

COUNCIL MINUTES
October 17, 2005

The regular Council Meeting was held on Monday, October 17, 2005 at 7 PM in the Euclid City Hall Council Chamber. President Sustarsic presided.

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

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

Invocation was give by Bishop Owens of Living Waters Church of God.

Communications

Council has received the following communications:

A new C1, C2 liquor permit to Shrinidhi LLC, DBA Sunoco, 20710 S. Lakeland Blvd.

Councilwoman Hufnagle – I met with Director Pietravoia on this, this afternoon, and it is my understanding that this liquor permit needs to be referred to Planning & Zoning. I'd like Director Pietravoia to comment on it please.

Director Pietravoia – Whenever there is a request in a gasoline station or business similar to that located in a U-4, U-5 district our Code in Chapter 1391 requires that they obtain a variance to sell any type of wine or beer on the premise for either consumption on or off the premise. The process is that it goes to Planning & Zoning first, then it is confirmed for approval by City Council afterwards. We should defer the vote on this tonight and have it referred to Planning & Zoning.

Councilwoman Hufnagle moved the request for A new C1, C2 liquor permit to Shrinidhi LLC, DBA Sunoco, 20710 S. Lakeland Blvd. to the Planning & Zoning Commission. Councilman T. Sustarsic seconded. Roll Call: Yeas: Unanimous. To P&Z.

Council has received:

A report from Director Gulich on the City Auction.
An Amended Planning & Zoning Agenda

Council Minutes

Councilman Gruber moved to accept the Council Minutes of October 3, 2005. Councilman Daly seconded. Yeas: Unanimous.

Administration Reports & Communications

Director Will – I would just like to take this opportunity to inform the residents that we have extended our Panther Hoop Basketball Registration for one more day. We will be accepting registrations tomorrow in our office from 3:00-7:00. After tomorrow, if there are openings, there will be an additional fee of \$5, again if there are openings. We have a few openings left. That is our Panther Basketball.

We'll also be taking registration for our Learn to Swim at the High School, tomorrow from 3:00-7:00. Classes will begin on Tuesday, October 25th.

Learn to Skate registration at the C. E. Orr Ice Arena, Session 2, will be held, Tuesday, November 1st or Thursday, November 3rd. Registration is at the Ice Arena from 7:00-8:00 PM. Lessons will start Tuesday, November 8th.

We'll also be having a Halloween Public Skate at the Ice Arena on Thursday, October 27th from 7:30 PM to 9:00 PM. Admission is free if you come in a costume. It is \$2 for skate rental. Thursday, October 27th, 7:30-9:00 at the C.E. Orr Ice Arena.

This Sunday, October 23rd, the Euclid Civic Orchestra will be conducting their Fall Concert at Shore, at 3:00. Tickets will be available at the door.

On Saturday, October 29th, Shore Corporation along with UpStage Players will be doing a Haunted Hallway for children ages 3-12. Admission is \$5 per child and the parents are free with a paid child. There will be arts and crafts and games for all the kids. Saturday, October 29th at 6:00 PM.

On Sunday, November 20th at 3:00 PM, the Cleveland Women's Orchestra will be performing at Shore Cultural Centre. They are also looking for crafters for their craft fair December 3rd. It is \$20 per table. If you are interested, 289-8107.

Finally, we'll be holding our first Halloween Golf, Sunday, October 30th at Briardale Greens, beginning at 3:00. Costumes are required and it will be a 9 hole scramble. To register for Halloween Golf, call 289-8574, Sunday, October 30th. Thanks and hope to see you.

Director Gulich – Even though the leaves have not been exactly cooperating, we have started our fall leaf pick-up. I'd just like to remind residents very important to just rake your leaves to the curb, we'll take them from there. Leave them at the curb, we will rake them out into the street just when the machines come by. Please, just put your leaves out there, don't include any yard waste. It really slows the procedure down when people start adding things in there besides leaves. Your cooperation will certainly help to go a long way.

Two other quick things. Up in Ward 4, Indian Hills area, we have a number of streets under construction right now with cleaning and relining. Pipes are being set up above ground. Everybody that is on those streets did get a letter explaining the process. People not on those streets might not be aware that those pipes need to be continuously flushed. That water needs to be flushed then tested, analyzed by the Cleveland Water Dept. before we can hook up any houses to it. They will probably need to be flushed during the process to ensure the quality of the water. So if you do see water splashing out and running around the corner at the catch basin, it is supposed to be happening, it is all part of the project.

Thirdly, as you heard earlier, I sent out a letter regarding our Public Auction which we had on Saturday October 1st, for the purpose of selling equipment and vehicles no longer needed by the city. Council passed an ordinance authorizing us to do so. We auctioned off 43 out of 45 items and brought in a total of \$15,997.00. Thank you.

Director Johnson – I passed out to City Council just a few minutes ago an updated copy of our income tax collections as of the end of September, along with a summary of General Fund activity to the end of September. Councilman Langman I know that you did request a more summarized version of the report. Unfortunately I couldn't generate that report for you. I am working on that. I will get that to you, but, this report will give you a snapshot of the General Fund as of September 30th, which I think we will meet all of our projections as we had talked about several weeks ago.

I'm very pleased to share with you the income tax information. Our income tax collections are up 4.6% over our projections and actually 9.7% over where we were at this point last year. I still am very optimistic that we will meet our projections.

Director Pietravoia – I just wanted to bring Council and members of the public up to date on two important initiatives that we have underway this fall. One is the downtown business district planning study. You might recall this past summer we received notice and we're very proud of the application that was approved by NOACA for \$95,000 grant, which will allow us to study our downtown business district. It is going to look primarily at improving the traffic flow and transportation as well as streetscape improvements and enhancements of that nature.

I've worked with the Mayor and we are in the process of forming a steering committee to help us oversee that study. They will consist of downtown stakeholders. They will meet this fall and then starting early in the year after we retain a consultant team to work with us, we'll open it up to public meetings for the general public as well. Greg Jurcisin has accepted and agreed to serve as Chair of that committee and we've also invited Kurt Steigerwald and a couple of the other Vision 2020 members as an extension of the earlier work that they were doing on the retail and economic development committees as part of Vision 2020.

The second initiative is just as important. We haven't talked about it as much publicly, but we are working in a joint venture, actually on both of these, with the Service Dept. with Director Gulich on E. 222nd Street, the reconstruction of E. 222nd from the highway all the way south to Euclid Ave. The main accomplishment there that we're looking for is to lower the roadway under the bridge at 222. We're also studying the rest of the street. This roadway as most of you know, serves as an important gateway into our industrial corridor. In an effort to go after even more dollars, right now I believe Director Gulich we're at \$1.7 million for the roadway work. We have tabulated that there are over 60 businesses that are served by this gateway corridor, employing over 4,200 people here in the City of Euclid. So our industrial corridor still serves as a very major economic engine for the community. We're going to be looking at not only fixing the bridge, improving the roadway itself, but we're bringing on a design team to look at enhancing the overall appearance and image of that entire corridor. Most of you know, starting with Lincoln Electric on down, Argo-Tech, Hose Master, H. C. Starck,

Chesterfield Steel, Marine Mechanical, just to name a few, they are all served by this corridor. It is important because they are world-wide businesses with world-wide customers. The image of that district is important to them and if we're going to continue to compete with the newer industrial districts in the outer suburbs, we have to improve the image of this corridor. This important initiative will start this fall as well. Sam Foti Jr. from Hose Master has agreed to chair a committee of stakeholders that will work with us on that project as well. We've already met once in the Mayor's Office with the stakeholders there and we are now starting individual meetings with the companies along that corridor to see what their needs are as we go forward with this project. We're really excited and I just wanted to bring council up to speed on those two things as well as the general public. Thank you.

Chief Maine – The PAL Night at the Races is sold-out for Saturday night. Over 320 tickets have been sold. It is a real testament to not only the people sitting up here, but also the community for moving this whole thing forward. We're looking forward to a wonderful evening that night.

Second, I was hoping to announce that for sure we'll be having a grand opening for the mini-station on the 25th, next Tuesday. But we're having a problem with the utilities and getting the electricity hooked up. If we don't have a definite for sure tomorrow, we'll have to move it back to the 1st. But it will be one of those two dates to have a Grand Opening of the Mini-Station.

I want to remind everybody that the 31st is Halloween. Please, if you're going to be out with your kids, or your accepting kids coming to your homes, make sure that they are dressed appropriately, have safe clothing, reflective tape. Make sure the little ones are escorted. Make sure you inspect your candy. We'll have extra people out, not only our auxiliaries, but also our officers and Chief Cosgriff is planning on having some of his apparatus out and about in the neighborhoods as well. If anybody has any concerns or anything that comes to their attention, please call the Police Dept.

Mayor Cervenik – Chief Maine informed me that another police officer has been called up to serve in Iraq. In discussing the manpower needs of the department, as you do know, we have already tested and we have a number of quality candidates. It has been the decision of myself and the Chief that we intend to hire three new police officers, hopefully by December 1st. We do not believe this will necessitate a budget amendment. If it does, we most certainly hope the Council will agree.

This fits right in with our plans because it is the administration's intention to present City Council with a budget that will put 97 police officers on our force for the year 2006. We're just moving three of the hires up a little earlier, to help out with our manpower problem. It is not the best of situations to hire six new policemen all at the same time because of the training requirements. We will have three in December and as soon as the Chief is ready, provided City Council approves the 2006 budget, with 97 police officers, we will hire three additional policemen as well.

This is very important. I committed to the residents two years ago that we will provide a strong safety force and that is our goal. That is why we have to manage our funds carefully. The City has not hired a new police officer since 2001. I want to thank City Council for working with us to keep our expenditures in order. I want to especially thank the Chief for his work for keeping his budget in order. We're looking forward to having these new police officers. I want to stress to you that these are new police officers, these are not police officers that are replacing retirements. This is going to be an actual increase in 2006, we will have an actual increase in the manning of officers out on the street.

Trick or Treat hours are from 6:00 to 8:00 pm. Leave your front light on. That's it, Mr. Chairman, thank you.

Councilwoman Holzheimer Gail moved to receive the Finance Committee Minutes of 9/21/05; Recreation Minutes of 10/05/05; Animal Shelter Report of September, 2005; Board of Control Minutes of 09/26/06 and 10/03/05. Councilman Gruber seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE

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

President Sustarsic – It has just been brought to my attention that item #2, on the agenda, which deals with the purchase of playground equipment will be pulled this evening, there will be an explanation following.

Mrs. Penny Riha – 1515 E. 195 St. I'm speaking in reference to Item #4 on tonight's agenda. I recall that after the completion of the new 2, the Fire Dept. was promised much needed repairs that would be done for the remaining stations. My first question would be why they were never done. The next question concerns the use of the building. I have nothing against the Police Dept. and I agree that they are deserving of better facilities, but I seriously protest again, the closing of the facility as a fire station.

During the 2003 campaign for Mayor and Council, you, Mr. Mayor, promised that if elected, re-opening Station 4 would be one of your first priorities. What was the slogan of record, something about safety and services? Mr. Gruber and Mrs. Hufnagle stood before the Fire Dept. right there at the closed Station 4 and swore that if elected re-opening the station would be a number one item on their agenda. On the strength of their words the Firefighters endorsed them for election.

You stated time and again that you would see to it that the Station was re-opened. Why is it not re-opened? Why has the re-opening never once appeared on the Council agenda? In the year 2000, according to the fire service reports, which I assume are correct and accepted by Council, there were 1,137 fire alarms answered and 4900 EMS alarms answered. Chief Cosgriff, have the numbers decreased?

I find it particularly interesting that at this particular meeting when Hillandale has been approved to go forward, that no one has mentioned with the addition of 100 plus new homes in the area, the station should certainly be re-opened. Since these good people are coming to our community, are bible-believing Christians, to me logic would dictate there would be less of a need for policing and more need for a fire rescue, EMS services simply based on the population.

I further find it appalling there's no public outcry to the closing of this station. I think that if it were our station, we would be out there picketing, oh wait, we did that, just about when Mayor David Lynch kept trying to close old station 2. He paid for a study that proved the need for all the stations. That is why new 2 was built, based on need, not a whim. Has Euclid experienced such a decrease in population as to warrant the loss of a station?

I understand full well budget crisis, I've had a few of my own. But here's the thing. I would rather pick up my own leaves, than lose a fire station and I really don't care if they ever fertilize the golf course. There's items I would see cut rather than fire stations. The loss of one fire station is a serious and damaging event to every citizen in Euclid. If you think that arrival time doesn't matter much, either talk to a firefighter or visit the burn unit at Metro, get the facts. One criteria for the cost of a homeowner's insurance is how far to the nearest fire station.

So therefore, the new residents of Hillandale and the existing residents of say Willo Arms will be paying much higher rates than the other parts of the City. Furthermore if the crew of Station 3 is on a call to cover the southeast side where the station is closed and a call comes in from the Shores of Edgecliff, or Harbor Town, and assuming the first run is only a minimal crew, how long will it take for the firemen from the new 2, if they're not on another run, to get to the Lake Shore area? Once again, you rubber stamp these things.

I ask you all to wake up and smell the coffee. This is serious. The numbers I have quoted for runs were before 9-11; before terrorism, before Katrina. Have we learned nothing? Please do not approve this legislation until it applies to a fully functional restored fire station. Thank you.

Mr. Tod Guntner – 390 E. 257. I'm here tonight to ask for your support for Resolution (440-05). This adds Bill Kermavner to the Euclid Animal Shelter Commission. Bill has been with us for over a year and has over 100 hours of volunteer service to the Animal Shelter and was recently elected to our Board of Directors so I urge all of your support this evening. Thank you.

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

Mayor Cervenik – For the record, we can get into some of the details at another time, but for the record, never did I stand in front of a group of people, including the firefighters and say that my number one priority was to open up Fire Station 4. I told them that although I would like to have it done, that's years down the road due to our situation and our manpower. We are working hard and I think we proved it through this first two years. We are working hard to keep our safety forces strong and keep our residents safe. We will continue to do so. Evidence of that is the grant application that we presented to Council from the SAFER grant, to be able to bring additional men on the Fire Dept. At no time did I publicly or privately make a statement that I would open up Fire Station #4. Thank you.

Councilman Gruber – Also at no time did I swear that I would open up Station #4 again. I did pledge that I would work with them. Thank you.

LEGISLATION

Res. 159-2005 (440-05) Commission Member

A resolution to appoint Bill Kermavner to the Euclid Animal Shelter Commission. (Sponsored by Mayor Cervenik)

Councilman Daly moved for passage, Councilwoman Hufnagle seconded.

Mayor Cervenik – I think Tod spoke very well. Bill has been a very active participant at the Euclid Animal Shelter for the past year. I was requested to present this legislation to you and I strongly suggest you pass it. He will be a great addition to the Animal Shelter.

Councilman Langman – I would just like to take this moment to thank Jan Gajda for her service on the Animal Commission. She was there from the beginning and did really a very nice job. Thank you.

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

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

Passed.

Ord. (436-05) Playground Unit - Pulled

An emergency ordinance authorizing the Director of Parks and Recreation of the City of Euclid to enter into a contract with Anderson Recreational Design for the purchase of a Tots Choice Expansion Playground unit for a cost not to exceed Seventeen Thousand Five Hundred Ninety Five Dollars (\$17,595.00). (Sponsored by Councilman Daly by request of Parks & Recreation Director)

This item has been pulled.

Ord. 160-2005 (437-05) Note - Hydrants

An emergency ordinance to provide for the issuance of \$1,000,000.00 in principal amount of Bond Anticipation Notes of the City of Euclid, Ohio in anticipation of the issuance of bonds for the purpose of improving waterlines in the City including the replacement of hydrants. (Sponsored by Mayor Cervenik)

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

Director Johnson – This particular piece of legislation authorizes me to issue the million dollars in notes to carry out the program that Council adopted several months ago which was the stabilization of the waterline program. I would remind you that when we did pass that legislation to stabilize the waterline program, in addition to repairing the waterlines, we included which was part of the original program, the hydrant replacement program as well as where it was necessary to replace the street curbing and sidewalks and repair the sewers in those areas where that was needed to be done. This is the amount that we need for completion of priority number one, which in the Benza report.

This also includes an amount that we estimate for engineering to be done on priority number two, but the engineering will be commenced this year so that next year we will be able to do priority number two in that. It also includes an estimated amount for the hydrant replacement program. As you can see in item #5, Mr. Gulich is taking bids on the hydrant replacement program so this debt issuance is also going to fund item #5 as well as some of the other items that I mentioned. I'd be glad to answer any questions.

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

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

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

Passed.

Ord. 161-2005 (438-05) Note HVAC Station 4

An emergency ordinance to provide for the issuance of \$100,000.00 in principal amount of Bond Anticipation Notes of the City of Euclid, Ohio in anticipation of the issuance of bonds for the purpose of replacing the HVAC unit at Fire Station No. 4. (Sponsored by Mayor Cervenik)

Councilwoman Hufnagle moved for passage, Councilman Gruber seconded.

Director Johnson – This particular piece of legislation as it states in the caption will allow us to replace the heating ventilation and air conditioning system in Fire Station 4. If you will recall in the 2005 Capital Budget, we presented an amount of \$92,000 to do various repairs at Fire Station 4, in order to make it ready to be occupied as a police mini-station.

During the process, we realized the heating ventilation and air conditioning systems were in desperate need of repair. That's what we're asking for here is the ability to issue \$100,000 in notes to cover those repairs so we can complete the entire building. If there are any questions, I'd be glad to answer them.

Councilman T. Sustarsic – This kind of work would need to be done if it were still a fire station as opposed to the police mini-station, right? It was just shut.

Director Johnson – I assume so.

Councilman T. Sustarsic – The building basically sits vacant right now, is that right?

Mayor Cervenik – Yes, that's right.

Councilman T. Sustarsic – Will that be able to be used as a fire station if funds come up in the next few years and we'd be able to open that again? We could do that somewhere down the line?

Mayor Cervenik- That most definitely would be an option. The program that was presented to you in your Capital Budget did not include the HVAC. We've had number of people in the building since that time and have said that the system really needs to be replaced, it doesn't make sense to run activities in there without that. Yes, if a couple of years down the road we had the funding and the financial health to completely re-open that fire station, it would be ready to go and in better shape than ever.

Councilman Gruber – That's the original equipment I take it at that station. What's the current tonnage and do you plan any upgrades on the equipment that you're installing?

Director Gulich – I can't tell you the existing tonnage is committed to my memory. I can tell you a good portion of the original equipment is still in place there. Basically it was added onto in a hodge-podge method since then. As the Chief can back me up, the equipment that's there is on the verge of failing. I couldn't quote you on what the tonnages were and will be.

Councilman Gruber – That will be a positive pressure system to keep our firefighters or police, whoever is in there, safe, in case of any type of biological problems?

Director Gulich – It will be a first class installation.

Councilman Gruber – Question to Chief Cosgriff. There was some questions brought up by the citizen. Would you like to respond to any of those?

Chief Cosgriff – I certainly would like to see more firefighters on the street, there is no question about that, but I understand the limitations of the budget. In order to re-open Fire Station 4, we would probably have to hire an additional 11 firefighters. When we did have it open and we were running 19 men a day, we were up to 87 firefighters. The reality, there just isn't funding in the budget to do that right and I understand that. I'm not saying that I wouldn't like to have 19 on duty, but I understand that the money is not there.

Councilman Gruber – This might not be the time but, Mr. Mayor you mentioned we're going to hire three policemen. Do you have any plans to hire firemen in the near future?

Mayor Cervenik – As I mentioned earlier we have applied for SAFER grant to hire up to 10 new firemen. They front-load the reimbursement for the salaries so the first year would be much more advantageous to hire “x” number of firemen, but as the years go on we would be picking up more of the full salary. We’re waiting to hear from that grant. In the grant application we did list 10. I believe I told you at that time that some tremendous things would have to happen with the budget in a year’s time. But the grant does give us the ability to reduce the number, as long as we hired new firemen and firefighters and not have it be replacing those that are retired. So, a lot depends on the word we get from the Grant and we would like to do that.

It should be noted, there are many days throughout the calendar year that we have 19 firemen, firefighters on duty. We don’t always have 16. A lot depends on scheduling and a lot depends on vacations. We are not, just because our minimum manpower number is 16, doesn’t mean that we’re operating with 16 firefighters. Many times we’re operating with an excess of that. A lot depends on scheduling. We’re watching that very closely. As you probably know we have some overtime issues in the Fire Dept. and we’re going to address those as well.

Councilman Gruber – I urge my council colleagues to support this so we keep that building ready to go in case we do get more firemen or to serve the police department. It is important that we take care of the facilities we have. Thank you.

Councilman Langman – Director Gulich, I’ll address the question to you, but Chief Cosgriff, feel free to jump in if you wish. Director Gulich, could you give us the condition of the HVAC for the station 1, 3 & 4? You’ve already talked about 4, but what about the other two older stations?

Director Gulich – Fire Station 1, I can briefly comment on. We recently put the long, long, long awaited roof on the building and we did do some HVAC improvements there. I haven’t been getting any complaints as of late. It may not be a perfect world over there, but I believe we addressed a number of air quality issues over there. As you know there’s a number of systems involved with the fire stations whereby the air has to be re-circulated in there with the equipment they have running. That’s been an ongoing thing. The Chief is welcomed to make some comments and we have been in there to make sure these systems have been working as they should.

Obviously we have the new fire station 2. I’m not aware of any major problems whatsoever with the system. Nothing I’m aware of, it isn’t under warranty any more but while it was under warranty we had a number of adjustments made to the new equipment that was in there. The Chief is welcome to comment. I’m not aware of any problems with that HVAC system over there.

Over at Station 3, right now our main concern is some waterproofing work we need to do. We plan on addressing that yet this fall. Chief, you want to tack onto that?

Chief Cosgriff – You covered it well.

Director Gulich – I believe we bought new air conditioning units at 3 this year, we replaced the ones, correct?

Chief Cosgriff – Either this year or it might have been last summer. We replaced two air conditioners at Station 1 that control the office there.

Councilman Langman – Can you give me an estimate of how old the system is over at 3? I know we bought new units, but how old is it?

Director Gulich – I believe the boiler there is original but I would have to remind you that back in the 50’s we didn’t build things with systems so much as we do anymore. That is simply air conditioned with window air conditioners.

Councilman Langman – My concern is that we have obviously individuals there 24 hours. There has been some concern that their quality of environment there is not what it should be. I’m glad to hear that the waterproofing is moving ahead. Thank you.

Councilwoman Mancuso – Can you clarify for me how often we are using this building today and for what purposes? I know we talked about the mini-station.

Chief Cosgriff – We’re not using it at all.

Councilwoman Mancuso – The hope is to take this vacant building right now and turn it into a mini-station? Can we get a time-frame for doing that?

Chief Maine – Yes, but it keeps moving. We had hoped to have it open before school started. Our plan now is to try to have it open no later than the first of March because that is when our lease is up with the location of our present mini-station. We hope to have the improvements made to the building that need to be done so that we can move in there. Before March, would be well, but if not by March.

Councilwoman Mancuso – How long would this building be open by day, by week?

Chief Maine – It will be open virtually everyday. The only days it might not be would be on the weekend. But if you use how our present mini-station is used, our road officers and certainly our community policing people and Kristal Skovira, our volunteer coordinator, uses it at least 5 days a week. I know a lot of times she comes in on her own time. We're hoping that we can get some ancillary city services to come up there and put in some satellite offices. The south-side residents can use that and not have to come to City Hall. We're looking at it not only as a mini-station, but also a south side local government center.

Councilwoman Mancuso – What type of services would you put in there?

Chief Maine – Whoever wants to join us, there's a lot of room. We'd like to use some of the community rooms for some of the PAL activities. We're going to relocate the computer center that is presently in the building at Willo Arms, there's options.

Councilwoman Mancuso – Do we have all the electrical that we need to hook up all those computers?

Chief Maine – I understand that's one of the things that has been looked at is the type of capacity in there. Maybe Mr. Gulich can answer more of the specifics on that.

Director Gulich – I would like to thank my Building Maintenance Supt. Dennis Valencic, had a number of people come through that room, people that have helped us out with these other buildings. We believe we have those concerns under control.

Councilwoman Mancuso – I guess my concern is it's \$100,000 out of this year's budget for something that we're going to open in March. I understand that you have to prepare ahead of time for it or you won't be able to open in March which is when you're planning for. But it is another \$100,000 on this year's budget.

Councilwoman Holzheimer Gail – Mayor or Director Johnson, we have \$92,000 in our capital budget. But did I hear you say this wasn't anticipated to go for heating and cooling, it was for other repairs. I guess my question is, are we looking at adding something into next year's to cover some of the other repairs needed? Do we have enough money budgeted to do all of the repairs necessary to open the mini-station?

Mayor Cervenik – I can go back to the statement that Councilwoman Mancuso made. It really, technically, will not be out of this year's budget. We will make an adjustment in the budget that we provided to you for 2006, when we present that to you to cover this additional cost. When we presented the capital budget to you, the three year plan, the whole scenario behind that is that we need to keep at all times a million and a half dollar cash balance in our bond retirement fund. We have a schedule that was developed by our underwriter, A.G. Edwards, and we have to stick to that. So, we're issuing \$100,000 note now which means next year we will issue \$100,000 less in notes for the capital improvements. We'll be solid with that. This should do it for #4. It just didn't make sense to do the waterproofing, the roof and the brick work without taking care of the air conditioning, HVAC. This should do it for that.

Councilwoman Hufnagle – Not to belabor the point, but since you want to bring it up, I did not stand before the Fire Dept. in the Endorsement Interview and swear to open this building. This building is in my ward and I was unhappy when it closed, but it did not close while I was sitting on this council. I believe this building, correct me Chief if I'm wrong, closed before you were Chief and before the Council President sat on as Chairman of the Finance Committee. So, I

believe that I participated in making a commitment to the Fire Dept. by voting on the capital budget which we didn't mention tonight also is allowing us to buy a new fire truck, am I correct?

Mayor Cervenik – We have ordered a pumper that's going to cost about \$350,000.

Councilwoman Hufnagle – When I met with you last week, Mr. Mayor, did you not tell me that it would be 7-9 months to get that truck?

Mayor Cervenik – Chief, it's coming in September, maybe before that?

Chief Cosgriff – It should be here before that, April of next year.

Mayor Cervenik – And it is one heck of a looking truck.

Councilwoman Hufnagle – When was the last time we bought a new fire truck?

Chief Cosgriff – We purchase ladder 1 in 1999.

Councilwoman Hufnagle – 1999, okay. I also and I ask you Mr. Mayor in one of our conversations about Station 3 because when I visited Station 3, I believe the men there expressed to me that their greatest concern about that building was the waterproofing of the basement. So, I know that was in the capital budget and I'm pleased to hear Director Gulich tell us that is still going to be going forward.

Mayor Cervenik – That is in the capital budget for this year. The work should be completed this year. Next year, I believe there is a concrete work that was presented at Fire Station 3. We will evaluate how extensively we want to tackle that. It was budgeted. That's one of the important things, especially with the capital, to have that three year budget so you can balance what's important and what can change because priorities change very quickly. Just like the HVAC in #4, that really was not expected. So we know, okay, we can take care of that but we're going to have to make an adjustment next year on something else. We have all that budgeted. Our hope is from a manpower position is that we are granted a portion of that SAFER grant and we can start adding men and women to the Fire Dept. as well.

Councilwoman Hufnagle – One other point that I wanted to bring out. I meet regularly with Mr. Sorin of Royal American which is the management company that runs Willo Arms. I believe this evening that we have a representative from that company here. I believe that I'm very correct in saying that if Mr. Sorin was unhappy with the EMS response time to Willo Arms that I would have heard about it on a number of occasions. Seeing that this is on the Agenda this evening, again, if they were unhappy with the EMS response time at Willo Arms, I'm sure that representative sitting in the audience this evening would have brought that to our attention. I'm not happy about this station being closed. But, I do want to commend the Fire Dept. because they really stepped up and taken care of the residents that that station would have serviced. I'm very pleased with the action that we're taking this evening. We're showing a police force in a community that, like the Chief said, they're going to service those residents in a lot of different ways with PAL and with the computer tutoring program. We're doing something positive here this evening and I commend the administration for bringing this to us.

Mayor Cervenik – I would also like to state for the record that our insurance rating has not declined. Unless somebody hasn't told me, our insurance rate has not declined for our residents or businesses since that station closed. We keep a very close eye on that because, I think Councilman Daly could confirm, that can cost residents and businesses money. We have not experienced that and shall not experience that. A lot of that has to do with the diligent work the Chief and his Fire Dept. put in for the citizens.

Councilman Daly – Just to address the resident's concern about insurance rates paid by the residents of Hillandale and Willo Arms. The City of Euclid receives a fire protection class rating and it is a rating for the entire city, it is not just based on areas of the city. They would not just single out one area based on that station being closed. Factors that do go into the rating are manpower, apparatus available, hydrants, a number of things go into it. It is a rating for the entire city.

One other issue I wanted to touch on, during the Hillandale hearing, Executive Committee, I was focused on health, safety and welfare issues and one of the concerns I asked

Chief Dworning at the time was did he have any concerns regarding being able to respond to an incident of this newly created 100 homes and church. In that meeting he had no concern that there would be some type of problem responding. I just wanted to double check with Chief Cosgriff if that's his opinion as well.

Chief Cosgriff – Yes, we can get up there in 4 minutes which is an acceptable response time.

Councilman Delaney – Penny Riha had mentioned earlier that after Station 2 was completed that there was a maintenance schedule that was promised for other older stations. Does that exist? Do we have a maintenance schedule for the repairs and the other stations? Do we have a timeline when we can work on those issues?

Mayor Cervenik – I think I just addressed that question, it was asked in other words. Yes, the big concern at Fire Station 3 is the waterproofing. That was in the budget that you approved and that will be done, hopefully before the end of the year. Yes, we will maintain all of those stations, yes.

Councilman Delaney – The brick and the tuck pointing and you wanted the police mini-station was a higher priority?

Mayor Cervenik – Equal priority. It is in the same budget.

Councilman Delaney- Chief Maine you brought up that this is kind of when the lease opens up it will exchange, we will no longer rent a storefront and we'll have this building we'll utilize, which I'm happy to see. Just out of curiosity, how much do we pay on that lease annually?

Chief Maine – The rent and utility payments we average about \$12,000-\$14,000 a year.

Councilman Delaney – How many years would you anticipate signing the lease? If you didn't open this mini-station and kept the storefront do we have 5 years on the grant?

Chief Maine – That lease I believe originally was an 8 year lease. Now we're on a month-to-month on a subsequent year. If we were faced with not having Station 4 as an option, we would probably look for another location. There are issues with that building. There are issues with, I'll just leave it at that.

Councilman Delaney – I'm certainly in favor and I've said this earlier, keeping the building viable. I would hope the administration would still consider more of a priority to be a fire station. It seems like it is a positive afterthought and it is worth it to put that initiative into this building and we will maintain our mini-station without having to pay the lease. It will eventually pay for itself.

With some of the comments that were made in the public about the campaign, there was criticism in a Council campaign of the fire station closing. But just to clarify that, it was the last administration and last Fire Chief that had close that station in their budget. I don't think City Council could ever initiate the closing of a fire station. There maybe some people who were confused in that campaign when many people become very, very, very critical of that. But, I think the issue is that we still have an empty fire station even with the police mini-station. We need to use that our priority that we move forward and continue to look at the option of re-opening a fire station. Thank you.

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

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

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

Passed.

Ord. 162-2005 (439-05) Hydrant Program

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the Hydrant Replacement program for the years 2006 and 2007. (Sponsored by Councilman Tony Sustarsic by request of Service Director)

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

Director Gulich – Not to confuse this legislation with any of the other recent since there has been quite a bit of waterline related legislation in front of you. As you've heard me say before, according to the agreement between the City of Cleveland and the suburbs, when a fire hydrant is struck, it is the city's responsibility to put it back into service. This contract will provide for the advertising for bids for a contractor who can enter into contract, have a contractor on-hand in the event it is necessary to make these hydrant repairs. I would just like to inform Council that often times when a police report is made and we do have an insured motorist, we do recouped these funds. I believe last year we were extremely successful, I didn't bring the numbers with us. I believe that out of a \$13,000 expenditure, we came very close to recouping all of that cost. Some years we're not that fortunate. Again, this is only in the event a hydrant is struck that we would exercise use of this contract.

Councilman T. Sustarsic – An aging hydrant, there maybe problems with it, it is not working properly, is the Water Dept. responsible for fixing that, or is that our job?

Director Gulich – Any hydrant that needs service that is not struck is the Cleveland Water Department's work to do. Any resident noticing that can call the Water Department directly, they can also call us and we can help light a fire under the Water Dept. If it is not struck, it is the Cleveland Water Department's responsibility.

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

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

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

Passed.

Ord. 163-2005 (435-05) Internet Auction

An ordinance amending Section 109.04 of the Codified Ordinances of the City of Euclid to allow for the sale or disposal of municipal property determined to be no longer needed for municipal purpose by way of internet advertising and auction in addition to the methods authorized in Codified Ordinance 109.04. (Sponsored by Mayor Cervenik)

Councilman Daly moved for passage, Councilwoman Hufnagle seconded.

Director Gulich – A few minutes ago I told you about the results of our old fashioned auction that we've been holding year in and year out. What I'm presenting here tonight isn't anything revolutionary it is more evolutionary. Suggesting that we can resort to a new fangled auction and put this stuff on the world wide web. We can introduce our available items to people interested throughout the country, Canada, wherever, whenever we have specialty items or items that might not attract a good buying field for our regular auction.

As you heard we weren't able to auction off all of our items, we did have a couple that did not draw a great interest, we pulled them out of the auction. Those will probably be the first two items we would put into the electronic auction. Unless we sell something, it doesn't cost us anything. There is a 7 ½% charge if we do sell something. Probably when it boils down to it, the overhead for our regular auction we have every year is probably right about there as well for the advertising I have to do.

Not re-creating the wheel here, doing anything revolutionary, just another tool in the tool box when we have an item that we feel has more value than can bring at our regular auction. Of course, any sale here would have to be approved by the Board of Control.

President Sustarsic – So we're looking at a municipal oriented e-bay?

Councilman Langman – What sites do handle municipal properties and equipment?

Director Gulich – Govdeals.com. That is the number one recognized site municipalities use. Please go to govdeals.com you'll be amazed. There's items, we can put some mundane items on there. We have some tires that have been sitting around that we don't really have the equipment any more, they have some value. If we just want to throw them away, they have some cost involved. These would be a perfect item that we could reach out and maybe someone out of state, this is just what they're looking for. We can post these items, if they don't sell, it doesn't cost us anything. It is kind of like the Trading Times of the 21st Century.

Councilman T. Sustarsic – You'll be able to sell these items, set a reserve, and if it doesn't make that reserve you pull it or how are you going about that?

Director Gulich – We can just pull it out with a cost to the city. Then again put it in our regular auction. Again, we just had our auction on October 1st. We may have a vehicle become damaged and not repairable, may have some value as far as parts go. Instead of just letting it sit for a whole year and having it take up space or needing to do maintenance to it, we can put it in this auction and possibly get some income from it rather than having expense disposing it. All funds from any sales will go into the General Fund.

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

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

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

Passed.

COMMITTEE OF THE WHOLE

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

Mr. Tod Guntner – 390 E. 257 St. First of all I'd like to thank all the residents that came out last Saturday and Sunday to our Annual Pet Photos for Halloween. Many came in costume. We had several dogs and even one cat. I would like to thank all the residents that came out for that.

Next I'd like to thank all the residents again and I haven't done it in a month and I apologize. But thank you so much for your donations of paper to the Abitibi bins at the Animal Shelter. I was at the Shelter from 12:30 to 3:00 yesterday and I don't think there was 10 seconds of that time that there wasn't a car dropping papers off. They were stuffing papers into the bins. Thank goodness they emptied them this morning. So again the residents of Euclid thank you for your support, I greatly appreciate it.

Next I'd like to invite everyone to our Annual For Paws Clam Jam and Boo Bash. It is going to be Friday the 28th of this month. Cocktails at 6:30. Dinner at 7:30. You get clams, chicken, sweet potato, corn on the cob, and instead of cake this year, there's going to be strudel. It is an added bonus. We are going to have a costume contest. Costumes are optional but are included. Tickets are \$40 and that hasn't changed in 2 years. We're thankful for that that we can keep the cost down as much as possible. Please join us I have tickets with me. You can get tickets at the Shelter, Tuesday through Saturday from Noon until 4:00. Also on Thursday evening from 6:00-8:00 PM. We'll be having tickets on sale through the 25th, next Tuesday. Thank you.

Mrs. Madeline Scarniench – 1511 E. 221. Quick question, why was #2 pulled and when will it be put back on the agenda?

Mayor Cervenik - #2 was pulled because we were requested Council to make sure we had the permission of the company. We will not receive that until probably sometime towards the end of this week or next week, so it will come right back on. We're confident we will get the approval.

Mr. Jeffrey Beck – 25540 Chatworth. Over the weekend I sent an open letter to each member of this Council, as well as the Mayor and certain administration officials. The letter concerns a dangerous situation that exists on my property as well as the real possibility of losing electrical power for certain homeowners on Chatworth, Beverly Hills and Idle Hurst Drives.

There is a dead 80 ft. oak tree behind my property that is losing limbs on a regular basis. This tree is positioned directly over the major power lines that run through the backyards. This tree has already caused one power failure in the neighborhood in 1993 and most recently has damaged my property with fallen limbs. Currently there is a 20 ft. limb hanging over the power lines that looks as if it is the next to go. For homeowners living in this area, a loss of power could be devastating. There are many elderly residents living in my area. If any of them are on oxygen, they could suffer needlessly.

I say needlessly because the Illuminating Company declared this tree dangerous in July of this year and said it would be down in 2 weeks. When that didn't happen and they stopped returning my phone calls, I contacted the City of Euclid. Euclid's Arborist came out and saw the tree, reaching the same conclusions. Since that time over 6 weeks ago, the city's arborist has worked diligently with the Illuminating Company to get this tree removed. I would like to thank Dean Grida for the job he has done so far because he has really been communicating well with me on this. But, he has ultimately been unsuccessful in getting the Illuminating Company to react.

Over the weekend I spent a good portion of my time on the internet looking for help. I was able to find something interesting. Certain communities in Greater Cleveland have had a difficult time with the Illuminating Company servicing their areas. These communities and I'll mention two, Shaker Heights and Lakewood share one thing in common, they are inner-ring suburbs. Shaker Heights feels that they are being neglected due to this fact and filed a complaint with the PUCO. I believe only then did the Illuminating Company react.

Euclid is also an inner-ring suburb. I feel that this dangerous situation has not been dealt with due to this fact. I'm asking Council for three things, actually 4.

1. I'd like you to sponsor and pass legislation passing minimum service levels expected from utilities with large fines for violations. You will fine homeowners for housing violations, why not utilities?
2. Ask a representative from the Illuminating Company to appear before this Council with service level records for Euclid and a number of other communities so the citizens can compare.
3. Help me however possible to force the Illuminating Company to remove this tree before it causes anymore damage or God forbid, injury.
4. The fourth thing I would like to add is Euclid has a dangerous tree ordinance. This Council in 2004 watered down this ordinance to only include trees over the public right-of-way. This tree is in my backyard and if it wasn't for an ordinance that I found under the Housing Dept., I wouldn't be getting any help from the city at all.

I'm going to be as vocal as I can over the next few weeks to make this happen. There's not to many more weeks left in the year that a tree can be taken down. I have filed a complaint with the PUCO. I have contacted the media for publicity. Shortly I will contact Congresswoman Stephanie Tubbs Jones office as well as Senators Voinovich and DeWine. Let's not forget that we are only two years removed from the largest black-out in US history. The joint US Canadian Task Force formed after the black out concluded that the problem began here when First Energy lost a high voltage line that shorted out on a tree. First Energy Senior Vice President of Energy Delivery and Customer Service vowed, nothing like that will ever happen again. I would like you to help him keep that promise.

Mayor Cervenik – Some of the points about the service level and calls and productivity that Illuminating Company provides our residents can very easily be handled in the appropriate Council Committee. I did receive your e-mail. I opened it up sometime this afternoon. I had long discussion with the Recreation Director Kathy Will and I also had a talk with Darlene Johnson from the Illuminating Company. I know she's been involved before. She is going to get in touch with me first thing tomorrow morning. We are going to look into the matter. One thing that you do need to understand is that it is a tree on private property and there will be some cost. Whether we remove that tree by our ordinance, or whether the Illuminating Company removes that tree, completely removes it, there will be costs to the homeowner. That's what we're looking into now. The Illuminating Company will remove branches and limbs that will damage their lines, but if there is a dead or damaged tree, then it is the homeowner's responsibility. So I'm personally going to be up there tomorrow. We will get your problem solved and I'm sorry you did have to go through with this. The representative from the

Illuminating Company is very cooperative, has been and I think will continue to do so. We'll be in touch tomorrow for sure.

Mrs. Ann Raukar – E. 272 Street. In Euclid there is a large group of people consisting of city employees, their friends, neighbors and relatives. They have a lot of clout. They elected the Mayor, kept him from the recall effort. They call themselves the Euclid Democratic Club and the Euclid Republican Club. You are neither. In the two cents of the titles. You are just a large group who will determine coming elections, rubber stamp what the Mayor chooses to do. You are a threat to good government. A threat to our city and our nation.

Some years back our present Mayor and former Mayor took Euclid into the real estate business. They were not elected to do this. Thus the real estate that used to pay taxes to the city was the Law Director was paying the taxes to the County Treasurer who did not return the money, did not return the tax payments because the property was not recorded as city-owned property. With this blatant dishonesty, what will happen when this administration starts collecting the income tax? God help our armed forces who are fighting for democracy in foreign lands as we fight to preserve it here in our city and nation. Good citizens of Euclid unite and vote the inept persons out of office and vote for proven good legislators. They are out there running for the benefit of our city. Give them your vote. Thank you.

Mr. Tim McGarry – 231 E. 214 St. There's been a lot of talk about the Euclid School Levy and a lot of people have been complaining about the fact that the academic report card hasn't shown the schools improving.

I went and did my own research. I went on the Ohio Department of Education's website and looked at it myself. The first thing that I looked for, I wanted to see a comparison of what Euclid students were doing in the past compared to what they are doing now. Unfortunately you can't find that information on the website. I don't know if anybody caught it, just recently in the newspaper we're actually going to start measuring the schools that way, but it is not going to be for a couple of years.

What I did was try to come as close as I could. Two numbers jumped out at me. The first was the Performance Index Score of the City of Euclid. What I've noticed in the past three years is, it hasn't been climbing greatly, but it has been climbing, it has been heading in the right direction. I think all the residents of Euclid should know that when they come to vote on November 8th on this issue.

The last thing I'd like to point out, because this number jumped out at me as well. The improvement in the 10th grade Ohio Graduation Test, the test score went from 65% in reading in the 03-04 year to 90%. The score in mathematics went from 49% to 70%.

Those people out there, when you read these things in the Plain Dealer and the Plain Dealer shows that supposedly Euclid is in Academic Watch, there is improving being shown in this district. The last thing that I want to point out is this Council voted 9-0 on a Resolution to support the school levy. We all know that Council hasn't agreed on a lot of things but when they vote 9-0 on something, I hope all Euclid residents will join me in supporting the levy. Thank you.

Mr. Tom Cooke – 25641 Edgecliff Dr. I will also be addressing Issue 167, the 5.9 mill tax levy that will be before the voters on November 8th. As I have said many times before, I am a supporter of the Euclid Schools, however I am also an ardent supporter of prudent spending of taxpayers money. I do not advocate the throwing of money at a problem as a solution to the problem and this is exactly what Issue 167 does. It is a hope and a prayer that if we throw enough money at the problem, somehow it will be fixed.

Councilman Delaney, at the last Council Meeting regarding the change over an in-house municipal tax collection you spent the better part of 20 minutes asking questions regarding \$170,000 in salary expenditures and \$100,000 in computer software costs. But when the Resolution in support of the 5.9 mill operating levy came up for discussion, you did not ask a single question regarding the spending of \$5 million of taxpayers' money that would result if Issue 167 passes. \$5 million will be spent, not one time but every year.

Mr. Delaney and Ms. Mancuso over the last two years budget disparities of \$200,000 to \$300,000 regarding the new golf course clubhouse has been regurgitated and rehashed so many times that it has become nauseating. When it came time to endorse the spending of \$5 million of taxpayers' money, neither of you asked a single question regarding what the taxpayer can expect in return for that money.

Ms. Holzheimer Gail, you are partially correct when you say that the Schools and households are similar. Both have rising costs. Both have essentially a single source of income to cover those rising cost. The homeowner has his or her employer, the school board has the

taxpayer. However, there is one big difference. For the homeowner, in order to generate more income to cover rising costs, he or she the employee, must present to the employer a reason, like an increase in value through the employer that would make the employee more valuable to the employer thus justifying greater compensation to the employee.

On the other hand, the School Board apparently does not have to show the voters an increase in performance in its students, as a matter of fact, failure, i.e. Academic Watch seems to be okay. All the School Board has to do is stamp its feet, jump up and down and hold its breath like a spoiled child until it gets what it wants. Who cares what the voters have already said twice in the past six month? What do you think would happen to an employee in the same way the employee took on the School Board's attitude in approaching their employer for a pay raise? Do you think they would get one? I tend to think not.

I also remember in the not so distant past how this City and some Council members were somewhat in an uproar when the Mayor went against the popular vote of the people regarding the Hillandale project and that was only one vote. The school levy was voted down twice consecutively by popular vote and is now up for a third time in not much more than six months. Where is the uproar now?

Finally and more important, what are we teaching our children by our actions in endorsing this school levy, Issue 167? How are we really preparing them for the real world that they have no clue about? I'll tell you what we're teaching them and how we're preparing them. Performance, merit and achievement are not important. To strive for a specific level of performance is not a necessary component to achieve reward. Average and below average expectations are okay and really not part of the performance reward equation anyway. All you have to do to get what you want is demand long enough and hard enough and somehow you will get it. This world just does not exist.

As I said in the beginning, I am a supporter of the Euclid Schools. I will support levies for Euclid Schools when student performance as a whole shows substantial real improvement. When Euclid Schools are clearly out of Academic Watch I will support increased funding to the schools. I will not back down. I am not going away. I expect to get what I pay for. The residents of the City of Euclid deserve to get what they pay for. Simply put, anything less is not acceptable nor ever will be. Thank you.

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

COUNCILMEN'S COMMENTS

Councilwoman Hufnagle – I have a couple of questions. Last week I was in a neighborhood association meeting and a resident asked a question whether or not we were scheduled for any improvements at Memorial Park and I was reminded of the pavilion. So if the Recreation Director could give us an update on the pavilion I'd appreciate it please.

Director Will – Memorial Park was due to get a new pavilion this fall. I had also discussed in regards to the walking paths. We meet with a Recreation Sub-Committee, part of our Recreation Commission to develop a 5 year plan to spend our recreation capital monies. Those monies are how we do our improvements. I've been working closely with that group. There are some conditions right, as far as the pavilion goes and we're trying to get that worked out to make sure that we can get the residents the best pavilion that we can get.

I promised the residents that I would work with them and with all the surrounding groups, youth groups that utilize it. I do still have another group to meet with. Again, we will be moving forward with our Recreation Commission Sub-Committee and getting together with the pavilion and getting that hopefully done by this year. The walking paths, there's a situation where they are going to cost a little bit more than we expected. We are looking at doing that next year.

Councilwoman Hufnagle – Either you or the Finance Director, could you just briefly remind the residents how we are paying for this? You said the Rec Capital fund, what is that?

Director Will – The Recreation Capital Fund is what we do is back in 1984 the Recreation Dept. received a millage, \$350,000 of that approximately each year goes to our Recreation Capital Fund where we can have monies for improvements for anything that would be 5 years or more. The balance of that millage goes into our operating fund. I have to add that was back in 1984 and we're still operating on those same amounts.

Director Johnson – To add to that, there is a two mil total, 1.3 mils goes for operating and .7 mils goes toward capital.

Councilwoman Hufnagle – Either Chief Maine or Service Director Gulich, I have a light out in Ward 3 that I know you are both familiar with and I've gotten several calls on it at Tungsten and Babbitt. If you could just please go over for the residents what we're doing in that area.

Chief Maine – That light went out about three weeks ago I believe, something like that. Babbitt Road is part of the second phase of the resignalization project for the city. Babbitt Road will receive all new signals just like Euclid Ave. and Lakeland Blvd., Lake Shore Blvd. has gotten. The lights are determined by what are called warrants. There has to be so much traffic through a certain intersection before the State determines that intersection warrants a traffic signal. They have done the warrant studies on that intersection and when they do their proposal for the plan for the resignalization, that intersection was not going to receive a traffic signal.

The city, when that signal went down, we've been scavenged and using controllers from other old lights that have been taken out as a result of the resignalization project. We are all out of scavenged parts. There is nothing to replace the controller there. The controller I believe is around \$8,000. When the signalization project is done which I believe it will be done in 2007-08, that might be coming out anyway. We are left with two options. 1, leave the lights as is on flashing which at least provides some visual warning as you're coming out of the intersection. Or take the light down and simply have stop signs for traffic exiting from Tungsten and Rockwell Drive onto Babbitt Road. Monte and Director Gulich and I talked and felt, I don't want to speak for him, but I felt that at least the visual warning in conjunction with stop signs would give us more than what would be there if we didn't have the visual warning. Unless there is a strong objection we'll wait until the resignalization project is done. In that case, the signal will come down permanently. The signal is not part of the state's resignalization plan, the entire cost of that signal will have to be born by the City, which is quite significant. Plus, if I'm not mistaken, I believe that also Monte told me negates the warranty and the whole purpose of the signalization and that's to facilitate the flow of traffic. In the long and short, that's why we're doing what we're doing now.

Councilwoman Hufnagle – My time is up and I'm sorry, one second, Chief we didn't remind about DARE tomorrow. The DARE fundraiser at Perkins from 5:00-8:00.

Councilman Langman – Director Johnson, thank you for the report. When I have a chance to review it, I'll forward questions to you. Mr. Petkovic, a couple of questions to you and again I haven't had time to check the lap top today, but there were a couple of outstanding issues, one that I asked about at the last council meeting regarding the home on 232. I'm wondering if that owner who lives in the fine city of Strongsville has indicated to you that he is going to rectify those violations on his property?

Manager Petkovic – I have not heard from that gentleman and we will proceed with the Prosecutor's Office.

Councilman Langman – I seem to be getting more than a few complaints about shrubbery in front yards and blocking vision and so forth. Just as a general statement, can you explain to the residents what's permissible and what's not.

Manager Petkovic – It is written in our ordinance that any shrubbery that exceeds three feet in front of the building line to the right of way, sidewalk, cannot be higher than three feet. Of course there are many, many homes in the City about 15,000, structures that have shrubbery and bushes next to the front of their home that exceeds three feet. The issue that you talk about are safety issues, in that people who are backing out of their driveways, their vision is blocked by high shrubbery that maybe grown on the property next door to this driveway. We ask people to please walk back from the sidewalk towards your home about 8 ft. and cut the bushes down to three feet and keep them maintained at that level so your neighbor backing out can see children who maybe on real small bikes or some toy of some kind or pedestrians walking or cars coming down the road. We ask to maintain at three feet.

Councilman Langman – In that case certainly safety triumphs aesthetics so we ask the folks to watch the higher shrubbery, we have children in a lot of our neighborhoods, that is a hazard.

I would like to switch gears for a second and talk about the School levy since it is coming up. I would shudder to think what we would do up here if our income tax was held at a certain

level over a period of 10-15-20 years. You wouldn't recognize the city and the services if we were under the same constraints that our schools operated on, not just in Euclid but all over the state.

If we're not going to invest in our children, then our children are not going to thrive. That's the bottom line. We ask our children to get an education. We ask them to become participants in our society in a constructive way and a lot of that comes through their education. If we don't pass levies, the programs that the public schools offer will be stripped down to the bare minimum, we will be turning our backs on the children of our city. They will turn their backs on us. They will leave this city as will the young families. That's simply how the system operates.

I can understand the anger and the frustration, but the anger should be placed where it belongs with the State Legislature. I will repeat it again, but its worth repeating over and over again. The Supreme Court of this State has ruled four times that the way we fund public education is unconstitutional. Our legislature of the State of Ohio has done absolutely nothing. It doesn't matter what party they belong to, they haven't done it. So it is our responsibility to hold our representatives, both our representatives and our state senators responsible to fix that problem. Until we do, this sort of debate will continue in every community, whether it is a rural community or an inner-ring community or an urban community. That's simply how the system is. It must be changed. But if we don't do our part then Euclid will not be competitive with other communities. That's how I see it.

Finally I would like to ask Director Will, there's a picture that I've heard about, a cat and a dog, that I haven't seen yet, but I know its out there. Would it be possible to get me a copy of that picture and perhaps the dog and cat can autograph it and maybe auction it off at one of the PetPal events that are coming up.

Mayor Cervenik – That picture is already been broadcast on television my friend. The worst part is, that you and I were both stone sober when we had our faces painted and we posed for that picture. We will get you a copy.

Councilman Langman – Cats and dogs do get along sometimes. Thank you.

Councilwoman Mancuso – I did see them both do that. It was a little nerve-wracking. As we're all out there campaigning, we're seeing the residents on a face-to-face level and I will tell you that many of the residents are coming up with the same type of issues. They are very concerned about our houses, the building, the lawns, the safety. I know Ron asked me today how many actual complaints I'm getting as a council person at-large versus one of the ward council people. People now don't care who you are, what ward you're from or whether you're at-large. They are coming to all of us. Those that are maintaining their properties are very disenchanted with those that are not. Even though we maybe working as hard as we possibly can, there doesn't seem to them to be a way for us to keep up. So, I'm asking all my colleagues as we do talk to them to at least, not to ask them to have patience but to continue to call, make the complaints, do so in a respectful manner, some are more respectful than other. I did have one lady after she was done yelling at me about her next door neighbor say, I'm sorry, I'm shouting the messenger, but I don't have the people of the city in front of me so you get it, which is okay.

Let them know that there are things going on. There is probably more we can do and as time goes on I hope they'll be other programs that we can initiate and restructure to get the best that we can out for people. But while we're campaigning, that seems to be the major issue is the property, how its maintained, what do we do with people that aren't maintaining it, what are we doing with people that don't care. I would just ask my colleagues to all approach these people in a similar manner. This is not a campaign issue or me versus anybody. This is the city and how we're going to come together and help each individual resident. Quite honestly when they meet you in person, they believe what you tell them. If you tell them you are going to do so something and you don't, it impacts on all of us. That's all I have for tonight. Thank you.

Councilman T. Sustarsic – I've had the opportunity and pleasure to meet with the Indian Hills Homeowner's Association last week with Councilman Gruber and Council President. We had a lovely evening, it was nice to listen to their concerns. Real good day last week, ground breaking for Emergency Room expansion at Euclid Hospital. I want to particularly thank the Cleveland Clinic Foundation for re-investing in our community and providing world class care for our residents. I would like to thank our Congressman Stephanie Tubbs Jones and our Senator Mike DeWine for working hard and brining home the bacon to help make this project happen. Thank you to the many generous businesses and residents of our city who are also helping to make this project a reality. I'm looking forward to the Police Athletic League Night at the Races. I'm

going to be there and it is wonderful to hear that it is sold out so I look forward to seeing everybody there. The Euclid PetPals Clam Jam is coming up too so I'm looking forward to that as well. I just want to wish everybody a safe and happy Halloween.

President Sustarsic – I would like to add onto that as far as the Emergency Room. It's been quite awhile since there's been any type of improvement or renovation to the hospital which was built around the 1950's. This thing, as was mentioned by the hierarchy of Cleveland Clinic that were able to join us that day, it will be a state-of-the-art facility and it will add greatly to both this community as well as to the hospital system.

With that in mind, as far as further kudos if you will, in as far as the NOACA grant that's being pursued, the streetscape and as far as the Euclid Avenue area, which we've longed talked about and are looking forward to getting. We are a big city and we deserve to look like a big city and I believe this will only enhance things that much more.

Relative to the school issue, it has been said that our State Representative hasn't done anything. But in fact it is a little bit more hectic down in Columbus. You have a little bit more than 9 people down there, maybe ten times as many, if I'm not mistaken. At the same time I was told that at times it is worse than a Euclid Council meeting, 5 days a week. Unfortunately it is strictly politics down there. You can't get one party to agree with another party, or to get a majority on any particular issue. It is not that our State Representative has not tried. But at the same time it is a matter of getting the cooperation in place to put something, we have to emphasize, he already knows from correspondence and speaking to a lot of us what the needs to renovate the educational system and make it an equal playing field across the board, but at the same time, you do have a lot of individuals, a lot of state representatives throughout the state that don't necessarily agree with that and for whatever reason will not lend themselves to any type of getting together and combining forces to improve the state. It is not that our State Representative has been effective. He has been as effective as he can be. But it is a matter of seeking the cooperation which apparently not necessarily there.

Backing up under the people's words, I would like to wish everyone, especially the children a safe and happy Halloween. We have a lot of community get-togethers out there which they will be included within. I think it's a lot better than them sometimes going to trick or treat throughout some of the neighborhoods. With that, Mr. Daly.

Councilman Langman – Mr. Chairman, if I could just for one second.

President Sustarsic – You already had the opportunity to speak, thank you. It is Mr. Daly's turn.

Councilman Daly – I'll quickly let Councilman Langman, not 5 minutes though.

Councilman Langman – The only thing I wanted to point out was you may have misconstrued my comments. It wasn't directed at any particular state representative. It's all their responsibility to fix it. I don't particularly care what party they belong to, that's all. Thank you Mr. Daly.

Councilman Daly – I would like to congratulate the Hospice of the Western Reserve. I was at their Ribbon Cutting for their Breakwall and Viewing Deck project this week and I would like to congratulate the Port Authority and the Army Corps of Engineers. It is a beautiful project and if you're down by St. Joe's, you should stop in and see what they've done and I know it is going to be appreciated by all of the families that use that facilities.

I would also like to congratulate a neighbor, Tim O'Neill. We had a fire last Saturday, directly across the street from where I live. It was amazing, it was a garage fire. I thought the entire house was on fire with the amount of flames and smoke. Tim lives two doors away, raced to the scene, grabbed a garden hose and with no protective equipment was standing there hosing down the two propane tanks that were located inside until the Fire Dept. could respond. It was amazing to watch the Fire Dept. in action, congratulations Chief. Tim is a St. Christine's product and also another proud member of the Euclid Class of '83, geez there's a lot of good ones in that class.

Lastly, Director Will we were talking about Memorial Park and another issue popped in my head. Disc golf. We talked about it at our Golf Course Meeting about some t-pads. I know I can't go to my favorite restaurant and face the proprietor unless I bring up that have we looked into maybe having some sponsors or Boy Scouts are just and update.

Director Will – I've been on the phone also with Scotty and I gave him my word. We're meeting on Thursday at the park to go over a couple of issues with the disc golf. I gave him my word that

I would go back to our Recreation Commission and request the money for the cement t-pads for next year.

Councilman Delaney – I'd like to say thank you to Mr. Tom Cooke for pointing out my scrutiny of spending. I'll continue to scrutinize the spending of the proposals that come forward and try to set forward the best policy as possible. The new tax department is a new sweeping change and the results remain to be seen. The golf course, we had a committee meeting, one project in lieu of another are only \$200,000-\$300,000 apart with a budget that came in at \$1.66 in lieu of a budget that was \$1.89. Those deserve the tough questions that has to have debate. The best products have to come out of that debate. That's our role here. How the school's will spend their \$5 million I think you've heard quite a bit over time that they do operate on a fixed and they have incredible fuel cost rising and operating that they need to fill the gaps. If they don't do that, they have to lay off personnel and the children will be a result of losing that. I don't like paying more in taxes. I think you've heard me up here quite a bit. I've never been an advocate of increasing taxes, but its law, we have to educate our children. If we're going to compete we have to do that as soon as possible. Always thank you for your activism, thank you for your involvement, thank you for singling me out and please also continue to be active in the School Board meetings as well.

One of the questions I had about our Committee Meeting with whittle seed lake terrace. Director Pietravoia, I'm sure we have a zoning classification for that parcel on Brush and Richmond Road that the Museum of Natural History is interested in. I'd be interested to see how its zoned right now. Perhaps do we have an appraisal of the property? We probably could put it through some sort of equation that we could find out the value of that land.

Director Pietravoia – That parcel is currently zoned as most of the city-owned property throughout the community as municipal property. It was actually a classification for municipal properties. As far as an appraisal goes, as we go further through the process exploring the feasibility with the History Museum, our ordinances do require that if we sell a property that we sell it for its appraised value. So I would expect that would be part of the process. Although I don't believe we've initiated obtaining appraisal at this point, but it would be part of the process.

Councilman Delaney – Until we come up with a starting point, is there a rough guess or are we getting into legal ground?

Director Pietravoia – My opinion would be that it would be dangerous for us to take a stab at it without a professional appraiser involved. There are so many factors that they look at. We don't want to go on the record offering opinion before we get a professional appraisal.

Councilman Delaney – Director Johnson, on that same topic, I had mentioned about many properties throughout the city, if we pay taxes on it to the County that we have set aside for development, that it obviously probably still has the same zoning as municipally owned property. But I'd be curious to see what kind of total amount we have in that year in and year out. If you could e-mail it to me at some point, or copy to Council about the amount we pay that we don't get recouped back.

Director Johnson – I want to make sure that I understand your question. How much we're still paying in property taxes?

Councilman Delaney – The property taxes that we've talked about before on parcels such as the Envoy Inn parcel, I believe Century Corners.

Director Johnson – Those are the only two that are left. All of the other parcels we've received tax exempt status on those properties and we've in fact received all of the reimbursement of all the monies that we have paid to date.

Councilman Delaney – That's all good news. If we could have that, just a total of what we pay on those two properties. What I brought up at the committee meeting is somehow perhaps with this being part of the county's green print initiative, something they want to find incentives for to get the inner-ring suburbs to push toward preserving this land, preserving this property and if we can find out where its best served perhaps we can get in lieu of these property taxes in the future, preserving this land and having a conservation easement take effect with the Museum of Natural History. Those are just a couple of things to put forward as we pursue this. Thank you.

I, too, would like to say Happy Halloween to our citizens. Happy and safe Halloween.

Councilman Gruber – This question will be to the administration. Are we still using an energy broker for the citizens for natural gas and electric?

Mayor Cervenik – I can use up your whole 5 minutes on the subject. Yes we are for natural gas. We do have Vectren Source. The consultant that works with us is Buckeye Energy. But for electrical, not only did WPS not be able to meet the price from CEI. No other alternate supplier could meet the price as well. For the moment from everything I've read, that's a good thing for the citizens of northeastern Ohio because we have some of the lowest electrical rates in the United States. The bad news is we're not sure what affect that's going to have on some of these deferred charges in 2008 when CEI will again apply to PUCO for the rates. Everyone will automatically be transferred over to CEI. It will be seamless, you won't know the difference starting with I believe it is the end of December. With the gas, if you were with Vectren, you will stay with Vectren unless you opted out. There was a point where our rate was not as low as some other rates that were being offered. We do have a fixed rate of \$14.18, right in there, that is fixed. Which is a safety net with the prices going up. You need to look, you go to the PUCO website, Apples to Apples and you can get whatever rate is available. I do caution people to be a little concerned about signing up for a 2-3 year variable rate because that could get very expensive.

Councilman Gruber – I was concerned because the rate that Vectren had in the Plain Dealer Sunday was significantly higher than Dominion East Ohio for a 5 years fixed rate.

Mayor Cervenik- The Vectren rate that was in the paper is not Vectren Euclid.

Councilman Gruber – Still the rate in the paper was \$12.95 fixed for Dominion. You just stated we're \$14 with Vectren.

Mayor Cervenik- Many people have called my office and I've suggested that they may want to go with Dominion. At the time it was \$12.75, now it is up to \$12.95.

Councilman Gruber – Isn't this our consultant supposed to be working for the people and getting us the best rate available?

Mayor Cervenik – How it works is you strike a price on a given day and that's your winter price. When we struck the prices, it was at \$14.18. It's a crap shoot. No one needs to leave Vectren. Next year we will be able to strike prices again. The Dominion price is a three year price. Whereas next year when we go out to get our price through Vectren or Buckeye, whoever it is, we could become significantly less than what you signed up for for three years in Dominion. That's why you have to make sure you look up what's given. Please feel free to leave the Euclid price if that happens. But it's a crap shoot and the prices are up and down.

Councilman Gruber – There would be a one-time cost of \$25 to leave the Euclid program?

Mayor Cervenik – Depending on the situation, normally yes its \$25. At the same time to leave the Dominion East Ohio that you had would be \$50 charge if you leave.

Councilman Gruber – It is very confusing on a day-to-day type situation. Thank you.

Mayor Cervenik – We all remember the phone company don't we, same thing.

Councilman Gruber – Director Gulich, I know that we've been working together on this for awhile but it is actually going to come to reality now, we're going to be paving a couple of streets.

Director Gulich – We were able to cover all the streets we intended to of our priorities for 2005 earlier this summer when I shared them with you I think every Councilman would have liked to see more streets that are near and dear to them done. I'm pleased to report that we were able to do all the streets we intended to. We will be adding Braeburn Park Drive on as a second priority. All the streets that didn't make the cut this year, they'll move up to our top priority next year. Of course we'll reprioritize depending on what the winter brings us and hopefully we'll get Council to approve a nice resurfacing budget that we need so badly.

Councilman Gruber – We hope to see Braeburn Park done soon?

Director Gulich – This fall.

Councilman Gruber – There you go. Very good, thank you. I'd also like to mention that yesterday I had the pleasure of going with Director Pietravoia to Marine Mechanical Corporation, a Ward 4 business that's stayed in Euclid, took over the old Rockwell Building. We retained 245 jobs and created 38 new ones with an investment of about \$19,250,000. Fascinating place, they make some neat stuff. They wouldn't tell you what it was, you couldn't look at it, you couldn't breathe, couldn't do anything until you got to the tent, but very, very high-tech. It is really comforting to have a business like that in Euclid. It was amazing in there what they do.

Councilwoman Holzheimer Gail – I just wanted to comment on the hospital's groundbreaking of their expansion for the Emergency Room as well. It was a nice event and I was pleased that several of the city administrators and Council members were able to come and join the rest of the community. But I do want to also let the residents know that they are still fundraising and they still do need to raise \$500,000 in order to complete that project. They are going ahead with the groundbreaking and it is planned to be completed in December 2006. But I think we've all gotten some letters at home or you've had the opportunity, they still do need community donations and every little bit helps. If you can help the Euclid Hospital, they certainly would appreciate it. We as a community are very fortunate to have them here in our City.

I also wanted to let residents know that Northeast Shores and the 185th Street Merchants Association is holding a 185th Street Fall Fest on Saturday, October 22nd from 9:00 AM to 9:00 PM. This will include sidewalk sales, ice cream bash which most of the activities throughout the day are centered at Mikey's Dairy Treat which is at 778 E. 185 St. They will also have a best burger contest, fun and games, pumpkin sales and decorating contests. If you have the chance, stop at 185th Street on Saturday and enjoy those festivities.

I also wanted to congratulate Meg Garbincas. The Northeast Shore also chooses somebody for a Bright Spot award and she was chosen for September's and was awarded it at October's meeting. She is a Euclid resident and art teacher at the High School. If you've noticed the benches on 185th Street, she worked with Helping Hand Day Care and they painted the benches on 185 Street and they really look nice. It is a nice improvement to the street. Congratulations to her as well.

To the residents, there are two candidate nights scheduled for next week and I hope you will correct me if I have the dates wrong. The League of Women Voters Candidates Night is Tuesday, October 25th at 7 PM here at City Hall. The Library is also hosting one, Wednesday night, October 26th at 7 PM at the Library. All candidates are invited to participate in those and residents are invited to participate and ask questions as well. All residents will be informed this year through either of those meetings.

Lastly, just to have a comment about the schools as well. The important thing really is that we are making the decision. The schools have continued to put it forward to us, yes. But the decision is ours. The decision is what kind of schools do we want in our community. I absolutely want the best schools that we can provide for our children. What are we teaching our children? That question was asked. I'd like to show them that schools are a priority. I'd like to show them that schools matter and that they matter. Unfortunately the way that we can do that is by passing the levy. Nobody likes to pay taxes. I don't want to have to pay more. But I think the quality and the future of our schools which is tied to intrinsically to the future and state of our community, deserves that support. I will be absolutely voting yes on Issue 167 and my colleagues would probably agree. I think that's the number one issue facing us on the ballot this November. I hope everyone will really take a hard look at that. Look at it very strongly. Go to the Euclid School's website, Euclid.k-12.oh.us and you can see some of the activities that go on. They list the reasoning for the levy and what will happen if the levy does not pass. Something that we haven't mentioned is some of our own rec programs probably will be impacted. If the schools close after school hours at 3:00 or 4:00, that means the schools will not be open to swimming lessons, swim teams, recreational volleyball and basketball. I'm sure the Rec Dept. will be searching for other ways to provide activities, but that's an impact that we have not discussed. Whatever the reason is that you need to support the levy, look deep in your heart because our community needs it and our children deserve it. Thank you.

ADJOURNMENT

Councilwoman Holzheimer Gail moved to adjourn. Councilman Langman seconded. Yeas:
Unanimous.

Attest:

Clerk of Council

President of Council