

COUNCIL MINUTES
APRIL 4, 2005

The regular City Council meeting was held on Monday, April 4, 2005 at 7 p.m. in the Euclid City Hall Council Chamber.

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

Excused: J. Sustarsic

Councilman Gruber moved to excuse Council President Sustarsic. Councilman Langman seconded. Yeas: Unanimous.

Councilman T. Sustarsic moved to nominate Councilwoman Holzheimer Gail, President Pro-Tem. Councilman Gruber seconded. Yeas: Unanimous.

Others Present: Mayor Cervenik, Law Director Frey, Public Service Director Gulich,
Finance Director Johnson, Recreation Director Will, Police Chief
Maine, Fire Chief Cosgriff, Housing Manager Petkovic, Sgt.-at-
Arms Nagy, Clerk of Council Cahill.

Invocation was given by Fr. Bober of St. Felicitas Church.

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Councilman Gruber moved to approve the Council Minutes of March 21, 2005.
Councilwoman Hufnagle seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Director Will – I would like to take this time to publicly thank an employee, Mr. Paul Dietrich, for his many years of service to the City of Euclid. He had been with the Parks & Recreation Dept. for the past several years. He retired from the city as of last Thursday. I would like to wish him the best and again thank him for everything that he did for this city.

I would also like to remind everybody that this week, the Parks & Recreation Dept. will be hosting their early bird registrations. We'll do it here at City Hall, Tuesday and Thursday from 3:00 to 7:00 and on Saturday morning from 9:00 AM until Noon. We'll continue through the month of April on Tuesday's from 3:00-7:00. Again that's Early Bird Registration for the summer programming, pool passes, here at City Hall.

I'd also like to remind you that along with the Euclid Petpals, we'll be sponsoring the annual cake auction and bake sale at Shore Cultural Centre on Saturday, April 9th, from 10 AM until 2 PM. You can drop your bake good items off at the Cultural Centre beginning at 9 AM. If you need more information, you can call Todd at 289-2057.

I would like to take this opportunity to invite everybody to one of our first special events for this year. We'll be hosting Family Bingo at the C.E. Orr Ice Arena on Wednesday, April 13th. The ice arena is now closed for the season, but we'll be doing it in the skate-change room. It is \$3 per person with a Rec ID; \$5 without and you can pay at the door. We'll start at 6:30 and we have a great time. It is for all ages. Family Bingo, Wednesday, April 13th. Thank you.

Director Johnson – Two things I'd like to bring to your attention. One is that this afternoon I asked the Clerk to pass out copies of what I hope is a financial report that satisfies Council in their wishes for information. It's a pretty detailed report. The report details only the General Fund. If you're interested in details of some of the other funds, I'll be glad to provide those, but as it is, this report is about 70 pages and if we can save a tree, I'd like to do that. If your information needs are for more detail, I'd be glad to provide that.

Second note. I'd like to announce that after a long wait, we finally have launched our new website. We hope that this is a vast improvement. We've gotten some positive response so far. We hope that you will take time to go visit the website and provide your response. There are areas where you can provide your comments in terms of your reaction to the website. We think that it incorporates a lot of the suggestions that we've

received over the years of ways that we can improve the information that we're providing to the community. This is only Phase I, there's actually two more phases that are planned. We fully intend to expand and enhance, but this is the first phase and the website address, you can get to it by dialing old ci.euclid.oh.us, but the new URL is Cityofeuclid.com. We think that might be a little easier to remember. So it is cityofeuclid.com, check it out and let us know what you think.

Mayor Cervenik – The only other communication this evening is I want to make sure you understand that item #8, concerning the Shore Condominium Group LLC, I would like Council to table that, table it to the next meeting, or as they wish. I do not intend to have any discussion on that this evening. I've asked the Shore Board to revamp their plan and look it over and present something to the administration in the near future. Rather than pull this, I'll just ask Council to table that.

REPORTS & COMMITTEE MINUTES

Councilman Gruber moved to receive the Board of Control Minutes for 3/14/05 and 3/21/05. Councilman Langman seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE

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

Mrs. Dorothy Fike – 20271 Delaware Rd. I have several concerns tonight, starting with Item #1 on the agenda. I'm very disturbed that the Administration and the Council did not request it that you did not have a committee meeting for the public to discuss this. This is an important appropriation for the capital, it includes three years and I'm very concerned that the Administration and the Finance Committee, Executive Committee did not request a committee meeting so we could hear more details than just to have it on the Agenda tonight.

#6 on the garage sale ordinance. I hope this is going into Committee. This is another matter that has not been discussed, it was just presented and I'm hoping that it will be put into Committee so the residents have an opportunity to discuss it.

#7, I also have concerns with. I haven't been too happy that the Recreation Commission decided to only meet 3-4 times a year. I think there's enough going on that they should be meeting monthly as they did previously. This again, has not been discussed. Talking about sponsorships for advertising. I think this should have gone, been more publicly discussed than just being placed on the Agenda.

President Pro-Tem Holzheimer Gail – I failed to announce at the beginning the plans. #3, the Benza study will be going to the Public Service Committee. #6, the garage sale ordinance, the sponsors do indeed intend to have a committee meeting on that. I believe Director Will would like the sponsorship of in the parks to go to a committee as well. Thank you, I should have mentioned that at the beginning. #8 will be tabled.

Mayor Cervenik – I failed that #5 will also be pulled and as far as the capital budget goes, we are presenting the year 2006 and 2007 so that Council and the residents understand what direction we're going in. The only thing that we're asking to be approved tonight is 2005. We will present the official 2006 capital budget in December as well with the operating funds. We're just giving that for comparative purposes so that you understand what we're budgeting for and where are goals are.

Mrs. Penny Riha – 1515 E. 195. With reference to #6 about the garage sale signs. First of all I would like that the city would publish in the newspaper just exactly what the existing ordinances are and what the proposed changes. I think that if people understood what was expected, they'd do better. Secondly I think that the purpose would be to what, make less unsightly signs? How can we on one hand say we don't want the unsightly garage sale signs and then turn around and say we'll put up unsightly signs for money in the park. I think its just the epitome of double-speak. Thank you.

Mr. Tom Cooke – 25641 Edgecliff. I would like to speak in support of Item #2, the purchase of hand-held portable radios for police & fire. Probably one of the single most

important tools that an officer can have and I'm sure firemen is a communication's tool, to communicate what they're doing, where they are when they cannot be seen.

I can't speak specifically for dispatchers and officers, for they're pretty much trained to deal with adverse conditions. I have had the experience of listening on the current system when a dispatcher will lose an officer or an officer vice versa. For me, that strikes the fear in a person very, very deep because that's the eyes, that the Dispatcher sees what's going on through the officer. An officer if they are in a compromising situation via portable radio can literally bring in the army as far as officers are concerned.

I'm sure there'll be discussion about this ordinance. It is not cheap. \$145,000 is nothing to sneeze at, but it is extremely vital and is definitely needed. Thank you.

Mr. Harvey Mlachak – 23831 Lake Shore Blvd. Euclid, Ohio. Item #6, I personally think that garage sales are the greatest thing since sliced bread. They are more fun than going to the circus. I for one, can't pass one up. I have more fun at a garage sale. One of my favorite sayings is, when a woman has a dog there, I say lady does that dog bite? She says absolutely not. I say, son of a gun and I need a new boat. Then if there's an upholstered chair around I like to sit in that chair and tell the lady, ma'am if I fall asleep, wake me up when lunch is served.

I've gotten a lot of good bargains and everything else at garage sales. I left my copy of the ordinance at home. But this is just another part of being very over legislative. Again, Big Brother wants to come in my backyard. You don't have any business in my backyard. You talk about traffic, if you don't have any traffic, you don't anything going on. We don't have much going on in my town the way it is. I live right on Lake Shore Blvd., almost any hour of the day, you can get in the middle of the boulevard and fire a cannon either or east or west, you're not going to hit anything. Try that on Vine Street. You have healthy, thriving communities. But you have traffic. If this doesn't go into committee, I certainly hope that you vote this down because I think garage sales are a great thing. Thank you.

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

LEGISLATION

Res. 45-2005 (325-05) Capital Budget

A resolution adopting and approving the attached Administration's recommendations for the 2005 Capital Improvement Budget. (Sponsored by Mayor Cervenik)

Councilman Daly moved for passage, Councilman Delaney seconded.

Mayor Cervenik – You have before you the proposed capital budget for the year 2005, as well as what we hope to do in 2006 & 2007. A few months back at a Director's meeting, I asked each of the Directors to put together a reasonable needs, what they feel they need equipment-wise, contractually-wise, to take care of some of the major things in the administering of their departments. I am thankful to say they came back with a very reasonable request. We took all of the requests over the three years and spread it out from a financial point of view and from a priority point of view of when we'd like to purchase these various items.

As you see in 2005, we have a number of items proposed and one of the most important, I feel, is for 2005, 6 & 7, we are beginning to do a curb and resurfacing program again. We have not had a program for I think 5 years, Service Director? Two years ago we had a smaller one. We need to take care of our streets.

Any item on here, there was some talk about, we should have further conversation, we can converse all night. But every item on here and every contract on here that exceeds \$15,000 needs again to come back to you, City council. Case in point, we have #2, \$145,000 to purchase the hand-held portable radios. As you can see, we have budgeted \$240,000, we've got great news that we're going to save almost \$90,000. Every single item on here, such as updating the financial system, going into a contract for tree removal, buying a 2 ½ ton dump truck for this year, buying the high-ranger. Each and everyone of those items will come back to you.

What we presented to you tonight is what the Directors feel they need to get the job done for 2005. It is for that reason that I request your support for this, this evening. I

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have told you I like to plan out, three years at least ahead, we have done this. I cannot tell you for sure that in December, the 2006 numbers that are before you now will be exactly the same. You will receive an explanation for each and every change we've made at that time and the same for 2007.

It is important that we get this passed as soon as possible, so that for instance, Mr. Gulich can come and ask you for permission to go out for bids for the resurfacing. So we can do that in a timely fashion and so that Kathy Will can get contracts in front of you for the approval for tree removal. We've got some dangerous tree situations out there that need taken care of. I'll answer any questions you may have tonight on what we propose. It's a resolution, and it's a resolution because anything we do over \$15,000 does come back to you again. This is just a planning tool so that you know what the Directors feel they need to take care of business for the year. I'll be happy to answer any questions.

Councilwoman Mancuso – We just got this with our packet, so this is the first time I've actually seen this spread, period. I would like as we go forward for 2006, 2007 that we see it long before a week before you'd like us to vote on it.

Mayor Cervenik – You will, because you have it right in front of you now, so you'll have a year ahead.

Councilwoman Mancuso – But it would be nice to see it before this. I would like to ask the Fire Chief, was not one of your priorities to update your computers in your fire service throughout? Or is that not a priority for you? Were you not trying to update your computer, hardware and software throughout the fire service?

Chief Cosgriff – That wasn't considered one of our priorities.

Councilwoman Mancuso – And it still is not one of your priorities?

Chief Cosgriff – Obviously it is something that we would like to, eventually get done. But right now, a bigger priority, I feel is replacing an engine and radios, item #2 on the agenda and a few other things are more important than that.

Councilwoman Mancuso – At this point, it is not priority, these are the priority capital for fire?

Chief Cosgriff – Correct.

Mayor Cervenik – I would like to add to that. Line item three-quarters down the page, info tech general computer replacement. Some of that money will be used, not necessarily to replace the existing computers that the Fire Department uses, but we had a vendor come in last week or the week before. Part of that money will be used, we believe to purchase three, they're not laptops, what are they called? Tablets, one for each of the squads to use when they answer the ambulance squads. Rather than doing it all by hand and filling out two pages, we're going to have it automated and in addition, that program will allow it to be up-loaded to our ambulance billing and the State, so that we will be able to

Councilwoman Mancuso – All that needs to be inter-related and I've been at the stations and that computer stuff is pretty antiquated. To buy the new notebooks is great.

Mayor Cervenik – Yes, that's what we're doing.

Councilwoman Mancuso – But it needs something to link to. That was why I was a little surprised not to see some computer hardware/software for the Fire Dept.

Mayor Cervenik – It's there. It is just not under the Fire Department budget but a good portion of that \$50,000 is going to be used for that program. I think about \$28,000 total is going to be used for that.

Councilwoman Mancuso – That will go to Fire?

Mayor Cervenik – That will be for the three notebooks.

Councilwoman Mancuso – Those are for the rescue squad. It is like a pen-based system. That does need linkage to something that is state-of-the-art.

Mayor Cervenik – We will have that. It will all be part of the package and we will present that to you because our firemen deserve that and need that and will make everything much more efficient.

Councilwoman Mancuso – Just glad to see it Mayor, thank you.

Councilman Langman – Director Gulich, under the curbs and resurfacing, will we be actually doing curb replacement as part of this program?

Director Gulich – My intention is this year is to concentrate on the asphalt resurfacing. As the Mayor mentioned, we've gone quite a few years without having an annual program. We've had two programs in the last five years, total. We'll be doing curb repairs only when absolutely necessary on the streets that we'll be resurfacing. There will be a minimum of curb repairs to answer your question. We will concentrate on the asphalt resurfacing.

Councilman Langman – Director Johnson, just for the folks that are in the audience or at home, could you explain where the dollars come from for the Capital programs?

Director Johnson – I'm glad you asked that question. About \$600,000 of the total will be used from the cash that exists in the fund, both the beginning cash balance of the beginning of the year, plus what we expect to receive in property taxes. That fund does receive 1 mil in property taxes every year. So about \$600,000 of it will be paid for in cash. What we're asking for is the authority to enter into an amendment to an existing master lease agreement with American Financial to lease the other items for a period of four years.

Councilman Langman – Could you explain what those other items are that we're going to lease?

Director Johnson – Perhaps it would be better if I told you what we intend to pay cash for and all the rest of the items would be included in the lease. The \$120,000 for traffic signalization would be cash. Curbs & resurfacing would be cash. The tree trimming and removal would be cash. The study for the jail would be cash. That totals about \$580,000. There might be one or two small items, we're still negotiating with the leasing agent. There are a couple of items such as equipment repairs and the mini-station repairs that is not totally because we haven't given them enough detail. That's essentially what we're hoping to do.

Councilwoman Hufnagle – A question under building improvements. The Fire Dept. it states various repairs. Will that include the waterproofing at Station 3, for this year?

Mayor Cervenik – Yes, that is what it will include, the waterproofing at #3. For the year 2006, tentatively there is quite a bit of pavement repair to be done and we prioritize that that could wait until 2006 and we'll present more concrete numbers at that time, but yes, we need to waterproof fire station #3. That is what that will do.

Councilwoman Hufnagle – Ms. Will, may I ask you a question on the tree removal trimming and care? I'm sure you remember the resident that I had on E. 260 that had the problem of the tree on her treelawn and she literally waited years to have us remove it. Because we had no money we weren't able to do that. Is this the fund that would have taken care of out of?

Director Will – You are absolutely correct.

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Councilwoman Hufnagle – Mayor, under building improvements for the police, the mini-station. If we approve this, when do we anticipate the mini-station being able to move in there?

Mayor Cervenik – We would hope by July. We would have to go out for some bids on the pricing, present it to Council and if we obtain your approval. We're going to work diligently to get that done. We would like to have the mini-station up and running sometime this summer, that's when its most effective.

Councilwoman Hufnagle – There isn't, I'm sure you already know the answer to this, but there isn't going to be any time where the leases run out of the other building, we're not going to be without a mini-station, are we?

Mayor Cervenik – No we're not.

Councilwoman Hufnagle - Thank you very much for this capital budget.

Mayor Cervenik – You're welcome.

Councilman T. Sustarsic – I just had the question, the 13 patrol cars and one detective car for 2006 & 2007, how soon in 2006 can we get those cars?

Mayor Cervenik – If I remember correctly we have to put an order in sometime in December. That's why I told you we will propose 2006 to you sometime the end of November, beginning of December so we can do that. As you know we did not purchase any police cars this year. With the savings from the portable radios of almost \$90,000 there's a good possibility we may ask Council to add an additional car or two on for 2006. We need to see how this year goes first. You will have to give us permission in December to order the police cars that we would pay for until 2006.

I can't let this go, as long as we're on vehicles. I need to commend Director Gulich and especially John Zigman from Motor Maintenance. John took it upon himself to put together a, I don't want to call it a study, but a report that he brought to my office on how we can save probably \$500,000-\$700,000 in purchasing various equipment by working out schedules with various departments to use the same equipment. Case in point is the high ranger at \$100,000. Originally the Recreation Dept. wanted a high ranger and the Streets Dept. wanted a bucket lift truck. John did some work with the types of trucks, the high rangers and one vehicle can be used by both departments, sharing time and saving the taxpayers about \$85,000. He's also done that with a number of different vehicles, where instead of having a 2-ton dump truck sitting in the Service garage, Recreation rather than buying a truck can use that truck. John is going to be working very diligently to schedule the sharing of equipment between departments and I just needed to commend him for that. Whatever we don't have to buy equipment for, we can put it into the neighborhoods, streets, curbs and resurfacing.

Councilman T. Sustarsic – It's good to hear our city employees working hard to save our residents some money. How's the fleet holding up Chief? Is it okay?

Chief Maine – We'll be fine for this year.

Councilman Daly – How does a high ranger compare with an aerial lift truck? Is that the one that we've rented?

Director Gulich – We did lease an aerial lift truck for the use in our traffic maintenance department. We had an obligation with the Honeywell House Bill 300 measure to get all LED traffic signals up by December 31st. We did do that. We did do that via means of a lease. That lease has since expired. Right now we're cooperating with Kathy Will's department and we're making do with one vehicle between the two of us. The idea of sharing vehicles is not going to make me the most popular Director in the world. Departments that have had their hands on a piece of equipment and not having to share it, aren't going to like that. They are going to have to learn how to do it and they will do that.

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Councilman Delaney – To piggy-back on some of the things Councilwoman Mancuso said, is that we did just get this on Thursday and why did we not have a Finance Committee meeting on the 2005 capital budget?

Mayor Cervenik – I'm willing to discuss anything you could have discussed in a committee meeting right now Councilman Delaney. I don't think a committee meeting is anything special. We can sit here, as long as it takes to explain any of the items that we have here for 2005.

Councilman Delaney – You can see that every Council person up here had comments to make, we could have expanded on some of it. Councilwoman Mancuso made an interesting point, that some of the Chiefs have, I don't disagree that all of these items are very much in need. They are very much things that are an immediate need. There are probably other things that Council could suggest that might be obtainable in this 2005 budget. We could again, put those challenges behind us and move onto the next issue. I think that we're really forcing a lot of these things and I'm disappointed that we didn't, when we did have our Finance Committee meetings on the General Fund, I believe you said at that time there won't be a capital budget. Now we have one. I think instead of pushing it through at a Council meeting, we should have taken the time.

One question that I have for Chief Maine. Chief, how many cars do we have in the fleet, how many patrol cars?

Chief Maine – We have about 20 patrol cars that are available. There are a number of detective cars, traffic cars, training cars on top of that. About 20 patrol cars, that includes supervisors.

Councilman Delaney – The 13 patrol cars that you're asking for here, they'll be replacing 13 patrol cars that are how old?

Chief Maine – You have to understand the history of how we manage the patrol car fleet and that's through a series of rollover, for lack of a better term. We generally try to rotate them out of the everyday patrol fleet once they get over 100,000. At the end of this year we'll have quite a number of cars that will have over 100,000. But when you're detailing what's priority, we felt that we could get by this year without having to replace patrol cars. Any other questions about the cars?

Councilman Delaney – That's fine. It would be nice to know of the 20 cars, the mileage on all of them and the year that you bought them. We have pages of items, every item here looks good, but I think it needs a little more backbone to it. I feel like I'm put in a position here where the vote is forced. Not only some council members, but I think a lot of people in the public would be a little more comfortable if they had seen more detail on much of this capital expenditure.

President Pro Tem Holzheimer Gail – I have just a couple of questions. Director Gulich, the resurfacing work that will be done, I know you keep a list of streets based on calls and based on inspections by your department. Would you provide at least the Ward Council people, the rest I'm sure would appreciate that as well, a list of streets by priority?

Director Gulich – Right now we don't have a working list. We're working on that list. We're working towards having a priority list and when we do have our specifications available for the prospective bidders we will include that list with it. So it will be quite public information when we get to that.

President Pro Tem Holzheimer Gail – Director Will, do we, I see the item tree removal trimming and care, do we have any money budgeted for replanting trees that had been taken down?

Director Will – Right now the money that's budgeted is strictly through the Shade Tree Commission on monies that they've gotten and collected for donations, which is approximately \$2,000. So other than that, there are no monies currently for any

replanting. We can't even maintain them right now and we need to get that in order, hand-in-hand, before we can plant anymore.

President Pro Tem Holzheimer Gail – I appreciate that. It has been several years, I believe since we've done replanting and I think its important as we take trees down to plan on replacing them as soon as we can. I know your department is busy looking at grants for all sorts of things, so perhaps that could be, I know in the past we have applied for grants to help us do that. Does the department still provide the Trees for Tomorrow in case a resident would like a tree planted at their expense on the treelawn?

Director Will – Yes that program did not have that intact last year, but we do plan on bringing that back for the fall of 2005.

President Pro Tem Holzheimer Gail – Police Chief Maine, I've seen e-mails back and forth and I don't know if we've had a public discussion on mini-station #4 and I know we will once we get ordinances to act on this item, but will you just for our sake and the public's sake discuss the plan with mini-station #4?

Chief Maine – I'd be glad to. I think I've eluded to it a couple of times in the talks about the grants and our operating budget. Essentially with the cooperation of the Fire Chief and the Fire Dept., since station #4 is empty and it is not a building we utilize, it would meet the needs for a community police station by simply doing a little bit of maintenance and upgrading the building. There will still be a fire department presence, they will still use it to store some of their vehicles. But because of the room that is there, we feel that we can hold a lot of community meetings, a good place for the kids to do a lot of their activities that are being planned by the Community Policing Unit as well as the PAL and we've checked with Willo Arms who is one of our biggest users of the community policing services. They were very happy with the change and didn't feel it would affect them negatively at all. It will also save us about \$7,000-\$10,000 annually in terms of operating cost for the upkeep of the rent, utilities at the other place. Like the Mayor said, it is our hope to get these things taken care of and we can have it open by the middle of summertime.

President Pro Tem Holzheimer Gail – I look forward to more discussions on that as we proceed.

Councilman Gruber – Just like to thank the Mayor for bringing this budget to our attention. Many of these items are very much needed and refreshing to hear. For many years we didn't have our curbs and resurfacing, our crack sealing, our pavement rejuvenation and that really makes a big difference to our residents. We get a lot of calls on our street programs. Also a new fire pumper is a much needed piece of equipment, well welcomed. The back-haul for the sewer department. The two one-ton dump trucks with plows. The three dumps with spreaders, these are all things that impact our residents on a daily basis. It is things that we need to do and this is what we're in the business to do.

Director Gulich, I do have a question on 222 Street rebuild, \$304,000. Then I see a reimbursement. Will that be coming from ODOT? Do we have to front the money and then we get it back?

Director Gulich – That money will be rebated back from Cuyahoga County. 222 is a County road. As I mentioned in a prior meeting, we did get an Issue 2 loan, 0% loan, to pay for half of this project. We do have some State money that the community development department secured last year and the County will chip in \$300,000. We'll have to spend it up front, they'll rebate us in 2007.

Councilman Gruber – Most of these items do have a very positive impact on our citizens and I think you for bringing this to us.

Director Johnson – To further expand on E. 222 Street, the total cost of that project is \$1,796,000. \$1,257,000 of it is Issue 2. \$235,000 is coming from the Ohio Department of Development. The \$303,000 which would be the city's or the local share, is what we expect to get back from the County.

Mayor Cervenik – Councilman Gruber, that really is through the efforts of County Engineer Bob Klaiber. He came in and met with us and told us about some discretionary funds that they have for specific projects such as E. 222 Street. When they feel a project is going to create jobs and economic development, they find ways to help communities like our out and we all owe Mr. Klaiber, Engineer Klaiber a little thank you for \$304,000.

Councilman Daly – Are we planning on buying any patrol cars here in 2005?

Mayor Cervenik – No, we are not. Partially because of the fact that they need to be ordered earlier, so we took the amount that normally the Chief would have liked to bought in the 3 years, extended it out to 2006 and 2007. At the end of 2007, they will be back pretty close to where they would have been if we bought lesser cars in 2005. As I've said, we've had a very nice savings on what we projected the hand-held radios were going to cost. If that holds true for the mobile radios that you see in 2006, \$225,000. As I said earlier, we may present an additional maybe two police vehicles to be purchased in 2006 and 2007. We need to wait and see how the cash flow continues to go here right now. It has been fairly positive.

Councilwoman Mancuso – Finance Director would you again for the audience and for us go over where we're going to get the \$1,528,300 for 2005? I know \$600,000 you've already explained. Can you explain how we're going to come up with the rest of it for everybody?

Director Johnson – The balance which is \$948,000, what we're asking for is to amend an existing master lease agreement with American Financial Network to lease these vehicles and equipment over a period of 4 years.

Councilwoman Mancuso – Have we done that before?

Director Johnson – Yes we've done that with golf course equipment. We've just done it recently with the computer equipment that we bought for the income tax department. We've done that with several pieces of equipment in the Streets Dept., particularly back hauls and some of the heavier, larger dollar priced items. We've done that with ambulance squads in the Fire Dept. We've done that for several large ticket items.

Councilwoman Mancuso – Are these usually leased to buy type?

Director Johnson – The reason why we're doing it, Councilwoman Mancuso is because as I stated earlier in the year and perhaps in November and December when we were doing the budget hearings is that I had asked the Mayor to please, if at all possible refrain from issuing any debt for 2005, traditional debt. What we're hoping and we can go into this in a hearing if one of the reasons we fully expected a hearing for future would probably be necessary is that for 2006 and 2007 we probably could go back to issuing traditional debt to fund those capital items. But for 2005 because of some of the recent debt issues and based on advice from our underwriters, we are trying not to issue any traditional debt in 2005.

Councilman Langman – Director Gulich, did I hear you correctly, you don't have a current list of streets that needs to be redone, or you haven't finalized that list?

Director Gulich – I have a list right now that a million and a half dollars long. We're looking at spending about \$300,000. There's going to be a lot of disappointed people.

Councilman Langman – You mentioned that we're again not replacing curbs in this particular year. Is that correct?

Director Gulich – Streets we'll be resurfacing if they absolutely need some curb repair, we'll be doing it. We're not just going to be out-and-out replacing curbs across the city street by street as we have in the past. We're going to concentrate on the resurfacing, get the best bang for our buck.

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Councilman Langman – We've had this discussion about a couple of particular streets in question where you have deteriorated curbing and deteriorated roadway and it seems like we're never going to get to those streets to actually fix them in the current outlook on how we're going to approach it. I'm looking for when we might tackle some of the curbing issues and also some of the paving issues along with that.

Director Gulich – There's going to be plenty of streets that need resurfacing in 2005 that are going to have to wait until 2006 or 2007 with the monies we have available. I'm grateful that Council would be supportive of the monies we do have here to spend. Again, the cars travel on the road, not on the curb. We need to put the money into the streets to prevent further damage that is going to cost us more money to repair down the road.

Councilman Langman – Do you know off-hand if we're going to repave any streets that may have average to below average curbing?

Director Gulich – On streets we're going to resurface, where the curbs need to be replaced, they will be replaced on a repair basis.

Councilman Langman – Assuming that we pass this tonight, when can we have the list of the streets that you feel can be done this year?

Director Gulich – I would like probably to go out for bids in two weeks from Friday. That list will be available by then.

Mayor Cervenik – I would like to address some of the concerns about the very bad streets and the fact that we're only spending \$350,000-\$500,000 over the next few years for this. Item #3, which is the capital infrastructure improvement program through the Michael Benza report that you've received, will definitely address some of those issues if Council so desires to allocate some funding, increase funding into what used to be called our Waterline fund. We have given you a proposal and I don't know if you've had a chance to look at it yet. For minimum increases over the next 5-6 years it is for 1,000 cubic ft. we can not only address our waterline problems, but some of our major curbing and resurfacing problems that are on streets that don't need waterlines and sewers. We're going to ask Council tonight to set a date for that Committee Meeting so Benza can come in and provide that information to you. That will be the other piece of the puzzle that I feel can rebuild the neighborhoods in the City of Euclid. The proposal that Benza is going to present to you is a 30 year proposal. It goes out over 30 years on how we're going to pay it all back and get the work done. That will address some of the needs you have in Ward 2, Ward 3, Ward 4 and Ward 1. We do have some serious infrastructure problems that need to be taken care of.

Councilman Langman – That sounds like an interesting idea if we can make sure that those are coordinated. Depending on what we approve with the Benza study as to the level of funding, that we can coordinate with Director Gulich's department so we make sure that we're addressing all the needs in the various wards.

Mayor Cervenik – I can guaranty we will not repave a street this year that's on Benza's study that needs waterline, sewers or something like that. That would be a waste of time and money. We will not be doing that.

Councilman Langman – Is there any chance we can address the Benza study and the capital budget in the same committee meeting so we can kind of address both approaches to the capital needs of the city?

Mayor Cervenik – I believe most of the streets Director Gulich will present to you would not be included in our priority list for the Benza study. The Benza study is not knew. You've had the priorities listed in prior years. We will be addressing those first over the next 3-4 years. If we have the committee meeting sometime this week or next week, yes, we can definitely do that, that's your pleasure.

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President Pro Tem Holzheimer Gail – We had received via e-mail with about repairs for public buildings and do we have a plan and there's not a terribly high amount of money set aside for building improvements, could you comment on that?

Mayor Cervenik – I can repeat what you just said. There's not a terrible amount of money for building improvements right now. Director Gulich can probably address that a little better.

Director Gulich – I plan on bringing legislation to you in May that will be part of a House Bill 300 Phase III measure. We've marked the rest of our buildings, many of Ms. Will's pools and other buildings that we haven't addressed as yet. We recently committed and completed one and a half million dollars of improvements to buildings like the one you are sitting in right here. Improvements that were very well needed. In May I intend on having Honeywell here again and they will make another presentation as they did last year as the improvements we intend to do through House Bill 300 that will not cost us any upfront money. The improvements will be paid through the future savings.

Councilwoman Mancuso – Forgive me Finance Director, we need \$948,000 in leases this year to make our \$1.5 million, is that correct? Thank you.

Councilman Delaney – Director Johnson the 1 mil that we collect annually, how much is that dollar amount?

Director Johnson – It generates about \$250,000 a year. Because of the Charter provisions that we have that even our voted levies such as that, House Bill 920 provisions apply which means that fund as well as all recreation funds that have permanent levies generate the same amount of money that they generated when they were first put on the books. When the one mil permanent improvement levy was passed back in the 70's it started generating about \$250,000 and still generates that same amount of money.

Back when that permanent improvement levy was put on, that 1 mil probably went a long way towards covering a lot of the capital needs of the city. But over the years, as you can tell, \$250,000 doesn't go very far.

Councilman Delaney- What is our debt capacity right now?

Director Johnson – When you say our debt capacity ...

Councilman Delaney – How much more money, you said that you would refrain from borrowing any more money, traditional debt.

Director Johnson – Because our underwriters do projections over a bond retirement fund over 30 year period. Had we borrowed any additional money in 2005, would have been very difficult. One of our goals is to make sure that our bond retirement fund balance never drops below \$1.5 million. And, had we issued additional debt or if we issued additional debt in 2005, it would have made it much more difficult to ensure that our bond retirement fund balance never dropped below \$1.5 million. If we had issued debt for this year, our balance would have dropped sometime in 2011. We look at this 20-30 years out and try to ensure that bond retirement fund balance always stays at a million and a half or more. That's usually the deciding factor in whether to issue debt or not.

In terms of our capacity, we probably have \$10-\$12 million in capacity, but our ability to pay, as I just outlined to you is much more limited. When it comes to issuing debt say for the lakefront development project, the Harbor Town Project, we have the ability to issue the debt, but we're also identifying a repayment source which is the TIF revenues. So we can justify the issuance of that debt. I'm not saying that's what we're going to do, we haven't made that decision yet. The port authority is also a possibility. But when you say what is our capacity, we retire about \$2 million of debt a year. So, what we can issue and what we have the ability to pay are two different things.

Councilman Delaney- How much debt are we carrying right now total?

Director Johnson – About \$38 million.

Councilman Langman – You're talking about our unvoted debt capacity, correct?

Director Johnson – That's correct.

Councilman Langman – And at \$38 million, that is all unvoted debt?

Director Johnson – Yes. Our voted debt is unlimited, it is whatever the taxpayers vote for.

Councilman Langman – That unvoted capacity is based on the valuations of all the properties in the City approximately?

Director Johnson – It is a fairly sophisticated formula but basically that's what it is. It is based on the total assessed evaluation of the entire city, yes.

President Pro-Tem Holzheimer Gail – Council we have a Resolution before us to adopt the Administration's capital budget. Again each item over \$15,000 will come back for specific approval.

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

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

Passed.

Ord. 46-2005 (326-05) Radios Pol. & Fire

An emergency ordinance authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid, or his designee, to enter into a contract with B&C Communications, 5321 Commerce Parkway West, Parma, Ohio 44130, for the purchase of hand-held portable radios for the Police and Fire Departments in an amount not to exceed One Hundred Forty Five Thousand Dollars (\$145,000.00). (Sponsored by Mayor Cervenik and entire Council)

Councilwoman Mancuso moved for passage, Councilman Gruber seconded.

Chief Maine – Back in January you authorized us to go out for bids to replace the portable radios in the police and fire department. We received two bids. One from B&C Communications and one from another company. The other company was substantially higher. This is much lower than what came in as the anticipated or estimated price when we had our study done in 2003, the entire communications budget. Part of the reason is because we're looking at replacing all the portables within the whole city. We refined that on the advice of our consultant who felt that we could replace the police and fire portables and utilize the best of what was left over to help out in the other departments. As well, the other departments started using Nextel cellular phones with the walkie-talkie capability and that's replaced a lot of their need for portable radios.

For that reason I would like to ask for your support in passing this. We feel that this is a very fair price and obviously this equipment which is much older than its proposed use back in 1989 is something that is long overdue and needs to be replaced. I think Chief Cosgriff would like to add a couple of comments to that.

Chief Cosgriff – I would just like to reiterate what I said at past meetings. Portable radio is a firefighter's life-line to the outside. The radios that we are currently using are beyond their life expectancy. We have areas in the city where communications are very poor and these new radios will improve that ability to communicate. It will provide our fire fighters and our police officers with this extremely valuable safety tool. I also ask for your support.

Councilwoman Mancuso – Chief Maine, you said that you were going to do all the radios. How many did we start off with when you first looked at this compared to what we're doing now?

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Chief Maine – I don't have the exact numbers in terms of the inventory in front of me. I think we were looking at somewhere in the vicinity of 200 portable radios city wide. Right now we're looking at somewhere in the area of 150 to 160.

Councilwoman Mancuso – Can you give me a distribution, how many going to police, how many to fire because they are similar? Correct, they are the same kind of radio?

Chief Maine – They're essentially the same radio with some different auxiliary equipment to it. They need special head phones and that sort of thing. I believe 100-110 of them for the police department and 40-50 are all the fire department.

Councilwoman Mancuso – Will we keep any of our old radios?

Chief Maine – My understanding is that most of the portable radios, they don't have much value. What we can get for them we will but most of them we turn in will be scrapped. We will be keeping some of the ones that are in pretty good shape and can use them in some of the other departments.

Councilwoman Mancuso – Is B&C Communications trying to do anything to try to get rid of these for us? Or just totally obsolete?

Chief Maine – You have to understand that you're in business, the evolution of electronics. At the time we bought them they were state-of-the-art. Now, they're not.

Councilwoman Mancuso – They are telling us they have no value?

Chief Maine – As well as our consultant; everybody tells us they are not worth a whole lot.

Councilwoman Mancuso – Who is our consultant?

Chief Maine – Our consultant is L-Tronics.

Councilman Langman – Is this going to supply the maintenance for the radios? What is the expected life of these radios?

Chief Maine – They have a one year warranty. Most every piece of equipment does and B&C also has a service contract which Council approved last year. We'll be renegotiating that contract for this year since a lot of this equipment will now be new and will not need service. We expect that contract to reflect a reduction in price.

Councilman Langman – The expected lifetime of these radios?

Chief Maine – Probably the same as the life expectancy when we bought our system 14 years ago. This kind of equipment because of the computerization is generally in the 8-10 year range. There is also a federal initiative underway called Plan 25 which is not mandated yet, but it is pretty darn close and they're tying federal grants to this compliance. Hopefully this will get us to that stage where the city may need to take a real hard look at what are we going to do for our communications in the future. I believe that the compliance date for Plan 25 is 2013. We're about at that stage for the replacement of this equipment we'll be looking at that date. Seeing how federal issues go, it wouldn't surprise me if that date is eventually pushed back a little further, but we're looking at that relatively time period.

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

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

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

Passed.

Ord. (324-05) Benza Study – Com.

An ordinance which adopts a Capital Infrastructure Improvement Program Analysis, as prepared by Michael Benza and Associates, Inc., and authorizes the Director of Public Service of the City of Euclid to implement a capital infrastructure improvement program for the replacements and maintenance of water lines within the City of Euclid. (Sponsored by Councilman T. Sustarsic by request of Service Director)

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

Director Gulich – The Mayor pretty much told you what we had in mind here briefly. In 1996 Council authorized Michael Benza and Assoc. to create an analysis of the entire water system in the City of Euclid. That had not been done prior to that. Consequently we adopted a 10 year program that was scheduled to be wrapped up in 2006. Council approved a re-analysis, as was originally suggested we do in 2003. This analysis you'll be hearing from Mr. Benza is a culmination of the work he initially did and a number of follow up meetings where we discussed a number of alternatives to have a comprehensive plan over a long period of time that can change, can flex and will provide us with a number of options. Most importantly it will even have a plan to pay for itself. Mr. Benza is here tonight, Michael and Steven. They'll be prepared to bring us a comprehensive explanation of what we have in mind and be able to answer any questions or concerns of Council. Here is our audience here tonight again and if Council would care to schedule that meeting this evening, we'll all know when we need to be back.

Mayor Cervenik – It would be wonderful for that meeting to be scheduled Monday or Wednesday of next week.

Councilman T. Sustarsic – I just spoke with Mr. Benza before the meeting and Wednesday works better for him, so we could do Wednesday next week, that would be good.

Director Gulich – They are here in the audience if Council has any questions for them this evening.

Councilman Delaney moved to send Ord. (324-05) to the Service Committee. Councilman Gruber seconded.

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

To Service Committee for meeting April 13th.

Res. 47-2005 (321-05) Apply FEMA

A resolution authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid, or his designee, to apply for and accept, if granted, a FEMA Fire Prevention Grant. (Sponsored by Councilman Gruber by request of Fire Chief)

Councilman Gruber moved for passage, Councilwoman Hufnagle seconded.

Chief Cosgriff – The Fire Dept. would like to apply for and accept if successful the FEMA fire prevention and safety grant. We currently have a program in place to educate our city's grade school children on the dangers of fire and what to do in the event they experience one in their school or home. It is our intention to develop a program with the assistance of this grant to also reinforce to our senior citizens the dangers of fire. We feel there is a definitive need for this program as we had the unfortunate experience of having two senior citizen fire fatalities in the year 2004. This program will allow us to purchase audio-visual equipment, software programs designed to emphasize the danger of fire for seniors and what to do to prevent them. The city's 30% matching funds would be about \$4,500 will come from the general permanent improvement fund and I ask for your support in passage of this resolution. Thank you.

Councilman T. Sustarsic – They would do the education process at the senior centers and possibly on our community channel, or how does that work?

Chief Cosgriff – They would go to senior centers, apartment buildings that are geared towards housing seniors. Anyone that is interested would be allowed to call us and we would go out there and put a program on for them.

President Pro-Tem Holzheimer Gail – Director Johnson, do we need to amend this legislation to indicate where the funds will come from?

Director Johnson – In my earlier e-mail, not really understanding the requirements of this grant, I would recommend that we leave the legislation as it was drafted. I was the impression, there are several grants that the Fire Dept. has applied for and has been awarded. I wasn't real clear. I would leave this legislation, and I apologize for the earlier e-mail that told you we were talking general permanent improvement fund.

President Pro-Tem Holzheimer Gail – This is a Resolution so it does not authorize final funding anyway. Right now it doesn't indicate a fund that any money would come from, that would come at a later date.

Director Johnson – Right.

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

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

Passed.

Res. (319-05) Pulled

A resolution approving a special unpaid leave of absence for a one-year period, through March 14, 2006, for Correction Officer Corporal Scott Znidarsic. (Sponsored by Mayor Cervenik)

Resolution has been pulled by the sponsor.

Ord. (322-05) Garage Sale Regulations

An ordinance amending The Building and Housing Code of the Codified Ordinances of the City of Euclid, by the addition of Chapter 1744 to be entitled "Garage Sale" to regulate garage sales in the City of Euclid. (Sponsored by Councilpersons Gruber, Holzheimer Gail, Hufnagle, Langman)

Councilman Gruber moved for passage, Councilman Langman seconded.

President Pro-Tem Holzheimer Gail – This ordinance is jointly being co-sponsored by all of the ward council persons. If you remember at the end of last summer and early fall, I know I specifically received numerous phone calls about the garage sales that started happening on people's front lawns and were happening over and over and over again. We had many calls from concerned residents about what we can do about that. We had some discussions with the housing department and do not currently have any ordinances on the books regarding garage sales. The intent of this legislation is not to limit, we are limiting to a certain degree, not to prohibit people from having garage sales, but to have them in a community responsible way. We would like this to go to committee and have a full hearing it is something new that we will be undertaking and we want to have conversation with the public on how this will impact them and what our intentions for this ordinance. I don't know if any of my ward colleagues have any additional comments or would like to make the motion to move this to the Building Committee.

Councilman Gruber moved Ord. (322-05) to the Building Standards & Housing Committee. Councilman Langman seconded.

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

To Committee.

Ord. (323-05) Ads in Parks

An ordinance authorizing the Director of Parks and Recreation of the City of Euclid to seek proposals, and enter into agreements, for advertising sponsorships to be located at City-owned Parks and Recreation properties. (Sponsored by Councilman Daly by request of Parks & Recreation Director)

Councilman Daly moved for passage, Councilman Delaney seconded.

Director Will – I have an exciting proposal here that I would love to discuss with everybody. As the Parks & Recreation Director, I'm always looking for ways to be able to raise funds. It's difficult but there is some new programming going on in the State of Ohio through our Parks & Recreation Association. I thank Councilman Daly for putting this on. I also appreciate the concern that Mrs. Fike has. I would love to put this in committee and let you know about some of the ideas that I have that could generate some extra revenue for the Recreation Dept. I appreciate your support to put this into Committee so I can discuss it further with everyone.

Councilman T. Sustarsic moved Ord. (323-05) to the Recreation Committee. Councilman Daly seconded.

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

Ord. (327-05) Agreement Shore-Condo

An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into an agreement of intent to sell and purchase property with the Shore Condominium Group, LLC, for the Shore Cultural Centre, a public building located at 291 East 222nd Street, Euclid, Ohio. (Sponsored by Mayor Cervenik)

Council President Pro-Tem Holzheimer Gail – The sponsor has requested that this item be tabled. I'll take a motion to table.

Councilman Delaney – I do have a couple of questions before we table this. Mayor, why is this an emergency ordinance?

Mayor Cervenik – It was just re-submitted as it was at the last Council meeting. It's really not an emergency ordinance because I'm asking you to have it tabled. When we act upon it, we can have that removed. Right now we just want it tabled.

Councilman Delaney- Wouldn't this be better suited in the committee to have a committee meeting on this legislation?

Mayor Cervenik – Mr. Delaney, in all honesty Council can do whatever they care to do with this ordinance. I would like it to be tabled. I would like it to be aired at the same time the Shore Board is going to come up with their final presentation, but it's strictly up to you what you want to do.

Councilman Delaney – That's refreshing to hear. I have discussed that with some of the Shore Board members and they have come up with different exciting scenarios. They think they may want more time. We may wind up tabling their legislation as well. So having you said that a Committee might be better suited, if you have no objections, I would like to once again review this in committee.

Mayor Cervenik – It is strictly up to the eight members of Council that are here this evening.

Councilman Delaney – All right. I will make that motion.

President Pro-Tem Holzheimer Gail – Which Committee Councilman Delaney?

Councilman Delaney – Housing Standards would be one I would make a motion to put it in.

President Pro-Tem Holzheimer Gail – Motion to send this Ordinance to the Housing Standards Committee. Second by Councilman Langman.

Councilwoman Hufnagle – Councilman Delaney eluded to the fact that the Shore Board will not be prepared to have their legislation on the April 18th meeting. Ms. Will, you are a member of that Board, correct? Can you give us a time? I think when we had the Committee Meeting last week I was really trying to get at a time frame that the Shore Board is asking us for. Do you have an idea of what time frame they're seeking?

Mayor Cervenik – If I may, I would like to answer that. I'm not sure what the time frame is. I think a reasonable time for them to have the ability to do what they need to do is 60 days is more than adequate. I intend to communicate with them sometime next week about my feelings about the proposal they have gave. I've been studying it and give them some ideas and some inclinations as to how it might work. I think 60 days is probably reasonable for all parties concerned. I don't want to put a deadline on them right this moment. I haven't finished reviewing all their proposal and I want to talk to a couple individually and we'll work it out.

Councilwoman Hufnagle – So we don't expect to be voting on that on April 18th like we decided at the Committee meeting?

Mayor Cervenik – Without a vote, I can't say that. I would hope not. I think if they present to you what they presented the other evening that the vote should be negative. I would like to give them a chance to put together a solid proposal so that they have a possibility of being able to perform as they feel fit. I don't want to impose a strict deadline on anybody right at this time, but we can't let it go on for to long.

Councilwoman Hufnagle – I just wanted to make sure. That's what I was trying to get at the Committee Meeting was what time frame were they seeking from us. This proposal that we have tabled this evening, this is what came out of the committee meeting, correct? This is what was presented to us in the Committee meeting?

Mayor Cervenik – Yes, you've been presented the proposal from the LLC. Nothing has really changed. We've had the committee meetings, we've had the public meetings. There's not a lot more to come out of it other than the discussion about the intent to sell, purchase agreement, if that's what's needs to be discussed in Committee, I really don't have any objection to it, I really don't.

President Pro-Tem Holzheimer Gail – Just a point of clarification. We did have a presentation by the Shore Condominium group. We have not had a committee discussion on either the agreement of intent to sell.

Mayor Cervenik – That's what I just stated. I said there has been no discussion on, Committee meeting on the intent to sell to purchase.

President Pro-Tem Holzheimer Gail- One other comment. I would like to hear from Councilman Delaney why the Building Standards and Housing Committee for this particular piece. It would be my expectation then that the other Shore piece would be sent to the same committee for whichever committee we decide on to discuss both at the same time and bring one back to Council. That can't be done until the next Council Meeting, I believe because its not on this agenda.

Councilman Delaney – I understand the logic in that and I would agree with it. Just quickly to explain. I don't know if the Board wouldn't be ready by the next council meeting. I do know when their meeting was scheduled with my legislation that I sponsored in just 19 days, the magnitude of putting together a deal like that is certainly going to take more. I think 60 days is probably much more appropriate. They do have a lot of good ideas and maybe the next Council Meeting they may or may not be ready. But I think its fair to say that from the first proposal we had from the Condominium

Group it has changed. We didn't have time to sit in Committee and discuss the agreement. Just off the top of my head, I received an e-mail today. Mayor, is Mr. Van Bergen, the President of the Civil Service Commission?

Mayor Cervenik – Yes he is.

Councilman Delaney- And is it appropriate that one of our city employees is entering into an agreement with the City to take city property with a no-bid on the size of this building?

Director Frey – Mr. Van Bergen sought an opinion from the Law Department as to whether or not proceeding in any kind of development plan constituted a conflict of interest with his role as Civil Service Commission member. It was the opinion of the Law Department that did not constitute a conflict of interest so that letter had been delivered to him before any proposal was ever issued. It is not, when you talk about conflict issues, it's whether or not the position with the city, in this case the Civil Service Commission, would somehow have a role in the development process and it would not. This is not an issue of city employees in the sense that whether or not they would be tenured employees with the City or hired by the city. This issue is a part-time Civil Service Commissioner, to the best of my ability to determine that, would have no way, would one have some impact on the other. It was on that basis that I determined that no conflict existed. I looked at Attorney General opinions dealing with that. The scope and nature of the development project that was proposed and his role as a Civil Service Commissioner.

Councilman Delaney – Could you e-mail Council that opinion?

Director Frey- Certain I could.

President Pro-Tem Holzheimer Gail – We have a motion and a second on the floor. We need to vote on that before we discuss other things. To the point, Councilman Delaney would you explain why Building Standards & Housing before we vote?

Councilman Delaney- Well we are talking about housing. Putting housing in that building is exactly what that committee is set up to do.

Councilman Gruber – I feel the Executive Committee might be the proper Committee to put this in and that way all Council members would have a vote and opinion in it. It does affect the city finances to some degree and Executive Committee would probably be a better choice to me.

Councilman Delaney – I'm confused. The committees are set up and in place. All Council members can come to that Committee meeting. They will all have a voice. I just don't understand why you're weighing the Executive Committee with all Council members versus the Housing Standards Committee which is specifically what this legislation is addressed too.

Councilman Gruber – The \$650,000 that we spent on Shore in the last couple of years is everybody's money and I think that all Council members should have input in this decision. I see no harm to put in Executive Committee. Do you have a reason why not?

Councilman Delaney – Can you explain \$650,000 to me again?

Councilman Gruber – Those are the numbers over the last 5 ½ years that we've put into Shore. I think the citizens of the entire city should have that.

Councilman Delaney – Was that in legislation? Did that come before the Council? Was it voted on?

President Pro-Tem Holzheimer Gail – Point of Order, please. Let's call on this particular item, please. Motion is to send this to the Building Standards and Housing Committee.

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Roll Call: Yeas: Delaney, Langman, Mancuso, Holzheimer Gail

Nays: Daly, Gruber, Hufnagle, T. Sustarsic

Tied 4-4 motion failed.

President Pro-Tem Holzheimer Gail moved to second Ord. (327-05) to the Executive Committee. Councilman Gruber seconded.

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

Nays: Delaney, Langman, Mancuso

Passed. Ordinance is placed in Executive Committee.

Res. 48-2005 (318-05) Arbor Day

A resolution celebrating Arbor Day on Friday, April 29, 2005, in the City of Euclid, and encouraging all residents throughout our community to observe Arbor Day and appreciate the beauty, value, benefit and significance of trees to our City. (Sponsored by Entire Council by request of Parks & Recreation Director)

Director Will – First of all thank you for your support, the entire Council, on this Resolution. Every year the last Friday in April is celebrated as Arbor Day. Here in the City of Euclid we have the Shade Tree and Municipal Beautification Commission along with the City, who sits down and works on different items in the city. One of the items they look at is Arbor Day. Members of our Shade Tree and Municipal Beautification Commission are Phyllis Miller, Jerry McPherson, Anita Rajic, Mike Maggio, Ginny Petrie, Marcia Fialko, Sally Hufnagle Councilwoman, Christopher Gruber Councilman, Gary DeWine Manager of Development Projects, Dean Grida our Arborist and myself and the Mayor.

We're happy this year to invite all of the Euclid residents to the Annual Arbor on Friday, April 29th, where we will be planted a white fringed tree in memory of Edward Eckart, Councilman for 18 years. The tree will be planted at the Lakefront Community Center, services will begin at 10 AM. I encourage everyone to come out on Friday, April 29th. I appreciate your support and thank you.

Councilman T. Sustarsic – That's a wonderful tribute to a man who did a lot for our community and this has my support. Thank you.

Councilman T. Sustarsic moved to close debate, Councilwoman Mancuso seconded.

Yeas: Unanimous.

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

Passed.

CEREMONIAL RESOLUTIONS

Res. 49-2005 (317-05) Holocaust

A resolution of remembrance of the 60th Anniversary of the end of World War II in Europe, and with it the liberation of the Nazi concentration camps, and the annual observance of "**Days of Remembrance of the Victims of the Holocaust**". (Sponsored by Mayor Cervenik and the entire Council)

Res. 50-2005 (320-05) Mr. Hribar

A resolution in memoriam upon the March 18, 2005 passing of Euclid resident **Paul J. Hribar**. (Sponsored by Mayor Cervenik and the entire Council)

Councilman Delaney moved for passage, Councilman Gruber seconded.

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

Passed.

COMMITTEE OF THE WHOLE

Mr. Michael Akos – 307 E. 271 St. Director Johnson, earlier you stated there is \$38 million of unvoted debt in place in the city, is that correct? That's not the only debt facing the city though, is that correct? Do we have any other debt other than unvoted debt that we're looking at?

Director Johnson – We have no voted debt. We have no outstanding voted debt. The only debt we have some lease agreements. There are some lease agreements outstanding for various pieces of equipment particularly in the departments that I had earlier eluded to. Those total somewhere in the neighborhood of \$200,000-\$300,000. There are some liabilities as a result of settled law suits. If you're talking about traditional debt, that is the balance.

Mr. Akos – We have nothing like non-traditional? I'm just curious because over the last couple of years, the numbers have been bantered around about the city being, we could carry up to \$68-\$70 million in debt. We were upwards of \$60 million in debt. Is that all wrong?

Director Johnson – I have no idea where those figures came from Mr. Akos, but that is not correct. Our debt capacity is based on our assessed evaluation. When I last talked to our bond underwriters we had approximately \$7-\$8 million in additional capacity. Our outstanding balance of \$38 million.

Mr. Akos – Thank you very much.

Mr. Tod Guntner – 390 E. 257. I would like to remind everyone of our second annual cake auction and bake sale to be held at the Shore Cultural Centre Community Room on Saturday, April 9th from 10:00-2:00 PM. The auction will be from 12:00-1:00. We appreciate any donations of baked goods and/or cakes. Again you can bring those at 9:00. What I'd really, really like to do is I'd like to see 9 cakes from the council members and have a little friendly competition to see who can get the most money for Euclid Petpals. If any one of you would want to do that, we appreciate you or your family baking the cake.

Second, I would like to announce Euclid Petpals 2nd Annual Bark-B-Q. This will be held on May 13th. Doors will open at 6:30. It will be an open bar. It will be a catered rib dinner with all the fixings. Music again by Ben Ritchie until midnight. Tickets are the same price as last year, \$30. All net proceeds go to the homeless animals at the shelter. Tickets should be going on sale by this weekend.

I'd also like to thank Kathy Will and the Recreation Dept. for their support of the Euclid Petpals during this and some of the other events that are coming up later this summer and fall. Thank you.

Mrs. Ann Raukar – 272nd St. I want to thank the many people who have understood my problem with the past and present Administration. A special thank you to the Goodman's, but we do owe it to each other when evil threatens to come to each other's defense. I want to state here I was far more nasty in the past when I called the Oyaski Administration, the City Law Director, the City of Euclid Judge and its Magistrate and at that time former Council President Cervenik hoodlums at several Council meetings.

President ProTem Holzheimer Gail – Mrs. Raukar, if you'd excuse me for a moment, would you ask your question or make your comment please.

Mrs. Raukar – This also included, I'm telling, I'm explaining. I'm not calling anyone a hoodlum now, but I did in the past. At several Council meetings, this also included the roofer who started it all with the infamous downspout. I wanted these people to sue me because I could not get a lawyer; however, they did not want to sue me because of their ugly, their ugliness would be exposed. They have no respect for you or me, no respect for the citizens who put bread on their table, no respect for themselves, their Oath of Office or even God. For look at the mess they have made in the City of Euclid and Cuyahoga County and other church neighborhoods. They party together while they have put you and me in the hole for \$33 million.

I have cleaned up my remarks to where they should be accepted, especially under the tricky, unstable behavior of the Administration and some Council members. My well-built little brick house was sacrificed to be a cistern to my neighbor's aluminum clad, 2-car garage with at least one portable jack supporting the roof. My property is still being destroyed by someone on the backline, who is running his water problem to my neighbor in back and his low spot gathers the water and my yards sucks it up. I asked Erik

Tollerup to look into this, over 2-1/2 years ago. All he was interested in was giving me a bad time. I asked Ron Petkovic to look in this water problem and have them correct their water problem on their own property. My husband and I have always been quiet citizens and were good neighbors to the roofer when he was fixing up his grandmother's house next door to us. I can't understand why he did this evil thing to us and our property.

I lost my husband soon after, but it is the reason I come to the Council meetings to aid and abet the good citizens of our City and protect what belongs to us and not to some administrator who sold his loyalty to others who have been playing dirty games and are in trouble. So please don't fire me up with some stupid actions because I'll only be back. Thank you.

President Pro Tem Holzheimer Gail – Thank you, Mrs. Raukar.

Ms. Bobbi Perko – 26350 Farringdon Ave. And I've never spoke before so I'm really nervous. So anyways, on Wednesday, March 30th, I attended two consecutive meetings here at City Hall. The first was an Executive Committee meeting and the second a Business and Commercial Development meeting. Both meetings pertained to the future of the Shore Cultural Centre. I found both meetings to be informative and time well spent. It is important to thank the Shore Board, Recreation Director Kathy Will, and Councilman Patrick Delaney for their time and commitment. Thanks.

I was disappointed, though, to see members of Council leave the second meetings. This meeting was scheduled and chaired by Councilman Delaney to discuss information regarding Shore's future. I think we all make our best decisions when we are properly informed, especially big decisions like the future of Shore. As members of Council, I felt your presence was to be at the second meeting along side the other Council members who chose to stay and gather more information to make an educated decision.

And to the Council President, who is not here tonight, I would say these actions are not bringing people together in spite of his constant rhetoric. Thank you.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. Lower South Lake Shore Drive sounds a lot better, maybe my equipment will be delivered to the guy on Lake Shore Blvd. Anyway, member of the Shore Board speaking as a private citizen, is Shore Board voluntary citizens, they've been energized for the first time in years because I worked at Shore, I've worked along with these people before. They're energized now. They are on a positive goal to save Shore for Euclidians in the future, not just for right now and the future is what we have to face. We're going to have children using that building. Adults, adult education, you want a positive aspect in the City, that's Shore Cultural Centre. Thank you for your consideration. We're going to do due diligence plus a Saturday to be named later, we could use painters. Anyone that could be handy to paint we'll let you know. You can call the City, Kathy Will's office, I think, would help. If we can get that, would you please?

Also, donations, they are tax deductible to the Shore Corporation, Shore Cultural Corporation, we'd appreciate it. Thank you. Go Shore.

Mr. Harvey Mlachak – 23831 Lake Shore Blvd. My big and main concern has always been justice and individual rights. Therefore, I would like to finish my comments from the last Council meeting before I was so rudely gaveled down and told to leave the podium.

In reference to the four people that President Sustarsic gaveled down on a previous meeting, my question to him was if anyone knows what this is? This is President Sustarsic 4, Euclid citizens nothing, the ones that were all gaveled down.

President Sustarsic often refers to Robert's Rules. I don't know how much legal authority they have in a court of law in regards to our Council meetings. Mr. Frey, that's a question for you. However neither you Mr. Sustarsic, nor Mr. Roberts has the right to violate anyone's civil or constitutional rights. How do I know this, these numbers tell me. These numbers are from the 2004 World Almanac, 16,353,659 men serving in the Armed Forces; 292,131 deaths in combat; other fatalities 115,185; wounded but not mortal 671,846. This is a total of 1,079,162 casualties in addition to 182,000 war orphans from Tom Brokaw's book, The Greatest Generation Speaks.

I also have here, I also have here 35 pages of the decision of the United States Supreme Court that says you can burn our flag. You are protected under the First Amendment rights. Mr. President, neither you nor anyone else, try as you may, are going

to deny me or, of these rights. Sixteen million World War II veterans say so, one of which I am.

One last thing, in researching the City Charter, the only reference I could find to Robert's Rules, to which our Council President often refers to, says Robert's Rules of Order shall govern all motions made on the Council floor. Question #2, has the City Charter or Council endorsed formally or adopted Robert's Rules as a guidelines to conduct their meetings. If they have or have not, what bearing would they have legally on our meetings? Again, I address this to you, Mr. Frey. Thank you.

President Pro Tem Holzheimer Gail – Thank you, Mr. Mlachak. Director Frey, do you have any response?

Director Frey – I don't immediately find the reference in the copy that I have to Robert's Rules and will have to look at it. I was operating under the belief, and I am be incorrect so I need to find that out whether by ordinance this Council has adopted Robert's Rules for governing its meetings. So I will look at that and answer that question. I don't see it immediately in my review here.

President Pro Tem Holzheimer Gail – Thank you, Director Frey.

Mr. Mlachak – Thank you.

President Pro Tem Holzheimer Gail – Thank you, Mr. Mlachak.

Mrs. Ginger Lennon – 22450 Seabrooke Ave. The President of the Elvis Shake, Rattle and Roll Fan Club and I'm here to announce a show that we have at Shore Cultural Centre on August, I'm sorry, April 16th at 7:30 show time. The doors open at 7 o'clock. The Elvis Shake, Rattle and Roll Fan Club presents One Night with You benefit show featuring Walt Sanders and the Cadillac Band. He's an Elvis tribute artist. This show will benefit St. Jude Children's Research Hospital, the Polycystic Kidney Disease Foundation and Shore Corporation for theater renovations. This show will be a live Vegas-style show tribute to the King of Rock and Roll. This is as close as it gets. If you want to see a great show, come on out on April 16th. This is going to be at Shore Cultural Centre auditorium. Up Stage Players will have concessions at the show and the tickets, for tickets call 216-310-2149 and Shore at 216-289-8107. You can also visit the website, www.onenightwithyou.net.

Also, I would like to say thank you for everyone that attended the Gospel Sing at the Euclid Public Library. It was very successful. We had a great time and it was very meaningful. We had a lot of beautiful Gospel songs sung by Walt Sanders, the Elvis tribute artist.

And I'd also like to thank sponsors for our program book. Mayor Cervenik, Euclid Meat and Sausage, World PD, Thin and Healthy, Lennon Moving Company, Almario's Suburban and Floral, Bronko's Beverage, Carlson Travel, WELW 1330 for their wonderful live radio interview and I'd also like to mention Jeff Piorkowski for his great article in the Sun Journal and Mary Jo Minarik for the Euclid Observer.

And last I would like to thank very much for Up Stage Players, the wonderful play that they had, Grease, Jr. We went there, alumni were there and they really do a wonderful job. They will also be doing our concessions at the show for One Night with You. Thank you and come out and have a great evening.

Mrs. Bernadette Walsh – 651 E. 266th. Ginger Lennon has really brought a tear to my eye. I've known Ginger Lennon for a long time and when she called me that she was doing this, I did not know that she was going to be so thorough, so wonderful and so good. I do hope you support her show. Once more it will prove that a cultural center is necessary.

In the past few days, we've anguished through the lost of Pope John Paul and one of the documentaries featured something that happened to him when he was in the Nazi reign. And they forbid theater. They forbid theater; they forbid education and they forbid religion. But a bunch of strong Polacks got together and they would go from apartment to apartment and without scenery and without furniture they would stand and recite line in defiance of the government because they knew culture and theater. And things like Chopin were, were banned in this time. But John Paul survived this and

through prayer and dedication he went on and he decided to be a priest rather than a theatrical person. But he did a lot for the world and watching these documentaries, it made me realize it's one thing to watch this Council meeting at home with fading out mikes and fading out video and blaming it on burglar alarms or heat alarms or cold weather or whatever. It's not the Honeywell alarm, but I'm, I'm not sure exactly what it is; but it's not the Honeywell alarm because I was married to a Honeywell man for 30 years and if his alarms broke down like that, he wouldn't have kept the job for 30 years.

Articles that are lost in newspapers. I think the things that John Paul went through in Nazi Europe is what's happening in the City of Euclid. I'm concerned over your concern of garage sale signs. If you want to deal with something, get out there and deal with the garbage. Right now in Ward 3 on the way here is 3 piles of garbage and it's not supposed to be picked up until Thursday morning. This is constant. If, if the garage sale signs are a nuisance, to me, the garbage sitting out there over Easter Sunday in Ward 3 is a bigger nuisance. There's two chairs on Lake Shore Boulevard.

You know what else I hate? I hate that bevy of newspaper stands by the bus stop out there on our Lake Shore Boulevard, which is supposed to be the downtown. You condemn the old lady, Shore Cultural Centre, but that is the beauty and the center of your City. Why can't your eyes widen and see that?

That ATM thing, that ugly thing that sticks out of the ground at Shore, Shore Shopping Center; the lack of flowers; the lack of beautification; go to that owner and twist that owner's arm because that's where the ugliness is not a little garage sale sign.

And finally, maybe I'm not a lawyer and maybe I don't work for the Law Department of Euclid but let me see, you fight to close a street because your relative owns Panini's. And now you're saying a City employee can have vested interest in a City building and you say that's not illegal. It may not be illegal, but rest it at your feel, I'm not the lawyer, it's immoral. Thank you.

Council President Pro Tem Holzheimer Gail – Before we continue, Mr. Petkovic, would you like to address garbage being put out at the wrong times and what we should do as Council persons or residents to take care of that?

Manger Petkovic – Actually, this is a police ordinance. When garbage is put out early, 2 or 3 or 4 days, call the Police Department. Dispatch will send someone out to ticket that homeowner. That's the proper way of doing it, but you must call when you see this happening. If you see carpeting with a lot of people are rehabbing homes, if you see carpeting thrown on the tree lawns and it's just disheveled and thrown there, it has to be cut up in pieces. Give the Housing Department a call, 289-8192, that's my direct line and we'll take care of it. As far as the garbage goes, immediately call the Police Department and I don't think they have any problem going out and knocking on a door. If there's no answer, they will place a ticket on it.

Council President Pro Tem Holzheimer Gail – Thank you.

Manager Petkovic – You're welcome.

Mr. Kent Smith – 34 Charleston Square. The community that I call home is Euclid. I am on the Euclid School Board, which means that the public does not have to face my poor baking skills and I think that's an advantage, again, for the entire community.

One of the other benefits to me being on the School Board or one of the things that I take particular joy in is the ability to some times bring programming to the community that benefits the schools and also benefits the community. And I come tonight, I stand before you with an invitation to the entire community of one of those events.

If you had to take a picture of community, what photo would you take? There are 23 words in the Eskimo language for snow. There are 8 words in the Chinese language for rain. How many different views of community could there possibly inside Euclid? On Sunday, April 10th, 2005 Euclid Public Library will host the opening reception for the Face, Place and Hope for Community Photo Project group show. That photo exhibit will feature 10 Euclid High School students and staff and their attempts to capture the meaning of community through a camera lens.

On February 25th, 2005 we sent 10 disposal cameras into the hands of 10 students and staff at Euclid High School. Over the next 2 weeks they combined to take over 270 photos to illustrate their view of community. The photographers are Bekah Christopher,

Tina Elliott, Meg Garbincus, Caprice Henderson, Greg James, Andrew Jurcak, Ed Klein, Matt Kushan, Orlando Merideth and Robert Nero. Euclid Public Library, obviously, sits between this building, which is open to the community as a political forum, and Euclid High School, which is a public high school open to the entire community.

I should note that no tax dollars were spent during this show. This is all funded privately. I invite the community of Euclid to Euclid Public Library to see how the students and staff conceptualize community. Euclid High School is an arena of activity and in an effort to expand how the community sees the school, I would invite the community to come and see how the school sees community. Euclid High School is not removed from community; it is immersed in it. Let this invitation be an enticement to see. For the danger is not that we might fail to become what we are meant to be, but that we might only be what we can see ourselves to be.

So come to the Library April 10th and look at the photos. Talk to the students. Expand your views and embrace your community. The exhibit will be Sunday, April 10th, from 2-4:30 in the afternoon. It is free as is public education here in Ohio and is, in Euclid and as, as is the Library as well. Art may not be necessary but it is merely indispensable. The same can be said for community.

Mr. Eric Heinemeyer – 21751 Priday Ave. I have had a chance to look at the website. I did find it rather nice. I did run across a couple of issues and I will forward those at a later time. But in my, in my going through the website I got to read the Mayor's State of the Union Address. And in the address he talked about dividing up any budget savings into a couple of different areas. One, I believe, was an Endowment Fund that was to be used for economic improvements. Is that correct, Mayor?

Mayor Cervenik – Yes.

Mr. Heinemeyer – Since economic improvements are, are very important to the City, and I'm assuming this 10% going to the Endowments is just your interpretation of what should go there, that a Mayor in the future may just automatically or just drop funding for that. Should we have a Charter amendment to create a funding for economic development? I think that would be, it would take longer to get funding but I think it would be more appropriate for the long term of Euclid.

One other thing that I was wondering about last election it was suggested that City Council put forth a proposal to eliminate their health benefits. And I know you're coming to, getting close to summer and the nomination petitions, will we be getting anything along those lines proposed? I know, Ms. Hufnagle was someone bringing that issue up in the last election. And that's basically all I have.

President Pro Tem Holzheimer Gail – Thank you. Mayor, did you have any comments?

Mayor Cervenik – Yes. Only that I don't know that a Charter amendment would be appropriate. What we're doing is managing our money as it is available today. And as we went through the bond hearing with Moody's, it became very clear that we have to regain our structural balance and our fund balances to various funds. At the same time we don't want to do that in such a way that we're crippled from acting on economic development. And it's really not economic improvements, it's economic development where we may need to have a grant to give a company some moving expenses or something to come in. And that's what that 10% would be used for.

Situations change from year to year as to what fund balances are available and that's why we put together this program. That's where we're going to allocate the funds, where we suggest to allocate the funds. Four, five years from now, for instance, if things continue to go well, my allocation to Self Insurance Fund may no longer be necessary. We may have a million and a half dollar balance in there in the year 2009 and, therefore, we wouldn't want to be tied in to continuing to put money into the Self Insurance Fund when it can be used for something else. So it's, it's about management. That's why we've stressed 3, 4, 5 year budgets and planning so that we can look ahead to find that. So I don't know that I would support a budget amendment, but I always support good, sound financial management.

President Pro Tem Holzheimer Gail – Thank you. We are at the 2-hour time limit at the tape right now so we need to take a short recess to change the tape and we will continue in a few minutes. Thank you. We'll continue with public comment.

Mr. Vince Riha – 1515 E. 195th St. Last Council meeting I had a couple of questions about some city-owned property that's bordered by Brush Avenue and Richmond Road. And I wanted to thank Councilman Gruber for answering at least one of the questions of why they felt it wouldn't be sold. One was that it was greenspace. Well, we have a park there soon to become bigger with the Hillandale project so greenspace is not a real issue, I don't think. And you also cited an endangered plant called the rose trillium. Now, that's an interesting plant because it has several different names. It's called a whippoorwill flower. It's also called the little Betsy; but my favorite because of the scent, it's called a stinking Benjamin. And according to ODNR, the rose trillium comes no closer to Ohio than the very southern part of Kentucky. So if we have that up there, it certainly is a rarity; but I think it should be confirmed and if not, I think the property should be sold. We should take advantage of the Hillandale project and get the most for our buck out of that thing and market it.

Also the questions that I had how did we acquire it and at what cost to the City, so it should be sold as far as I'm concerned certainly marketed because today no matter what the terrain, somebody will figure out a way to build something on it.

I also have another economic question. I've observed for the last week the City has been washing sidewalks. Now, that doesn't seem a prudent use of funds when they could be cold patching or possibly cleaning up catch basins to avoid the April shower flooding. So I just wondered what the rationale behind that was. Thank you.

President Pro Tem Holzheimer Gail – Thank you. Director Gulich?

Director Gulich – Yeah, direct answer to that question, we have historically toward the second and third shift season cleaned off sidewalks in some of our commercial areas. It's been very well received by the local merchants and I've been pretty lambasted for doing cold patching at night in residential areas. We have woken up residents and I've been asked by the Mayor to not do cold patching residential areas. So when it's not snowing and we're towards the end of the winter season, we have been, for a number of years, doing this process. And as I said, it has been well received by the, by the commercial areas.

After a whole season of putting down tons and tons of salt obviously, there's plenty of impurity in that salt. They get up on the sidewalks. Our cold patch material that we put down ends up on the sidewalks. We put it up there we feel it's only fair we take it away.

President Pro Tem Holzheimer Gail – Thank you, Director Gulich.

Mr. Tom Cooke – 25641 Edgecliff. Several Council meetings ago I had stated that since the March 24th, 1997 the Ohio Supreme Court had issued an opinion and restated that opinion three times that the current method of funding public education is unconstitutional.

I would like to discuss what I don't like about the current method of public school funding. First of all, I don't like the fact that when the sources of revenue for state and local communities falls short because of an economic slowdown the first thing the government does locally and state is increase taxes as if somehow the average person is not affected by the economic slowdown, i.e. raising the state sales tax by an additional 1% and \$5 access fees to parks. What else is next?

In addition the state's solution to the problem is to pass down economic programs that they can't fund to the local school board. They basically dump the state's problem on to the local communities. In the Euclid Board of Education's case their solution is to put a ballot or put a levy on the ballot and, again, tax the average person, who obviously can afford another additional tax increase, right?

What I don't like coming out of the School Board is not only are we going to put a levy on the ballot this May if it fails, then they're going to put another ballot on in November. Like a soiled child who continues to badger their parents until they get what they want, the Euclid School Board will continue to place levies on the ballot until the

taxpayer is weary of getting beat on. I ask the School Board this question. In the event that the levy does fail, what is it about no that you do not understand?

Furthermore, Treasurer Steven Vasek has stated in the March 31st edition of the Euclid Sun Journal and I quote if we don't start collecting additional dollars in 2006, the gloves come off in a way unquote. Wait a minute. Are you implying that you are going to fight me for my money as if in some way you are entitled to it? That is exactly what is being implied. Do you see the mindset that is here? Some how it is not our money, it is the School Board's money and they're going to fight the taxpayer for it. And if they don't get it, the School Board will continue to bludgeon the taxpayer into submission by putting the levy on the ballot every few months until it passes. I ask you this, is this right? I don't think so.

In the March 31st Euclid Journal, we are being told of all the cuts that are going to be made even if the levy passes. Then if the levy doesn't pass, the School Board is really going to tell us the Draconian cuts that will have to be made to balance the budget. Why can't you tell us that now? The School Board tells us of how deprived our children will be if this levy doesn't pass and that failure of the levy will mean Armageddon is just around the corner. Notice one thing, however, never once does the School Board mention cutting its own salaries, administrative salaries, teaching or other salaries.

School is supposed to be a place where young minds are prepared for real life situations, where education prepares one to meet the challenges of real life scenarios. What better way to teach a child that money is not always available for everything that one may desire and one may just have to work harder and work with less to accomplish the same goals. This is what life really is. Life is dealing with what you have and what you are given not what you can take from someone else. I'm sure that most of the adults can relate to what I have just said.

Just one comment regarding the way freedom is bantered around here as if it falls from the sky, freely. Freedom without order is anarchy. Thank you.

Ms. Janet Santorelli – 560 Hemlock Dr. What is the essence of privilege? What is the essence of responsibility? Where does privilege end and responsibility begin? Can one exist without the other?

The last Council meeting gave us a very emphatic lesson concerning privilege and responsibility. We were told that addressing issues concerning the business of the Administration and Council was a privilege and along with a privilege comes responsibility. This is one person's opinion; and although I respect his right to this particular opinion, I must disagree with this posture.

Speaking out against past and present Administrations concerning a \$5 million expenditure of taxpayers' money to upgrade the City and all attempts failed. Speaking out against the overturn of the will of the people. Speaking out against injustice. Speaking out against deception. Speaking out against duplicity. Speaking out against politics and policies of any administration be it Washington, D.C. or Euclid, Ohio is not a privilege given to an elected few.

Our so-called privilege has been gagged, called out of order and expelled from Council Chambers. We have a responsibility to respect the Office of the Mayor, the Council President, the Council. Our respect does not necessarily include the person or persons representing these positions. Speaking out has been called a privilege not so. It is a right.

Humanity for centuries fought tyranny and oppression with words and deeds. Many lost their lives in the cause of freedom. I doubt they felt this was a privilege rather it was their duty and obligation to safeguard and further the innate freedom of mankind; therefore, it is now our duty and obligation to protect our rights and liberties. Thank you.

Mr. Joe Udovic – 21371 Naumann. On a lighter note, in this month's copy of the Euclid Observer three students have been identified for standing out in the Euclid Public Schools system. Now one of them happens to be my little nephew, Robert Insana. We also have a Brianna Hollis and a Raven Bailey. So I'm hoping maybe the Council people, Ward 3 and Ward 4, will have something nice to say about these students because they, obviously, go to Euclid Central and they go to Forest Park. And like I said, the Euclid Observer did a beautiful article on all three students who won an award for their essays with the Euclid Public Library system.

Mr. Mayor, you had a nice little turnout last week at the Euclid Senior Center. My questions have not yet been answered. So maybe if you've got a couple of minutes this evening, you'd like to address them at your convenience. Thank you.

I do have a couple of other questions to ask this evening as well. I was wondering who's this mysterious lady that keeps following you and keeps attending some times the City Council meetings? According to Euclid Observer, it is a Marcia McGhee of Burges and Burges. I was wondering, who is paying for her services and funding the money for what she's doing? Why is she employed and why she is promoting you, Mr. Mayor? What does she have to gain if she's successful in helping you out in any way? I did not, I notice she's attended some of the Council meetings, but I did not see her last week at the Senior Center. Is she someone that comes with you all around and takes notes on what you're doing and advises you on your pluses and minus? Thank you very much. Have a good evening.

Mrs. Penny Riha – 1515 E. 195th St. In the interest of fairness, in December and March we attended Euclid Civic Orchestra concerts at Shore. And I want to tell you they were outstanding. It was really sad to see that there weren't more children brought there and when we go to the parade, we see group after group that lives and works in the City.

And one question I have just exactly how many baseball diamonds do we have in the City and how much does it cost to surface those? We hear every, about every cent that goes into Shore and we have one cultural center but we don't hear what it costs to do all those baseball diamonds and swimming pool. Why doesn't those costs come out at the same time so we can compare? And why can't we have a little better balance because we have a really nice dancing school in Euclid. We have arts programs. We have wonderful, wonderful people in this City and the people really deserve a chance to be allowed to participate in this community.

Look what they did with the Henn Mansion. And we stood here and listened to them argue about that building should be torn down and it was neglected. It got the condition it got because the City didn't take care of it. Wow, look what the citizens did for it. It's just a beautiful place. You know, I had a party there and I brought people from all over the state and they just fell in love and said wow, we didn't even know Euclid had anything this nice. So now, I wonder what, let's just look at fairness here. All kids don't want to play baseball or basketball. And there's, you know, a marching band at the High School. There's orchestras. There's all kinds of arts things and we really need to present a balanced face and that's what I'm looking for. Thank you.

President Pro Tem Holzheimer Gail – Any other comments? We will now go to Councilmen's comments and I believe Councilwoman Hufnagle is first.

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

COUNCILMEN'S COMMENTS

Councilwoman Hufnagle – First, I wanted to address the gentleman's question about the Council health care. I believe that that gentleman called me on Friday night and I apologize but the machine cut you off before your number was complete so I did not call you back. But there is legislation in a committee on that. So it is an issue that we will be addressing.

Other than that, I want to say congratulations to the residents on East 250th Street. They formed a neighborhood association, had their first meeting last week. Neighborhood associations are an important part of this City and as most of you remember that's how I got my start.

And other than that, I'd like to say Happy Birthday to my nephews, Frank and Ryan, and they attend Shore. And that's all I have good night.

Councilman Gruber – They attend Shore?

Councilwoman Hufnagle – Oh, I'm sorry. Central.

Mayor Cervenik – Councilwoman, if you could make sure that new homeowner association, I have the name and address of the person so that we can send them an application for the grant. They went out last week.

Councilwoman Hufnagle – Okay, thank you.

Councilman Langman – Law Director Frey, will the agreement that we discussed with the LLC has that changed at all since it was first brought to Council's attention?

Director Frey – The agreement has changed only to the extent of the name in it, but other than that there's no other change that I'm aware of. I'm assuming you're speaking about the Shore piece.

Councilman Langman – That is correct.

Director Frey – No, that's the only change I'm aware of.

Councilman Langman – Okay and I believe I sent you an e-mail last week regarding the LLC and some of the drafting of the contract. I have some issues with that. Can you tell me when you will respond to that please?

Director Frey – Sure, well, I don't have an invoice yet for the work done by Virginia Benjamin from Calfee Halter. She told me that it was about 3 hours but had not yet invoiced that. As soon as I have a definite number, I certainly would be glad to share that with you.

Councilman Langman – And one final question for you tonight. Given that Shore is obviously a public building, do we not have to solicit more than one bid with an intent to sell?

Director Frey – We, there was a request for various proposals and this is the only development proposal that came through. I believe there was a request, I don't remember the name of the firm, Sandvick, I believe, was an architectural firm who had expressed some interest, to the best of my knowledge, has never made a proposal on it. So there was public knowledge of the interest in redevelopment of that building. As far as I'm aware, we've only received one response to that.

Councilman Langman – Do you recall whether, in fact, that was publicly advertised through a newspaper or

Director Frey – I don't, personally, I don't recall what method of communication was undertaken with that. I know that this Sandvick had indicated an interest. There may be other parties. I don't know. I'm not aware of whom they may be. But I do recall the Sandvick name, but no proposal was forthcoming.

Councilman Langman – Can you double check on that for me?

Director Frey – Sure.

Councilman Langman – Thank you. Director Will, I'm not sure, is it your department that's been charged with monitoring the construction of the new Golf Course clubhouse?

Director Will – Everybody's been involved. The day-to-day operations of the contract right now are being overseen mainly by the Public Service Department.

Councilman Langman – Okay, well then, I'll go down the line and I'll ask Director Gulich. Can you get me some budgetary numbers, how we're doing as far as budget-wise? If there's been any change orders regarding that building just to make sure that we're staying on budget as was proposed.

Director Gulich – My biggest concern as well, I'll be glad to share our numbers with you. The only thing I can tell you there's probably going to be additional changes. Of course, we've had to make some minor modifications, none major in nature; but be glad to share that, might be of all those numbers to all of Council.

Councilman Langman – Okay, within the next week, month? Next week?

Director Gulich – Yes.

Councilman Langman – Okay, good, good. And finally one last question for you, Director Gulich, the traffic signal control box at 238th and Lake Shore, how are we coming with getting that, getting those parts and getting that fixed?

Director Gulich – Councilman Langman, I got an update this morning. That piece of equipment we need is to be shipped on the 15th of April. Obviously, we expect to have it shortly and it is a priority as soon as it's in our hands, it'll be installed and that intersection will be up and running. Fortunately, last week we kind of bought a reprieve week with the, with the holiday. But again, the 15th it'll be shipped and we'll have it up pronto.

Councilman Langman – Very good, thank you.

Councilwoman Mancuso – First, I'd like to comment on Mr. Cooke's comments and I hope everybody took them to heart about some of the funding issues with the school levy and the School Board. But I would also hope that people go to the direct sources, which are the School Board and those who represent the school levy to get some answers to their questions because I think the answers are out there. They may not be easy but they're out there and they're pertinent and they're real. And the children still need to go to school and we still need to serve them as best we can.

On a second topic, I'm going to talk a little bit about perception. We had two committee meetings a week ago on Wednesday. One was an Executive Committee and one was a Building Design or Business Design that was chaired by Mr. Delaney. All of us, except for Mr. Daly, I think, were present for the first meeting. When the, when the second meeting began, members of the Shore Board and people who are interested in Shore stayed because they wanted us to hear and see and interact with them about the information that was going to be shared in that committee meeting. When that meeting began, the members, all but two, left. Now, there may have been very important reasons why those people left. None were shared with the chairman and, therefore, a formal committee meeting could not be held. Now not all of us can be here all the time, and I understand that; but the perception that was given to the people who were here was that of disinterest. They saw it; they spoke it; they let us all know it. I'm sure my colleagues do not feel that way; therefore, I would say if we have a committee meeting, we need to be here. If not, let the chairman know why so we do have a quorum and we can move on with business. And with that I will say good night.

Councilman Sustarsic – Thank you very much. I'd just like to talk about some good things. A little treasure in our community, which is our own Euclid Hospital, really become a regional leader in Orthopedics and Rehabilitation. And the exciting thing, too, they are expanding their and renovating their Emergency Department. They treated some 27,000 patients last year alone and now they're going to be doubling the size to accommodate. It's good to see this local treasure grow and succeed and I'm real happy for them and proud to have them a part of our community after all these years.

And I guess I'd just like to express my sentiment at the passing of the Pope. This remarkable man having a true humanitarian and he really left his mark in the world. He'll be missed by all.

President Pro Tem Holzheimer Gail – I attended a couple of meetings outside of Euclid last week, but I think have some certainly relevance to the work that we're doing. One was the Town Forum at the Cleveland State Urban Studies School on jobs and our local economy. And it was a panelist of business people. The Mayor from Cleveland and several people to talk about jobs. And one of the things that came out loud and clear was the importance of education and the impact that has on jobs and the jobs of the future.

Mr. Cooke's comments earlier, and I want to echo Councilwoman Mancuso's comments, our local public school system is something that we cannot take for granted. We all need to come together to work hard to support our local schools. Our schools are doing a wonderful job and yes, it's very unfortunate that the state has not provided us with a better answer for state funding. But the reality of it right now is that the local, we

have the ability to impact how, what type of school system we want. I, personally, do not want a bare-bone school system that just provides the basics. I want my children, who, yes, they are in the public schools, to have every opportunity available to them. And I'm willing to help pay for that. I wish that the state would kick in and pay a little more, but the bottom line is that we all benefit from a strong Euclid Public School system. Every single one of us whether we have children in the school or we don't. If we have a business here, if we hope to employ the future generation of Euclid citizens, we all need to do our part. You need to vote your conscience and you need to vote what you can do, but I'm asking that this community join me in supporting the Euclid Schools in doing what you can to help improve the schools. There's a lot of opportunities available to you to work with the schools. Take the opportunity to visit the schools and see some of the wonderful things that are going on there.

The bottom line is we need to investigate in our community. We need to do that by improving the Euclid Schools. The other, the other meeting was a First Suburbs Consortium meeting and it was on nuisance properties, foreclosed properties and what are some of the activities you can do about that. Jim Sonnhalter from the Community Development Department was there as well and we heard from many other cities and experts some ideas about how to go after some of the nuisance properties and, believe me, that's probably the #1 call that I get as a ward councilperson is some of the nuisances that are out there. Whether it be garbage cans that are kept right by the front door, whether it be garage sales that are spread all out the front lawn, whether it be the house that sits empty on a street. So I'm hoping that, thank you, sorry about that buzz. I'm hoping to work with the Community Development and the Law Department and we will be working on not only the garage sale ordinance and I understand for that for the 95% of the population that probably is doing everything that they should be to make their properties look nice and following the rules that we have. Unfortunately, we have those that are not and that impacts all of our property values and impacts our image as a community. So while I appreciate comments from people who think that we should not be over legislating, I believe that is my role to help make our community safe and strong and a place that we can all be proud to live in. So I'm not trying to go after the person who is doing what we're doing, but we need to have tools in place to help us, help us deal with some of the problems that we're beginning to encounter. So I look forward over the next month or two to, hopefully, have not only the garage sale ordinance heard but, hopefully, some other ordinances we can look to, to provide us tools with, dealing with some of the nuisance properties that are around our City.

Councilman Daly – First, it's good to be back from Florida last week. Looks like I brought some of the weather back looking at the 5 day forecast. First, I'd like to thank Councilman Gruber for handling my phone calls while I was away.

I'd also encourage people if they have the time to go to the Community Bingo on April 13th. I have participated in that before and it was a very good time. That's April 13th at the C. E. Orr Ice Arena.

I will be calling a Recreation Committee meeting to not only discuss the legislation that we put in on the advertising. I will also be addressing the e-mail that all of Council received at the beginning of March regarding some items that the Administration would like to address at Memorial Park. So we'll have. I will be inviting the Recreation Commission members to that meeting.

The Recreation Commission mainly deals with programming fees. So I don't know if this advertising proposal would fit in to their not jurisdiction but their function. Well, fees charged to residents, but if they want to have a meeting, we'll certainly do that and then have our committee afterwards.

A resident brought up the flag burning. That flag burning is constitutional and it is free speech and that is correct. But you would not be able to legally burn the flag inside this room so there are limits to, you know, free speech. In as far as this room, these meetings, these are business meetings and I think what the ordinance calls for is that people show the respect and decorum for what is going on.

Lastly, I would like to bring a little attention to a resolution that Council passed tonight. Resolution (317-05), it is a resolution of remembrance of the 60th Anniversary of the end of World War II in Europe and with it the liberation of the Nazi concentration camps and the annual observance of Days of Remembrance of the Victims of the Holocaust. Early in my career as an insurance agent, I had the honor and the pleasure ensuring three survivors and just out of college to run into this little lady from South

Euclid that had the, had the numbers tattooed into her forearm and for the first time to see that and for her and her friends that I ended up calling, having as clients. To have them tell me about and relive what that was like and I believe one of them also escaped East Berlin after the wall went up. And I say this because I've read and I think it's come up here tonight where people are starting to compare what has gone on here in the last few months, in this room, with what has, what occurred there. And I for one am insulted by. And if she, the three are no longer with us. We lost the last one about a year and a half ago. And I'm sure if she was alive she would be here tonight expressing this same opinion.

I think when we make statements and we compare things I think we need to first step back and take a look at the magnitude of what we're comparing Council meetings to and with that have a good evening.

Councilman Delaney – Thank members of the public and my colleague, Councilwoman Mancuso, for commenting on the committee meeting that was held last Wednesday. We have committees made up of 5 members. Councilman Daly had made it know that he would be out of town. The Ward 3 Councilwoman and the Council President both as well as the Ward 1 Councilwoman all sit on this committee. The purpose of the committee was to demonstrate as well as possible the condition of the Shore Cultural Centre without actually being there.

The condition, I feel, has been overstated in the past. I think that we're dealing with an unnecessary controversy, but I only do in facts and what the Rec. Director had done. She had taken a day out of her schedule and she had taken about 45 slides in the building of her own, of her own decision on what she wanted people to see.

I also found a study that you the citizens paid for in the year 2000. Much is made about politicians, about studies and what we pay for them and they wind up being shelved, well, I felt it incumbent on me to take it back off the shelf and to partner it with that slide show. There was no legislation, but having felt that this was a component to the issue felt it was important enough. The meeting was scheduled well in advance. I decided to reschedule it to partner it with another committee meeting. The reason for doing that is we don't have to have two separate days of bringing the Directors in, bringing in the videographer, bringing the Clerk of Council, turning on the lights. It's, it's always been a, a thought of mine to think of everything else that goes on around these meetings. We needed three for a quorum and most of the Council members left. Those not on Council, those on the and we did not have enough for a quorum. It was not an official meeting. Yet, the meeting would take place anyway and it will be broadcast on cable access.

I don't feel that it's insulting to me, but I feel we all have a duty here and when you walked out those doors at 9 o'clock at night on a Wednesday, you walked out on your duties. It has been frustrating to watch this last 15 months go by and I have thought that at some point we might see a light at the end of the tunnel. And people are coming up to the podium with different analogies, emotional analogies. But instead of being insulted I'm seeing everybody reach out from both sides. But what the facts are is that we've had a very dire political process.

We have shown to the public that some members have been unable to do their job to represent the people. And by walking out of this building, you showed that you're unwilling to do this job. And quite frankly, I don't know if I'm going to be able to sit here and listen to sensational remarks about city buildings to hear about oh, another study and to, about the research when you're not willing to sit through it. So whatever motivates you to bring you back through these doors, you should give it more thought and be prepared to do the work when it's on the table. Thank you.

Councilman Gruber – First of all, I'd like to remind everybody that the weather is getting nicer and some of our older neighbors might need a little help and some of our newer neighbors might need some help so get out there and help your neighbors.

We have Earth Day coming up and instead of getting in your car and driving to the Metroparks kind of stay close to home. Pick up some trash, your neighbor maybe plant some flowers. If someone out there knows of someone that needs some help an elderly resident, please call one of us. We can usually steer you to the right programs to get you the help you need so keep that in mind.

Also the rose trillium, I'd like to give a moment to my colleague to explain what he knows about this flower if he'd like to take a minute and explain the history that you have behind that quickly.

Councilman Delaney – I've been through the property several times. There has been members of the Natural History that have expressed interest in partnering with us. They have found endangered indigenous plants in our area. One of the most interesting things about this untouched piece of land is that it's actually a pre-historic shoreline of Lake Erie. There's much to do and much to take into consideration of this. It's not comparable to a park. In a park we have lawn mowers and fertilizers and different plantings. This is an untouched resource that we have here in Euclid that is literally hundreds of thousands of years just out of the water and I think it needs a lot more in depth exploration. And if we do have an institution like the Museum of Natural History that's prepared to partner with us, I think that we have to give that some serious thought as well.

Councilman Gruber – Thank you and I'd be willing to work with you on that, Councilman. We don't agree on much, but we agree on that.

Also, in closing I'd like to make a few comments about the Shore Committee meeting. I'm not on the committee. I did open my schedule for the first meeting. It was hastily changed to that night. Did have another commitment and to hear folks beat us up about not coming to a committee meeting that is really recycled. We've seen most of the pictures of Shore. We've heard most of the, most of the stories good and bad; but when a Council member misses 2/3 of the Finance Committee meetings that is really saying that they're not doing their job. That is something. The Finance Committee members, we're on that committee. We're all suppose to be here. That affects every one of the citizens. So I appreciate the time. Thank you.

ADJOURNMENT

Councilman Sustarsic moved for adjournment; seconded by Councilwoman Hufnagle.

Yeas: Unanimous.

Attest:

Clerk of Council

President Pro Tem of Council