under threat then. They would have been put to death. Their farms were burned to the ground and to compare what their sacrifices were to what we're going here really cheapens their memory.

There's a question going around is this City better off than it was 15 months ago? And over these three weeks I've been to a lot of gatherings and the answer I'm hearing loud and clear is that yes, this City is a lot better off now than we were 15 months ago. And I'm sure we're going to hear where we stand in the State of the City. And you know, I just want, have a message for this Administration and for the rest of this Council that we not get distracted by what's going on. Keep working; keep putting forth ideas, you know, we, things are getting better but we're still very close to this City going the other way and we need to keep on doing the things we need to do day in and day out. And with that, thank you.

Councilman Delaney – First of all, I'd like to say if I can coordinate this with Recreation Director Kathy Will about a committee meeting for the Shore Cultural Centre, I would

like to have that meeting on March the 23rd, which is a Wednesday, or March the 28th, which is a Monday. Both are good?

Director Will – Both are fine.

Councilman Delaney – Well, the sooner than rather than the latter, so I would say March the 23rd if it's possible. It would be in regards to the roll of film you shot, the digital photos. We can go over a lot. It's been a little over a year since the last committee meeting I held on the building and I think that may have been one of the things we should see to since Shore is once again an issue of an topic and we're trying to come up with resolve.

I knew that inevitably I wouldn't be able to take the high road on our strife, on our challenges, on our issues. I like to think that I do focus on the job that I was elected to do and the term that it was. There's no one up here or that has served that I don't ultimately hold a great deal of respect for. Everyone up here will put their face and their name on the line and they will stand by their decisions.

There is no question that whether you're talking about individuals that have served what their contributions may have been. The ones that are currently serving they all have love and passion for this City. It's a very difficult job and I always have respect for everyone that's willing to do it.

The last year has been a very controversial one, very difficult. I know everyone up here suffers. The process is what we've been lacking. We have laws in place. We have certain marks that we have to hit. I feel much of this work has been rushed. I think we haven't come to resolve on so many of these issues which has brought this whole community to where I've never seen it as divided in my entire life. This is come about with a great deal of work, a great deal of effort, so much money and time away from families and work has been invested. It's a remarkable thing. Initiatives, referendums and things are designed to fail. They're not designed to succeed. I think ultimately as an elected official you know what you have to do to collect signatures to get yourself on the ballot. And what the Euclid Awareness Committee did, whether you agree with it or not, was a really remarkable thing to got not just one but two ordinances on the ballot. And I respect their mission. Their mission is fair; their mission is objective. Their mission is to give the people ultimately their will to vote. They all have, they all are very, very opinionated and I think we've seen the whole gamut of what their willing to say and how far they're going to go. And that's what our government is all about. Freedom of speech is all about. It's never pretty. It's never smooth. And that's one of the things I've learned the most.

Over and over again I've had the question about what I feel about the recall. I don't feel the recall is democracy. It feels more like revolution. It feels more like the, to suffer another analogy from our history, it feels that the overtaxed tea is going over the side in the Boston Harbor. Mrs. Hanlon had questioned if some members of Council were behind it. There was a letter to the editor that was brought to my attention that had said that were contributions. I had gone to a fund raiser for the Euclid Awareness Committee when their referendum began for the Hillandale vote. I was one of the nays that voted against it. I was very interested in that referendum. I did want to see if my vote was representative of the entire community. That is something I will always put on the line every month. My votes that I do take a great deal of care for that I do think that I invest this huge responsibility that you've all given me.

Having this office I realize it's more important to extend yourself to the people that disagree with you and spend more time with them and try to explain yourself as much as possible. There are no agendas in my seat. I do my research. I hit my marks. But ultimately what I'm for is the will of people and if this recall is to go forward, then ultimately I will abide by what the voters say. I think the Euclid Awareness Committee regardless of their individual opinions have made it clear that they were going to be fair and offer the vote to the community. That is remarkable, whether you agree or not, a remarkable accomplishment to file 10 petitions for all elected positions. It's very, very radical.

President Sustarsic – Mr. Delaney, your 5 minutes is up. Thank you.

Councilman Delaney – Well, thank you, Chairman, and I would just like to say that I hope I've satisfied those comments, those questions and I will continue to work for the satisfaction of the whole community.

Councilwoman Holzheimer Gail – I'll try to keep this quick so we can hear from the Mayor. I believe in our democratic process. Citizens of Euclid voted these 9 people and the Mayor in November of 2003. The voters will have the opportunity to elect 9 Council people in November, 2005. I believe the voters of Euclid have shown that they will throw people out of office and that's not a good word. Will elect new people to office when they don't like the direction that the City's going. That's happened in the last two elections.

I haven't been happy with all of the results in every election, but I have worked and done my best to work with each and every member of Council. I have tried to work with the Mayor. I haven't always agreed with the Mayor. I have agreed with the Mayor sometimes.

I think that the recall is divisive. I think the environment that we've built is divisive because we have sides. We have slates. And I've tried my best to stay out of either side and I get criticized for that as well. So you can't win no matter which way you go. I have not actively sought to be part of the Mayor's slate or the Gudenas slate in the last election and ironically enough I believe I was listed on both. That was not because I sought it. That was, I like it think, people think that I was a good elected official and I deserve to be reelected. I will continue to vote what I think is right.

The Mayor does not call and say I need your vote this way. Nobody else calls and says you've got to vote this way. I vote on the information I'm given, the research I do and my opinion. Because as Mr. Goodman's button says, you have to do the right thing and I have to live with my vote.

So for the recall, my opinion, yes, it is a democratic right and yes, you have that right. I don't believe it's warranted in this case. I would not vote to recall the Mayor. And I do not believe I have done anything to work behind the scenes for the recall.

Councilwoman Hufnagle – As the question that was asked of us this evening by Mrs. Hanlon, yes, I am against the recall. I am against the recall of any of the elected officials in the City of Euclid. I do, however, as many have said this evening support the process and that is because as an elected official I've sworn to uphold the Charter of the City. And the recall process is outlined in our Charter and I do support it. However, we are a home rule city and our Charter is very vague on recall. And as one resident said, recall should be reserved for the very malicious events or negligent acts. There isn't any one of us, any one of my colleagues that I have seen do that.

The other area that the Charter is very vague on or doesn't give the voter the opportunity if you vote for a recall, you do not have the opportunity to fill that seat with your vote. Somebody else will make that decision for you.

The reason for the recall, the Hillandale issue, did I support it? I absolutely supported it. We heard many people come to the podium this evening and quote their right to free speech and quote the Constitution, We the People. Well that same Constitution gave their rights to Providence Baptist Church. They have the First Amendment right, Freedom of Religion. They asked us, is the land suitable? And the land was suitable. It is suitable for a church to use it. It is suitable for a housing development that will bring over \$400,000 in taxes to this City every year, to this City to this school system. It is not tax abated and has never been a tax abated project.

I support the Hillandale project just like I support the lakefront development that we heard this evening just as I think I will probably support the Shore development just as I support East 205 development. These are housing developments. We are an inner-ring suburb and this is giving us a unique opportunity to offer a product to people of varying degrees. We can trendy lofts. We can have upscale houses. How many of you know that a house sold at 205 for over \$600,000? We can have houses to suit middle income families that want more bedrooms and more bathrooms. We can have attached cluster homes. We can have senior houses. There are inner-ring suburbs that would be knocking down doors to get these projects. I support these projects.

I want to again commend the Economic Development Department. Thank you, again, for bringing another business to Ward 3. Three businesses to Ward 3 since October. Mr. Pietravoia has only been leading that department since May.

I also want to comment on the housing report that we received. Fewer houses sold in the City of Euclid in 2004 than 2003, fewer houses and they increased in value an average of 2%. Somebody asked is this going down the right road? They asked that of us at the podium. Absolutely. New housing, new business, new taxes and one more thing if any of us noticed the tax receipts numbers that we received for January, our tax receipts were \$200,000 over what we anticipated. We already had \$200,000 more in our budget for 2005. If you have to say that's a direct result of us going after \$4 million after delinquent taxes and 6,000 people that have never filed a tax return, \$200,000 more. Is this going down the right road? Absolutely. Do I always agree with the Mayor? He's a Democrat; I'm a Republican and if that isn't bringing people together? Washington should be coming to Euclid to see how 3 Republicans, 4, excuse me, 4 Republicans and this many Democrats can work together. That's, we've been bringing the City together and we will survive this.

One more thing.

President Sustarsic – Make it quick.

Councilwoman Hufnagle – My nephew, Happy Birthday, Brandon. He turned 11. Thank you very much.

Councilman Langman – I took an oath to uphold the Charter of the City of Euclid. Part of that Charter clearly spells out citizens' right to petition for the recall for public officials. So even though I am one of those officials where petitions have been taken out of, I stand by that oath to defend those rights. As George Washington that first American truly believed that viewpoints could differ. That ideas should be debated, such discourse benefited the nation by building consensus while respecting the views of all. Today after 200+ years of setback and grow our democracy rests upon the principles of citizen participation, free speech and protection of minority rights and that all citizens have something to offer.

Do these principles apply today in Euclid? Citizens that have taken the time to participate that are passionate about this City that love Euclid feel ignored and shut out of every debate. The feeling that their voice does not count. The feelings of alienation and frustration find their natural outlet through the political process. Recall is a part of that process.

So why is this happening? Well, it's not the fault of the citizens; they're the customers. The fault lies with the folks up here, the leaders of this community. Specifically, the Mayor's actions have caused citizens to defend and exercise those rights. Today the leadership of this City can only be described as insular, unwilling to listen, arrogant and heaping scorn on anyone unwilling to tow the Administration line. It's a poor way to treat the ultimate authority, the customers that we all work for.

Now in Euclid, the Mayor is a fulltime elected official. Therefore, it is natural that he or she sets the agenda for the City. The tone under Mayor Cervenik is clear. As the Mayor bragged and was quoted in the Sun Journal, it is his way or the highway. The Mayor's actions clearly contradict his public words of working together and seeking compromise. The three of us have tried that with no results. On every major issue the Mayor has rejected each and every attempt to build a consensus outside of the core circle.

During the Hillandale debate, an issue froth with passion and loaded with potential racial overtones, the Mayor had the opportunity to work for healing and understanding. Yet, when a member of the Law Department, accused citizens of anti-Semitism the Mayor was silent. And he was later then reported in the Sun Journal and in the Plain Dealer as supporting those attacks, such actions to me are shameful. Using the most serious of charges that of racism to discredit any and every of Hillandale's opponents is the lowest of political opportunism.

As for the Golf Course Clubhouse, we presented a compromise to the Administration, myself and Mr. Corbran that was dismissed out of hand by the Administration. So therefore, what alternative did this citizen have, Mr. Corbran, but to sue exercise his Constitutional rights. So would it be, wouldn't it be gracious on our part if we forego any damages against this citizen. A citizen that created that Golf Course among many others. A citizen that has saved the City hundreds of thousands of dollars or is it simply being vindictive and a way to punish and intimidate others?

It is always dangerous when entrenched party factions use the power of government against the average citizen. The Mayor's pep rally is a clear example of this. When

elected officials are invited by the Mayor with the purpose of demonizing citizens of our community when those elected officials state that citizens of Euclid should be crushed or that they are dishonorable, those elected officials are attacking the very foundations of our democracy. When they attack a part of this community they are attacking the entire community. Those guilty officials should come before this body and apologize to the entire Euclid community. Mayor, I'm glad you didn't invite me.

Euclid is fractured because of the Mayor's conduct. That doesn't mean he's not a good person, but I don't believe he has the skill sets to heal our wounds. Is this worthy of recall? I believe that it is.

President Sustarsic – Thank you, Mr. Langman, your time is up.

Councilman Langman – Let me just finish up. That decision rests...

President Sustarsic – Everyone is allotted 5 minutes, Mr. Langman.

Councilman Langman - ... where it should and where it must, the citizens of Euclid.

Councilwoman Mancuso – I also have several comments. Please do not confuse our million dollar cash balance at the end of 2004 with any designated or designed plan to make it happen. The projection of our cash balance was more realistically at a hundred thousand. The economy is finally beginning to turn around which gave us an increase in our tax collections for November and December with a slight increase in our City revenues as well. While we're all glad that the economy has finally begun to benefit Euclid in its slow recovery process, we must not yet claim bragging rights to the \$1 million. Glad to have it, however, we also have a City that borrowed \$2 million in 2004. We still had higher expenses than budgeted revenues. We have transferred dollars from other funds to balance the General Fund. We still have unfulfilled significant positions on our Fire Department. We have suffered a lower bond rating, which some may make light of, and we have not addressed our City's capital needs at all from a budgetary perspective. So please make no mistake, our financial situation is still serious.

I have tried to bring to this Council, excuse me, position my educational background and my professional experience in directing large community-based programs. This budgeting process is not dissimilar to ours here in the City. Our jobs collectively as elected officials should be to focus on the financial health of this community. In this City we have been spending more than the annual projected Consumer Price Index every year since 1995. When the economy took a down turn, we did not behave proactively to curtail that spending. So the rhetoric that is surfacing again about the blame and the name game should be seen for what it is non-productive politics.

We are not utilizing all the legitimate tools and people available to us to assist us in making Euclid fiscally stable. In my professional life I would not be permitted to settle for the comfort of status quo. I am also not permitted on a daily basis to just ignore ideas or opinions that differ from mine to the detriment of those who pay the bill, in this case the taxpayers of Euclid. We must be proactive. So for anyone to take credit for our financial upturn at this point is a bit premature when we still have ongoing issues that we cannot minimize, like a \$4 million health care cost.

One other issue that I'd like to speak to is the constant rhetoric that we're hearing about cooperation, inclusion and open-door policy and efforts made trying to work with this Council and the Administration. I am also a firm believer, as we've heard tonight, that actions speak much louder than words. As a result example, I was told approximately a month ago by this Administration and certain of my Council colleagues that they were not interested in changing our health care process or our consultant. Approximately 2 weeks ago, I was notified by an outside healthcare constituent, not anybody from this Administration, that a request for proposal had been sent out for various components of our healthcare coverage. When you speak of cooperation, why would you not at least include or inform people on Council who have continually shown interest and just might have some knowledgeable, positive input? It may be that one wants to appear as being proactive when in reality striving to maintain the status quo. The RFP was developed by our paid consultants. Then sent to what can be considered some of his competitors to respond to. Clearly in any ethical business situation public or private at least this behavior can be considered a conflict of interest. At worst it is a

camouflage again for not wanting to change in area that costs this City so much taxpayer money. We need real change not the façade of change.

Finally, after many requests from callers and people e-mailing, tonight only, I will address the negative dialogue allowed by us as elected officials in this chamber. I'm here to do a job serving your best interests, not my personal agendas. The sarcastic responses, the innuendos and the intimidation tactics used to cloud the issues rather than truly debate the facts and the campaign rhetoric about fighting for a job are more non-productive and destructive to our community's agenda than any media story that's ever been conjured up. Therefore, after tonight I will not be responding to any such behavior as it does not deserve our recognition. However, each person witnessing such behavior targeted at other elected officials or at a member of our public at large should really focus not on the ineptness of the use of the English language, but rather hold that person accountable for their actions and the negative self-serving impact the dialogue has on the City. The democratic process unfolding, which I believe needs to go on, and their respect for you as a voter.

And to answer the last part of the citizen's question, I do not believe I have done anything or ever been a part of the organization that is doing the recall. But I do believe the process needs to continue. Thank you.

Councilman Sustarsic – As a public official, I mean I take it very personal every time I come up here. I mean, I've been a public, in public service for a long time, I mean, working for the City. I mean my goal has always been each day make the City a better place than it was in the morning, you know. And tonight we accomplished that. Tonight we really accomplished that.

Lakefront development is a reality. A \$40,000 development is happening, I mean, we're paving the way for that to happen. Royal Appliance, a hundred jobs, those weren't here this morning. We got them here now. The hiring of 6 Street Department workers that's fantastic. I was one of the 17 that was laid off and one of the things I would like to see, too, is if we could look back on the lists of the employees that were laid off. I would love to see some of those guys get their jobs back if they're willing to take them.

I stand by every decision I've made. Yeah, we borrowed \$2,000 in 2004 and we got the unfulfilled positions in the Fire Department, but you know, we didn't borrow that \$2 million you'd have a hell of lot more unfulfilled positions in the Fire Department and the Police Department. We had to do what we had to do. We had to deal with the cards that we were dealt and that's what we had to do. And you know what? It's turning around. We've got a million dollars in the bank now and we've got businesses coming into this community. We have development. Things are going in the right direction. I support this Mayor and I support this Council and there's a lot of people on this Council I don't agree with. I mean, we don't see eye to eye on a lot of things, though, but you know, I respect them being here. I respect their point of view even though we might not agree all the time. But I tell you what, I'm against this recall. I mean, it's the process whatever it's, it is what it is. I uphold the, I took my oath and I uphold their right to do so and I just disagree with it and no one in my family's involved in it anyhow. So, bye.

President Sustarsic – With that note prior to the Mayor's State of the City if anyone is still up out there...

ADJOURNMENT

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

Attest:

Clerk of Council

President of Council

