

## COUNCIL MINUTES

November 7, 2005

The regular Council Meeting was held on Monday, November 7, 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, Zoning Commissioner Torowski, Mr. Gliha, Sgt.-at-Arms Nagy, Clerk of Council Cahill.

Invocation was given by Captain Stella McGuire from the Salvation Army.

The Euclid Varsity Chorale sang the National Anthem.

### Communications

Councilman Langman moved to receive and approve without objection a Stock, C2, C2X permit to Daves Supermarket, Inc., DBA Daves Supermarket at 22600 Shore Center Dr. Councilwoman Hufnagle seconded. Roll Call: Yeas: Unanimous.

### Council Minutes

Councilman Gruber moved to approve the Council Minutes of October 17, 2005. Councilwoman Hufnagle seconded. Yeas: Unanimous.

### ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik presented Proclamations to the Euclid Junior Panthers for winning the 2005 North Coast Junior Championship and to the Euclid Junior Cheerleaders.

Chief Maine, PAL President Roose presented Laura Gorshe of National City Bank with the PAL MVP award.

Mayor Cervenik – It gives me great pleasure tonight to announce to you that this past Friday I signed a Memorandum of Understanding with the St. Louis firm, commercial development company, to redevelop PMX property on E. 260 Street. It is one of my initial goals when I became Mayor that the 83 acres was a prime piece of property because of its location. We have been fortunate enough to have an owner that has decided to invest heavily on his own in this property and to put together a very modern industrial park. We sincerely hope that towards the end of this month that building will be torn down with the asbestos removed, and the building will come down, the property will be cleaned up and that we sincerely believe that by August 2006, this Administration will be able to present to City Council a development plan for that whole site.

Before I turn it over to Director Pietravoia, the gentleman that we're working with is Scott Stubblefield. Scott firmly believes that anywhere from 1,000-2,000 good paying jobs will be located on that property over the next 7-10 years and it could be sooner than that depending on what the market can bear. They plan on putting up close to one million square feet of property for industrial and technology properties. We have been in discussions with the County and the State and we will soon be in discussion with the Federal authorities as well to form a partnership as we did with Marine Mechanical to make sure that this project moves forward.

I want to thank Councilwoman Hufnagle for her hours with us in meetings to get this to where it is now. I want to thank City Council in advance for their support of this project. We made it to the front page of Craine's Business Magazine today. It is a very exciting project in the City of Euclid. It is a very exciting project in northeastern Ohio. This is actually happening sooner than I really felt it would happen. I think it is just being added on to the other things my administration and my development department is trying to do. We've come before you about our industrial expansion on E. 222 St. This is just going to further that and let northeastern Ohio and other areas of our country know that the City of Euclid means business and we're here to help you and we're here to help your companies expand and locate here.

I stopped at home and I usually don't go home before the Council meetings. I stopped at home, turned on the television and saw Chopper 5 flying over PMX talking about this great project and it felt good. We've been working on this for probably 18 months, give or take a

month or two and there's been ups and downs but we're on an up right now and we're very, very excited about the potential that will happen on E. 260<sup>th</sup> Street. At this time we'll get some of the details from Frank Pietravoia.

Director Pietravoia – I have to tell you, I commented a couple of weeks ago about how one of the most frequent inquiries I get is what's going on with that Dunkin Donuts and when is it going to open. Well right up there with Dunkin Donuts has been PMX and I know the Mayor, Council President and every member of Council shares with us the desire to see that property be put back into productive use. As the Mayor indicated we've been working on this really since I started. The Mayor made it clear to me this was one of his top priorities and in fact one of the first calls we made together was to Mr. Stubblefield, when I first started, indicating that, essentially sending our assistance in anyway we could to help make this project happen.

That property, I don't have to tell most of you, I think you are fully aware, has sat vacant for, substantially vacant for almost 7 years. The current owner has owned it since 2003 and they have attempted to market the building itself to try to find tenants. We finally concluded along with them that the market just isn't there to fill a building of that size, age and with the amount of problems that it has. We've convinced them and they are coming along very willingly to instead redevelop the site.

I have distributed to Council tonight, we just finished this late last week and as the Mayor mentioned it was executed, signed by both parties, what is called a Memorandum of Understanding. It is not a full-fledged contract, it is just basically outlines our commitment as a city to work with this owner and their commitment to work with us toward the same goal. That is a pretty simple goal, but a very challenging one and that's to turn this property back into a productive industrial property and specifically a modern industrial park that can compete with the outer suburbs and the places that some companies are going when they are looking for new space. This is going to give us the ability to offer that same new space.

We have been talking for months with the County, as the Mayor mentioned, with the State, with the Port Authority, with Team NEO. In fact at one point Team NEO wanted to work with us to make this a demonstration project to show all the other cities in the county how we could take an aging Brownfield with a huge old industrial building and turn it back into productive use. At that time we had a developer that was very close to doing a deal, buying the property and actually doing a deal on their own. That fell through. We had a second developer come along, got very close again. That fell through. I'm here to tell you tonight why it fell through. We have several million dollars worth of environmental clean up on that site. So if you have to buy the property, several million dollars to purchase it, several million dollars to clean it up, the cost to demolish the building. This is all before you have land ready and available to start creating an industrial park. That was a huge hurdle. We've overcome that hurdle by working with and convincing the current owner to be the developer. They have done this across the country in over 10 cities in the United States, over 5 million square feet. They have the experience, they know how to do this. Of course the city has to be at the table as well and what the MOU spells out is the steps we'll take, we'll go after the funding, we'll go after the Brownfield funding, we'll do whatever we can to make this an attractive industrial site.

We're just at the very beginning of what I hope to be a very exciting process. Our goal kind of informally in-house has been to create 1,000 jobs on this site and the developer saying that he believes that's doable, 1,000 or more.

There's also a green building aspect to this project, which I think is really neat. There's no reason Euclid can't be in the forefront just like every other community. They are going to recycle all the steel when this building comes down. There's value in that steel, especially today. The other thing they'd like to do and this is going to be a little more challenging, but I think it's doable, there's a huge concrete slab and foundation under 600,000 square feet of building. We're going to take that concrete and hopefully use it for the base of the new industrial roadway in this industrial park.

I am very excited about this project. I am looking forward to working with Council on it. This is the first step but a very important one. We have a commitment in writing. We hope to see as the Mayor mentioned the building start to come down this fall. The only thing that would delay it is the amount of time it takes to get the permit from the State, the Environmental Protection Agency. There's major asbestos in that building and in order to be sure that's taken care of properly, the State has to issue a permit. So the owner is not only take the building down, but remove the asbestos from the building and they're going to do that at their expense, knowing that hopefully later we'll be able to bring some grant dollars in for the rest of the project.

With that, there will be plenty of opportunities to discuss this further. Tonight we just wanted to get the information out, provide you with the document that was actually signed. I've had a lot of inquiries already from the media and I know I'll be talking to Jeff Piorkowski

hopefully tomorrow to answer his questions about this and I'd be happy to do the same with every member of council. As you get time, feel free to give me a call or e-mail me and we'll try to respond to all your questions. Thank you.

Mayor Cervenik – I would be remiss if I did not mention with the prodding of the Ward 3 Councilwoman Sally Hufnagle I have been in contact with one of the very prestigious members of the homeowners associations that surround PMX and we will be meeting with them in due time to make sure this development is not infringe upon the quality of life that they've enjoyed in their condominium associations. I can assure them all that the owner Mr. Stubblefield is very well aware of that situation as well and this will be a very friendly environment for those that live close to there.

Mr. Pietravoia, you and your staff thank you for all your effort on this. I'll come by here, I'll have to go to a speaking engagement, I'll drive by the back lot of City Hall and his lights are on 7:00-8:00, I'll stop in, I've got to throw him out of the office sometimes because I don't want his wife to be that upset with me. Frank you put in a lot of hours and your staff does, this is what we get for the hours that you put in, thank you very much.

I'm trying to speed it up a little bit here. We got a couple of presentations from our Directors. Hank Gulich is going to talk about leaves and Issue #37.

Director Gulich – I'll lead my own little cheer right here for Issue #37 on the ballot tomorrow is better known by everybody out there as the Two Mil Sewer Renewal Levy. It has been in effect since 1970. It has always been supported by Euclid voters. We certainly hope that's the case tomorrow. Back in 1970 anyone that was around here at that time would remember when flooded basements flooded streets, flooded yards were the norm, not the exception to the rule. I'm very pleased and proud to say that through a lot of work and money that this money has generated we've been able to reverse that now it is definitely the exception to the rule. It raises about \$700,000 a year. It funds sewer maintenance efforts such as our very popular 200 truck which will come out and snake sewer laterals on private property for homeowners. It goes a long way towards financing that department, my Streets & Sewers Dept. and all the efforts they do making sure our sewer system is working properly. Please tomorrow remember Issue #37, our Two Mil Sewer Renewal, which will not raise taxes.

Secondly, yes we are out there picking up leaves, after that wind yesterday I'm surprised there is any left. Plenty of green trees up there, leaves are falling fast and furious. We're going to work hard, we're going to work overtime to try to stay up as best we can. We realize that some people have pretty leafy yards and pretty small treelawns but we do ask if at all possible please rake the leaves just to the curb and not into the street. It keeps your neighborhood better looking, makes it easier for our guys to pick up the leaves, keeps the neighborhood safer too with the traffic and cars parked on dry leaves, not starting fires with their mufflers and such.

Second of all, please leaves only. Any yard debris you have, branches, anything like that, please put it with your regular trash. The branches are real rough on the equipment. If one of those impellers goes down, it is about a \$2,000 repair job and that piece of equipment is down for about 24 hours and that's the cases where we are falling behind. Please leaves only to the curb and we will get there.

Director Johnson – I'll be very brief. This evening I asked the Clerk to pass out to Council the status of the General Fund as of the close of business on October 31, 2005. The format of this report is something that you've never seen. This is from a request about a month or so ago from Councilman Langman. The format hopefully, Councilman Langman, is what you're looking for, but this is the status of the general fund at the end of October. Also I've included a copy of our income tax collections. We are on target I believe to meet our projections. We're \$1 million ahead of our projection at this point and we still have two more months to go. We're actually \$1.9 ahead of where we were at this point last year. I'm very encourage with our income tax collections. A lot of it is due to our efforts in the area of delinquency.

Lastly I'd like to point out particularly to residents at home, there was a letter that was mailed out to a lot of our residents from a company called Miami Systems Corporation. They are a subcontractor for CCA, they handle the estimates for CCA. There was a letter mailed to some of our residents, I'm not real sure who. This letter was mailed to you in error. If you read the body of the letter it discusses an error that was made between the City of Barberton and the City of Willoughby Hills, had absolutely nothing to do with the City of Euclid. But some of our residents did receive this letter and I just wanted to make sure that no one got alarmed by receiving the letter. I think the letter was sent to you in error and just ignore it. Thank you.

Director Will – On behalf of the Recreation Director, I'd like to take this time to congratulate our Junior B Panther Football Team, all the parents, the coaches, the cheerleaders, etc. It made me very proud to go to one of my association meetings and hear that our Euclid Team, a brand new team came in and won, it made me very proud that day, as the kids always do.

I'd also like to thank our two other tackle football teams that we had this past season. Our cheerleaders and our six flag football teams because even though they may not have won a championship, they are still winners to me. Thanks again to everybody that participated in the programs, all the coaches that volunteered their time. Again, without you our department would never survive so thank you.

We will be offering a mini session of swimming lessons at the Euclid High School Girls pool, December 6<sup>th</sup> through December 20<sup>th</sup> on Tuesday nights for three weeks. You can register in our office on Tuesdays beginning November 15<sup>th</sup> from 1:00-4:00.

I'd also like to make an announcement that we will be having a Recreation Commission Meeting this Wednesday, November 9<sup>th</sup> at 7:00 here at City Hall. Our main focus at that meeting will be to discuss our summer program attendance and financial reports and to also discuss the pavilion at Memorial Park.

I'd like to make some announcements on behalf of the Shore Cultural Centre Board of Trustees. They will be hosting the Cleveland Women's Orchestra at the Shore Auditorium on November 20<sup>th</sup> at 3:00. Italian Night has been rescheduled for December 2<sup>nd</sup> at 7 PM. There's a \$25 donation which will include your dinner, dancing and drinks and the music will be by the Gigolo's. They'll be having an arts and craft show on December 3. The admission is free, but if you'd like to get a table you can call the office at 289-8107. Finally the Euclid Civic Orchestra concert will be held on December 4<sup>th</sup> at 3:00. Any information again about Shore Cultural Centre you can call 289-8107. Thank you.

Mayor Cervenik - I'd like to remind everybody that this Friday, November 11<sup>th</sup> is Veterans Day. We will be having our annual Veterans celebration and memorial here. All the public is invited. The Joint Veterans Council will be putting on the tribute to the various veterans that have served our country well.

Last but not least, tonight you saw our Varsity Choral, our cheerleaders, our football team. Saturday there was a parade down 222 Street in support of our schools. Our school system turns out tremendous students. As you know tomorrow is election day. Nobody like to take any money out of their own pocket unless it is for a real good cause. Well Issue 167 is for a real good cause. You heard us tonight talk about PMX and the possibility of 1,000-2,000 jobs being located in the City of Euclid over the next 5-7 years. Everyone of those people are going to want to make sure that the community they work in and live in has good quality strong schools. That's what #167 is all about. Please remember they've dropped the request from 7.9 to 5.9. The school has made over \$2.2 million in cuts, where they could, any other cuts directly affect the quality of life for our students. It will affect extra-curricular activities, it will affect just the general well-being of our students. I strongly support as Mayor and as a life-long resident of the City of Euclid that you really think long and hard tomorrow about voting yes for #167 because it is very, very important to the economic development of our schools. With that Administration Reports are closed.

#### REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Fire Report of September, 2005 and Board of Control Minutes from 10/11/05, 10/17/05 and 10/24/05. Councilman Delaney seconded. Yeas: Unanimous.

#### COMMITTEE OF THE WHOLE

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

Mrs. Madeline Scarniench – 1511 E. 221. I would like to speak about #1 on tonight's agenda. Unfortunately I wasn't able to make the P&Z meeting when this was voted on and it was voted 3 to 2. If I had been there I don't think this would be before you tonight. As part of the Weed & Seed Steering Committee, I just came back from Los Angeles a little over a month ago. The theme of the conference was strengthening communities on block at a time. This is what we're asking you for, keep building our community, one block at a time.

People over the past few years have complained about the real estate deals that this past administration has been in. But let me tell you about one block at a time. The Envoy Inn was torn down because we bought. We got rid of drugs, alcohol, prostitution and a murder. One

block at a time we moved over and we took down a lot of Parklawn. Again we got rid of drugs, alcohol, prostitution and another murder.

Across the street from where this business is proposed to be, there are already three bars. One is very rarely opened because it is always in trouble. There's already a beverage store there. There's a grocery store soon to be that will also serve alcohol, be selling alcohol. We don't need this. We do not need it at all. The areas that are designated to be Weed & Seed is because they are high crime areas. We're trying to clean up our neighborhoods, one block at a time. I know because this went to P&Z you have to have a super majority. So if all of you on Council will please listen to me and the fellow members from the Steering Committee that are here and remember this is our backyard, we do not want this. A few years ago we were able to close up a drive-thru down in my neighborhood because of drugs and illegal alcohol sales and things. We put it to the voters and the voters shut it down. Please don't let us have to do this again. One block at a time, keep Euclid growing in the right direction. Thank you.

Ms. Kandi Jones – 27040 Tungsten. I think Madeline said a lot of what I was going to say, but I just have a couple of comments that I want to make regarding #1 on the agenda. Speaking as the Weed & Seed Steering Committee Chairperson, the Weed & Seed strategy has been in Euclid for the past over 10 years since 1992. We've made a lot of efforts in the neighborhoods to revitalize neighborhoods, to bring back neighbors and kids to get familiar with the police officers, to get neighbors familiar with themselves and the business owners in the area. A lot of the efforts that we've done, as Madeline said, is to help weed out bad elements and activities and that part of Euclid Ave., there's a lot of walking back and forth for young adults. I don't think that's the type of store atmosphere that young adults need to be in front of, because at that age they could be easily influenced.

Also on Euclid Ave. for a drive-through store at that particular location, I feel it would be a safety issue of coming out on Euclid Ave. for traffic reasons. As Madeline mentioned, there are other stores in the area that do sell alcoholic beverages and we've had problems with those in the past. I just don't feel as a resident of that area and as a neighborhood leader and as a Steering Committee Chairperson, we're trying to move the neighborhood in a good direction, build the neighborhood in a safe environment, and I don't think that's the type of business that needs to be in that area. Thank you very much.

Ms. Jai Walton – 27591-A Mills Ave. I'm also a member of Weed & Seed, and have been since its inception. I'm really going to just piggy-back Madeline and Kandi. I want to say this to Council that both Madeline and Kandi have touched several reasons as to why this Resolution is not good.

I want to speak on the side of just being a citizen here in the City of Euclid. Euclid Avenue, I don't believe that's the kind of legacy that we wish to leave for the City of Euclid on Euclid Avenue. Between Babbitt Road and E. 276<sup>th</sup>, there are approximately 7 places that you may in various ways consume take-out alcoholic beverages. There is a club and a bar and a quick stop that will be directly across from this drive-thru.

I would like to see each of you say no to this. Based on what you stand for, strong neighborhoods, safe neighborhoods, thriving neighborhoods, enhancement of the city, curb appeal one of my favorites, all of the things that make a city great, prosperous. Be proactive, please say no, fight whatever you need to do to get this not to happen. Thank you.

Mr. Tom Cooke – 25641 Edgecliff. I would also like to encourage you to vote no on item #1, the Resolution granting a variance for the sale of alcohol on this property. It is just plain not a good idea. We don't need any more places for people to purchase alcohol, especially in that area that's we're trying to reclaim for the City of Euclid. In almost all instances where violent crime takes place, alcohol is present. In almost all instances where domestic crime takes place, alcohol is present. We don't need it, plain and simple.

Item #8, regarding the Tots Choice Expansion Playground Unit for roughly \$18,000. This is a good thing for the community. It is a good thing for the children. Don't waste a lot of time on debate, just vote for it. Okay. Item #1, same thing, don't waste a lot of time on debate, just vote against it. Thank you.

Mrs. Del Tekieli – 5 E. 221 St. I know that the public hearing on the community block grant, that's #2, was held last Wednesday. Unfortunately I was in the hospital at the time and I was unable to attend. I know that Council votes on it tonight, but I would like to ask you to modify this. There is absolutely no reason that the Shore Cultural Centre should not be included in this grant.

I can see that \$5,000 in Unprogrammed Funds could be used for Shore. \$10,000 from Municipal Beautification could easily, that's \$115,000, \$10,000 could go to Shore to light the exterior to make this the focal point of the downtown area. There's also \$10,000 from storefront renovation.

Shore is one of the primary economic anchors in downtown Euclid. It brings in well over 1,000 people a week, most of whom would not come into that downtown area. We've not put any money into it from block grant. This is another source of funding and I really believe this should be modified to include it. Thank you very much.

Mr. Dennis Berzinskas – 28090 S. Lake Shore Blvd. Not lower Lake Shore Drive. #2, also vote no for #1. There's also one on the ballot tomorrow, vote no for that too.

#2, Shore. At all the political talk going around the city, one of the candidates got up and said Shore has a terrible roof, made it sound like it is falling in. Had a contractor up there, its \$10,000. Let's get the truth out. Quit your lying. Stand up and work with the citizens, not your political allies.

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

## LEGISLATION

### **Res. (442-05) Variance/Liquor**

A resolution granting a variance to Joel L. Lancry to operate a store where liquor, wine, beer or malt liquor is sold at 26080 Euclid Avenue, Permanent Parcel #648-51-013. (Sponsored by Planning & Zoning Commission)

Councilman Gruber moved for passage, Councilman Delaney seconded.

Councilman Gruber – As most of you know I'm the biggest cheerleader for new businesses on Euclid. I don't feel this is an appropriate business. Being on the Weed & Seed Steering Committee and talking with residents of the area, and passing by the site myself and looking at the location, it is inappropriate for this type of business and I urge all my council members to support a no vote on this. I believe the Chief may have a word or two on it as well. I urge my Council members to vote no on this. Thank you.

Commissioner Torowski – Mr. Lancry owner of the property and Jamal Alnajada have proposed a drive-thru beverage store for this establishment. The business is proposing to sell beer and wine at this location. Under Section 1359.04 the sale of liquor in a U-4 retail/wholesale use district is prohibited except for a variance granted by the Planning & Zoning Commission as communicated in Section 1391.01 of the Codified Ordinances.

Section 1391.01 states that the Planning & Zoning Commission subject to confirmation and approval of Council may grant variances in a U-4 retail/wholesale use district to allow the use of the premises for the sale of intoxicating liquor, wine, beer or malt liquor where it is sold for consumption on or off the premises.

Mr. Lancry and Mr. Alnajada have presented their variance request at the October 18<sup>th</sup> Planning & Zoning Commission meeting and they were approved a variance. Mr. Lancry is in the audience if Council has any questions.

President Sustarsic – Any questions from Council? Any further comment from the administration?

Chief Maine – I can only echo what the residents who have spoken here tonight have said. I think that for those reasons it makes sense not to permit this variance but I think from a law enforcement standpoint, it even makes more sense. There are a number of other establishments on Euclid Ave. that they've already referred to that we've had a number of problems with. I think that an establishment like this can only lend to further problems up there. For that reason, if I had a vote, I would vote against this.

President Sustarsic – Comments or questions from Council?

Councilman T. Sustarsic – I think with the recent developments that we've seen at PMX, we're going to bring 1,000-2,000 jobs, people are going to be coming into that area, I think we can do

better. They will need places to eat and to shop and I think we can do better than a drive-thru liquor store. Thank you.

Councilwoman Mancuso – Can you tell me what possessed our Planning & Zoning to approve this, what was it 3 to 2?

Commissioner Torowski – That’s correct, 3 to 2. I can’t say why they approved the variance. That would be up to them. I know there were issues that they had but not particularly with the liquor sale, but more along the lines of the circulation around the property, that there is no curb-cut, they have to use a legal easement for that. But all their concerns were generated around circulation for the business route rather than the sale of liquor.

Director Frey – To further elaborate on that. There were no members of the general public in attendance at the Planning & Zoning Commission that spoke in opposition to this development. So I don’t want to suggest that Planning & Zoning was out on a limb on this. In fact it was this business request that has caused us in the administration to discuss the handling of incoming liquor permits, license changes, renewals and so forth. Informally we’ve talked with the Clerk of Council who is the recipient of those requests and asked that, and we will do so formally, but ask that copies of that be sent to the Planning & Zoning Commissioner or the Development Director for a couple of reasons. One we would like to get them funneled to the Ward member of Council. We would like to get the input from the Police Dept. relative to the characteristics of the neighborhood, or if it’s a particular establishment seeking a renewal or a change in liquor license, the input from the Police Dept. relative to the nature and type and frequency of calls to the establishment.

We’re going to try to get ahead of this so that we will have that information to present to the Planning & Zoning Commission and then the Council person will have a better opportunity to canvas the residents in his or her ward to get input to present to the Planning & Zoning Commission as well. Again, those 5 members were without benefit of the wisdom of the members of the community, or members of Council at their meeting when they voted.

Councilman Delaney – I would also agree with some of the members of the public that mentioned the competitive balance. It is not as if its unable to obtain these items. I do remember two years ago we had a citizens group, the Euclid Avenue Beautification Committee. What we should probably do is reinvestigate the prospects of having more involvement from the residents and to help plan the area a little bit better. I think we need to have a big, bold plan for that intersection and I think it would serve us all a lot better in those instances with much more citizen input. Thank you.

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

Roll Call: Yeas:

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

Failed.

**Res. 164-2005 (444-05) CDBG 06 Plan**

A resolution approving the Annual Action Plan for the FY 2006 Entitlement Year under the Community Development Block Grant Program of the United States Department of Housing and Urban Development as recommended by the Citizens’ Advisory Committee appointed by the Mayor of the City of Euclid. (Sponsor Councilwoman Holzheimer Gail)

Councilwoman Holzheimer Gail moved for passage, Councilman Daly seconded.

Director Pietravoia – I’m sorry Mr. Chairman, we wanted to have an opportunity to speak to the owner of the property on the last item, so we’re arranging that with Mr. Torowski.

Yes, we have with us tonight Mr. Robert Gliha, we’re very fortunate to still have him working with the department and helping us to coordinate the Community Development Block Grant process. He’s here tonight to report on the outcome of the Citizen Advisory Committee process and I know Councilwoman Gail will probably have some comments on this as well. I will turn it over at your discretion, Mr. Chairman, either to Councilwoman Gail or to Mr. Gliha.

Councilwoman Holzheimer Gail – We’ve been very fortunate to receive Community Development Block Grant funds for many years. Mr. Gliha has been at the helm for most of those. I want to congratulate him for his work. If you remember, probably about a year ago, we

passed a resolution in support of this program as the President was proposing to eliminate it. We're lucky and as of last week I don't think we had final approval, Mr. Gliha can address that. We are going forward with the planning. We are hoping that we will receive funding in the amount of \$1,100,000. Most of these programs have to meet two criteria. One is that it has to serve low to moderate income people and the second is that it has to reduce slum or blight in the community.

We have a citizens group that works throughout the year and oversees the process of receiving proposals, hearing the report on the activity that's occurred the previous year and then does approve this budget. This is a budget. These are not final numbers. Each item over \$15,000 will still come back to City Council. To the residents from Shore, the money is not completely allocated each amount. These are categories that this money is allocated to. Certainly there are programs that are in place that need some of this money, Senior Programs being one of them, the Storefront Renovation dollars. There's many items that we have in mind and many programs in the works. There is room for looking at new proposals throughout the year if they fit in the categories. I would encourage the Shore Board to meet with either Jim Sonnhalter, Mr. Gliha or Gary DeWine to see how the program might fit those needs.

I want to thank the Citizens Advisory Group for their hard work. That is Dorothy Fike, Madeline Scarniench, Ed Dickson, Laura Gorshe, Alice Yatsko, Lionel Kinds, I don't think I forgot anyone. And thank also the staff members who put in so much time, there's a lot of requirements that go along with the money and reporting requirements and Mr. Gliha does a great job keeping us in line with that. Many of the improvements made throughout the community, through the neighborhoods, really are made possible through these funds. Some of them are obviously listed on our budget, but the health, safety and well-being includes weatherization program, vinyl siding and minor code repair for homes that people with low income.

The EDCOR program is funded for the program work, not the additional loan money. That also helps creates improvements to homes throughout the community, services to the handicap, part of the funding for Euclid Senior Programs, the Storefront Renovation program which many of you see the results of that throughout the community, Municipal Beautification, that's improving our streets through landscaping, streetscaping. Neighborhood programs includes a number of different programs and then the general planning and management component. We are very fortunate and we're very hopeful that we will receive this money this year. But I will let Mr. Gliha add any comments and I certainly would encourage Council to pass this this evening. This is the general budget, there is room in each specific program within it, there is room for looking at new projects. Thank you.

Mr. Gliha – Thank you Councilwoman. I must say that the Councilwoman has become an excellent spokesperson for the Block Grant for our Department. She has said many of the things that I would have addressed if I had the podium first. But I did want to reinforce a comment that she did make about the budget. Specifically about municipal beautification category, which under the HUD budget terms is for public improvements and public facilities. So therefore there's a lump sum budget of \$115,000. Mr. DeWine, I'm sure has some programs or projects that he'll be helping to enact on E. 222 as we do that project next year and probably some construction projects and beautification projects in downtown Euclid. But, there should be some room if Shore Board would like to get together and submit a proposal for some public improvements to the public facility, we would certainly be willing to work with them.

As you can see by the question that Mrs. Tekieli brought up today, our committee, because of the uncertainty of the funding and of course because of the reduction no matter what, when Congress does approve final funding, had a very difficult time making their decisions and discussing the various budget parameters that we're going to be presenting to you tonight. There was some lively questioning and a lot of debating during our meetings. I think the committee thought out every process and discussed every process and is recommending a sound approach to the expenditures for the block grant for 2006.

We have received the Block Grant since 1975. We have received a little over \$30 million. We have helped quite a few homeowners. We have helped quite a few commercial storefronts. We have done quite a bit of planning and beautification throughout the city and of course we have done quite a bit of social work through senior programs and such. The needs are ever increasing and I'm afraid the dollars seem to be forever decreasing.

To give you an example, in 2001, we were at a high point, we received \$1,297,000, which by far was still one of the smaller entitlements in northeast Ohio. HUD as advised us for 2006, the budget at \$1.1 million. I looked up today through CPI Bureau of Labor Statistics to see what that \$1.1 million should really be if we were to keep up with inflation. That figure

came to \$1,430,000. Not only is this valuable program not keeping up with the cost of living, it is being reduced because of the many demands that are being placed on our domestic policy.

We appreciate the support this Council and the City of Euclid and the citizens of the City of Euclid have given this program and we will continue to lobby and ask for your help to make sure this program is continued to be funded and it will continue to benefit the City of Euclid. Thank you. If there are any specific questions, I'd be pleased to try to address them.

Councilman Delaney – Mr. Mayor or Director Pietravoia, we have the EDCOR low interest loan program so we give out loans and they are repaid back. What do we do with the interest? Is that reflected in this amount as well?

Mr. Gliha – The low interest loan program has been what is called a revolving loan program since approximately 1984. There have been no additional funds put into that program, other than for the cost of administering the program. Because of some quirk in the regulations, you are not allowed to use the revolving funds from the loan program, which is the interest and principle paid back to administer the program. Since 1984 every dollar and every penny that we have received back from paid off loans, the interest on the loans have gone back into the fund to make more loans to our community.

Councilman Delaney- It keeps building on top of it and that's what reflected in this \$44,500?

Mr. Gliha – The \$44,000, as I said, is the cost to administer the program. We have to fund out of the block grant itself, once again because the regs do not allow us to use the return principle and interest for some reason to pay for the administration of the program. I will add that the administration of the EDCOR program, EDCOR loan program has been highly praised by the Department of Housing and Urban Development because of its low cost and high output in loan ratio.

Councilman Langman – Mr. Gliha, approximately how much money is loaned out per year and has it maintained a steady pace. What is the payback rate?

Mr. Gliha - The average year we probably make about 15-20 loans with probably \$250,000-\$300,000. We're receiving payback and of course this is off the top of my head, I can confirm these figures for you tomorrow to the penny. We receive approximately \$100,000-\$150,000 back in principle and interest each year. Of course, we do get some loans paid off as the people pass on, the house is put up for sale and the loans are paid off.

Councilman T. Sustarsic – I'm just happy to see this legislation in front of us. I know last year with the scare we had that the federal government wasn't going to have this kind of funding anymore. I started my public service career working for the Weatherization Dept., Mr. Gliha was my boss and I can see first hand the good that this does. We're out there beautifying homes for people that maybe necessarily couldn't afford to do the improvements with the vinyl siding and the painting. The weatherization help lower their costs for energy costs and the handicap ramps of course, which is a suitable living environment. It all promotes that for our residents and it's a wonderful program that we have and it has my entire support. Thank you.

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

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

Passed.

President Sustarsic – Before we go to the next piece of legislation I would really, really appreciate it, there has been some random conversations going on in the audience while people up here have the Chair. I know it is a little bit disturbing to me, I know there are a lot of good people who came here tonight to pay attention to the agenda and look for what's going on with the company business so to speak of the city. So if there will be any conversations, if you could please move out into the lobby, so as not to disturb anyone sitting next to you or especially the speaker who has the floor. Thank you very much.

**Ord. 165-2005 (449-05) Pioneer**

An emergency ordinance authorizing the Mayor of the City of Euclid, Ohio, or his designee, to enter into an Incentive Grant Agreement with Pioneer Solutions, LLC (hereinafter referred to as "PIONEER") for a five (5) year period beginning in 2005 and ending in 2009. (Sponsored by Councilwoman Hufnagle)

Councilwoman Hufnagle moved for passage, Councilman Gruber seconded.

Director Pietravoia – Earlier this evening we had a lot of discussion about PMX and the importance of creating an opportunity to develop a new industrial park. But you've heard me many times now coming before Council expressing the importance of working with our existing companies and helping them to grow and expand here in the City of Euclid. I'm very pleased tonight after about a year plus worth of effort in working with Pioneer Solutions, to come before you with an incentive package that will not only keep the company here and help them grow in the City of Euclid but will also help to solidify the future of the building that they occupy. I think members of Council will recall a couple of years ago when Hitachi announced that they were closing this facility and moving their operations back to Japan, that was the bad news. But the good news here tonight is while I can't identify the company yet, we have a Cleveland manufacturing company that has entered into a letter of intent to purchase the Hitachi building and move their company here to the City of Euclid.

Add to that the more tremendous news that Pioneer Solutions which was the engineering staff, essentially of Hitachi, formed their own company and has decided to remain here in the City of Euclid and grow and expand here as a tenant in that very building where they started as part of the Hitachi company.

What we have put together as an incentive to help Pioneer Solutions make that decision is an incentive grant. We've done this a couple of times before, we've come before Council with a couple of other companies here in the City. One that actually moved into the community with a similar approach. Essentially what we are offering to the company is an annual grant for 5 years, and it will be based on the fact that they will maintain or grow their payroll here in the City of Euclid. As that occurs, we'll take a percentage of the payroll withholding tax that they pay and give them an incentive grant back. It truly is what the name implies, it is an incentive for them to grow here in the community. The more they grow potentially the larger their grant will be.

We've estimated based on the figures that Pioneer has provided to us, with a growth of approximately 8 employees, they are currently at 34, with a growth of about 8 employees and a growth in their payroll that corresponds with that, that they would receive a grant estimated to be around, starting at around \$15,000 in the first year, potentially grow to \$18,000 by the fifth year. We've also structured this so that as the company grows and expands and is successful, they would have the option to request a 5 year renewal subject to City Council's approval at that point in time.

I should say over the 5 year period we estimate that the total payroll withholding tax to the community will be a little over \$400,000. The total grants over that 5 year period, starting at \$15,000 and growing to about \$18,000 would total approximately \$80,000. Of course the City and the Schools would still benefit from the balance by keeping the company here to the tune of about \$330,000 over that 5 year period.

I encourage City Council, this is really a win/win situation. As I mentioned not only is there an intent to purchase the building, a new company coming in, the ability to keep Pioneer here in the community. Hitachi will also keep their marketing department here in the community and that is approximately another 29 employees. So just Pioneer and the Hitachi marketing department alone is about 63 employees. That's before anybody grows and before the new company comes in.

So I expect to be coming back to you at a later date with more information about the new company and depending on their needs, potentially an incentive package related to that project as well. Mr. Manny Naft is here tonight representing Pioneer Solutions. He's had the fortitude to stick it out and work with us and try to make a deal work for their company to remain in Euclid. I'm really pleased to have him here tonight and really pleased that we have this opportunity. Between myself and Mr. Gliha, I'd be happy to answer any specific questions.

Councilwoman Mancuso – While this sounds pretty exciting, I have just heard about this in our packet and received this contract today, late today and haven't had an opportunity to even look at it. I'm not saying its not great, it sounds wonderful. But I would really like us to have time to read it before we vote on it and I have not seen it. I think it got to my e-mail at like 3:30-4:00 today. So I'm really not prepared to vote in favor of this when I don't actually know what all it says.

Director Pietravoia – I appreciate your concern. We try to get these to Council as quickly as possible. One of the reasons we have a reputation as a business friendly community is because Council is willing to help expedite projects like this and help us move things forward as quickly as possible. This whole project and the ability for the purchase to move forward and the lease for this particular company does hinge on this incentive. We thought it was important even though this all came together, in terms of the agreement being completed at the end of last week and actually we even made some minor changes before we e-mailed it this morning to Council.

I do appreciate your concern and we will make our best efforts in the future to try to get these to Council sooner. I guess I would just remind members of Council that we have seen these agreements on the other two projects. Literally it is the same language, the company name changes and the percentage and amount of the incentive grant changes and we do detail it in a table in the agreement itself.

Again I appreciate your concern, Councilwoman Mancuso, and we will make best efforts to get this to Council sooner. I would urge if you have specific questions, we'll try to answer them this evening, otherwise I would ask Council to move forward with this tonight.

Councilwoman Mancuso – I would love to move forward with it, I don't even know what questions to ask you because I haven't had the opportunity to read it. From my perspective it is just good business to read it and its probably wonderful, but I haven't had the opportunity to even read it, I'm sorry.

Councilman Delaney – I would agree. We did have a piece of legislation here that said the contract would be with the Clerk of Council. We are accustomed of having it in our packet on a Thursday. It was e-mail today, it isn't the same as the other two, it is similar, but there is quite a bit to go over here. I would love to expedite this as soon as possible. You did mention that there is another company to be named later. It just seems a little rushed. Would it hurt if we tabled it to the next Council Meeting? I would really like to vote for this. This is great, but I think that now that we just get the agreement in front of us and we do have a lot to go over, we still have to go through our process.

Mayor Cervenik – I would propose that everybody take out their agreement right now and let's go over it, sentence by sentence. We do get paid a salary here, as council people, and if you had this at 3:00 this afternoon, that's more than enough time to look this over. I'm willing to sit here tonight with you and let's go over it right now. Does everybody have a copy of the agreement? Okay.

Whereas the City is desirous of retaining Pioneer and aiding in the company's location and expansion within the City of Euclid. Is that a problem? You tell me where your questions are, I'll be happy to answer them, we're all here tonight.

Councilwoman Mancuso – We need not be facetious here.

Councilman Langman – Mayor, I don't think that tone is really appropriate quite frankly, it's not. If Council people have questions, they should be answered. Now if you e-mail a document at three o'clock in the afternoon, some of us are at work and don't have access to e-mail. I didn't get any phone call from Director Pietravoia or from you saying this contract is ready to go. I don't see what the problem is. If you want to have a special meeting on Wednesday or Monday so that all the questions can be answered. You tell me what's wrong with that?

Mayor Cervenik – Mr. Langman, there's nothing wrong with that. We're here right now, I'm willing to answer any question that you have and so is Director Pietravoia and Mr. Gliha, as well as the Law Director. We're here, that's what we're here for. But it's up to Council. Council can do whatever they would like to do, Mr. Chairman.

President Sustarsic – Excuse me, if I may interject. I believe it was Thursday that we received these council packets. My only thing would have to be is that members of this Council had since last Thursday to correspond with the Administration relative to this and as far as any questions that they might have had. I certainly think that between Thursday, Friday and then possibly even personal phone calls on Saturday and Sunday being that the city officials that we are that even though it is on the weekend we still have a responsibility, we can still get in touch with people. So, consequently, I don't know that we really need to debate this tonight, or table it tonight ....

Councilwoman Mancuso – I did call in today.

President Sustarsic – Well you have to call a little bit earlier than the day of the Council meeting.

Councilman Langman – Mr. Chairman the contract was not in the packet.

Councilwoman Hufnagle – Who has the floor?

Councilman Langman – I was recognized as having the floor.

President Sustarsic – Mr. Langman.

Councilman Langman – Thank you. The contract was not in the packet. If you want to make this difficult, great fantastic. You want to make a show of it, that's fantastic too. But if council people have a question about it, then it should be answered. If you can't answer it at this meeting because the information came late, then I don't see what the big deal is of holding a meeting on Wednesday or next Monday so you can discuss it. I've heard many times from the administration how we don't like getting questions the day of the meeting. We need time to review it. Courtesy says that works both ways. That's my only point. Council can do whatever they want, but I don't see where the big issue is where Mayor you have to become all defensive.

President Sustarsic – Point of Order for the audience please. We don't need any political clapping.

Mayor Cervenik – The statement again and I'm not being defensive, I'm confused. The statement again is, if Council has a question, they deserve an answer. I am providing you the forum to ask the questions. We can provide the answers. As Chairman, you have the authority, whatever this Council wants to do, I will do. That's all.

Councilwoman Hufnagle – Thank you Mr. Chairman. As the Ward 3 Council person, where this business and building is presently located, I had the occasion back in the first part of the year, back in January, I believe. I called on Pioneer Solutions because I was actually calling on them on behalf of the Euclid Chamber of Commerce. I was working on a project with them. I was there at Pioneer because they were making a donation to the Chamber. It was at that time that Mr. Naft took the opportunity to explain to me their currently situation. From that moment on, I continually worked with the Economic Development Director.

This agreement has been a long time in coming. This is about retaining business. This is about a new company coming in. The new company coming in wants to know that they have a tenant in that building. We have all, all of us, campaigned on economic development. As the Ward 3 representative our packets came out on Thursday, I met with Mr. Pietravoia and we went over this agreement and I receive no phone calls. We have the responsibility to gather the information ourselves and not wait for somebody to deliver it to us. I am not in favor of tabling this and we have been in this Chamber until one o'clock in the morning and we should stay until that time tonight if it takes that long to get these questions answered because the company is sitting here. They have sat here for an hour and a half. How do we say we're business friendly and we want to tell them we're going to table this, come back another time. Mr. Naft, did you work all day?

Mr. Naft – Yes I did.

Councilwoman Hufnagle – Let's take care of business, ladies and gentlemen. You got a question, let's answer it. We got all the time until 6:30 in the morning. So what is the question? Mr. Naft is ready to answer the question. I believe he has his accountant here with him. The Director is here. Mr. Gliha's here, what's the question? Because this is about retaining business and bringing in new business, this is about tax dollars. This is so our kids can get an education because part of our income tax goes to the schools. And I'm sorry I don't think I'm the one here grandstanding tonight.

Councilman Gruber – I got here about quarter to 7. I usually get here a little earlier and this 2-1/2 page document that reads probably easier than a car rental application was on the desk here. And I read it over and we've had several applications like this come through here and I have full faith in the Administration and Director Pietravoia and I would like to see a new business come here, too. It's a pretty simple double spaced 2-1/2 page piece of paper. I don't run huge budgets and all that stuff, but it's pretty easily read. So maybe we could take a couple minutes and read

to ourselves and make a decision. This is a good idea. This is something that's bringing business to the City and let's just get on with it. Thank you.

Councilwoman Holzheimer Gail – Let's everyone take a breath. I think everybody wants to move forward on this, but there's questions. So let's take the time and go through it and I don't know whether Director Pietravoia or Director Frey would be the more appropriate person. I don't think we have to read it verbatim, but if my colleagues agree that would be helpful, then let's take the time now. It is not a long document. I noticed it wasn't here this morning and called the Clerk of Council and did receive it so I have had a chance to go over it and I am in favor of it. But if there are questions, let's not make this a fight. This is something we should all come together on in bringing business here. So I would request that let's take the time now. It won't take long and get this done tonight.

Councilman Daly – Again, two of the key things is that we're retaining 34 jobs, 34 very good jobs plus creating 8 new ones, 8 very good new jobs. And not only does this have, this in itself is a very nice project. It does make it much more desirable for that location to be rented to someone else, the warehouse portion because someone coming in know there's a tenant for the office building paying rent really makes that location much more desirable. I know about 2 years ago there was a company that was, it didn't work out but that was a major incentive knowing that those engineers from Hitachi were in that building and may stay. And if we're able to lock this down, it would make marketing that building much, much easier. So I know, I can appreciate, you know, wanting to see things but I think this is something, you know, maybe we should try to look at it right now and try to get it passed because it seems when you have an opportunity to get business you should hop on it versus letting it delay. Thank you.

President Sustarsic – Thank you, any other questions or comments? Mr. Langman.

Councilman Langman – Director Pietravoia, we talked about this project back in early summer, didn't we when we were discussing some development issues in the City you mentioned that the engineers that would be retained and so forth?

Director Pietravoia – Yes, Mr. Chairman to Councilman Langman, as I discussed in my opening remarks, it's been over a year that we've been talking with the company trying to figure out a way that we could assist them to stay here. Part of the uncertainty of their ability to stay in that building, they don't own it. And if it were sold to another party that wasn't interested in a tenant, it would have jeopardized their ability to stay. Given that uncertainty they were exploring opportunities in Mentor, Beachwood, Willoughby Hills and there might have been other locations as well. As you can imagine, as I've discussed in the past; unfortunately, this is somewhat of a competitive, actually, a very competitive environment that we're in so all of these communities were offering similar incentives and in some cases maybe even more than we're able to offer. The company would like to stay here in Euclid. This facility lends itself to the work that they do, particularly for Hitachi, so our incentive as it's outlined here in this agreement was sufficient to make their decision to stay.

You know, I don't know what else I can say. We try as best we can to get these things done as soon as possible. This is a situation where we weren't able to get the information to Council sooner. If we had been, we would have and if it had been a much more complicated document, I wouldn't have even considered asking Council to act on it tonight. So I do appreciate your concerns as Councilwoman Gail indicated, she called. I believe Councilman Delaney called because the agreement wasn't in the packet and they asked to get a copy as soon as possible so we provided it as quickly as we were able to today.

Councilman Langman – Thank you, no, I appreciate that explanation; but you do admit that the process is a little bit rushed. And I think I'd like to remind some of my colleagues that we just turned down a business because 30 years ago the planning wasn't done when that area of Euclid Avenue was developed. So yes, I do trust the Development Director. I believe I have the floor Councilwoman Hufnagle. Thank you.

Councilwoman Hufnagle – I apologize.

Councilman Langman – While I trust the Economic Development Director, we still have to exercise our duty in asking certain questions. If you can answer them, fantastic tonight, but I think it's the process that's the issue here not necessarily, I don't know anybody that's going to

turn down those types of jobs; but we still have to do our due diligence and I'm sure that you appreciate that. Thank you.

Councilwoman Mancuso – Now that we'll all done doing this since I was the one that brought it up, I would say that Council should do what they feel they need to do. I will continue to address issues as I see fit no matter who has anything to say about it. This was very rushed. I also e-mailed you today and said this is the first I'm seeing or hearing this, which means we don't have very good communications; however, if Council is comfortable, be my guest and vote on it. I'm telling you I did not read it. I'm not comfortable when I do not read something thoroughly. We don't need to grandstand; we don't need to politicize. It is good business. That's all it is. So I would say to my colleagues if you wish to close debate and vote on it, please do so.

Councilwoman Holzheimer Gail – Would you be comfortable going through it now?

Councilwoman Mancuso – I think we are wasting our time to sit here and do this when it should have been done before hand. As Councilman Langman said, it is the process here. And when I e-mailed today, it was I have not seen this. I'm not even sure who these people are and you got that e-mail. And I see this tonight and we've had a pretty full agenda so far. I can't even sit here and read through it; but if you want to vote on it, please be my guest and vote on it. I will not obstruct that process. It sounds like a wonderful idea, but I will always, always read things through and ask the appropriate questions. And I frankly don't care who gets upset about it.

President Sustarsic – And on that note we have a motion to close debate.

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

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

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

#### **Amend Annual Appropriations 12-31-2005**

An emergency ordinance amending Ordinance No. 63-2005, which makes the annual appropriations for all expenditures for the City of Euclid for the period ending December 31, 2005. (Sponsored by Mayor Cervenik and the entire Council by request of Finance Director)

Councilman Sustarsic moved for passage; seconded by Councilman Gruber.

Director Johnson – This amendment that is before you tonight is the second amendment for this year. If you will recall, our first amendment back in May added \$188,000 to our General Fund budget. This adds \$195,000 additional to our General Fund budget. A lot of the items that are in this amendment are items that I discussed at the last Finance Committee meeting, particularly with regards to natural gas. We're adding \$40,000 for natural gas; we're adding another \$40,000 for gasoline. Even though the price of gasoline is dropping, we still have bills that we have incurred in previous months when gasoline was at much higher prices.

We had an unexpected retirement in one of our department. We have an increase here for overtime in the Fire Department and I had brought to your attention at the last Finance Committee meeting that the State levied a tipping fee surcharge beginning in June, I believe, or July which amounts to \$4-5,000 a month on our garbage collections. So there's an additional \$27,000 in the General Fund for that.

The rest of the items are items that should be fairly familiar. The waterline improvement and the addition to the General Permanent Improvement Funds just reflect the notes that were issued at the last Council meeting for the Waterline Construction Fund priority #1 as well as the heating, ventilation and air conditioning for Fire Station #4. The other items in the Permanent Improvement Fund are the City's match for a FEMA grant, I believe, it was for extrication equipment and cardio monitors and the, we did miss and did not have an adequate amount here for one of the least payments. I believe it was a lease payment on a street sweeper and the other two items are typos and, of course, the Golf Course parking lot, which was approved back in, I believe, May or June. And if there are any other questions or if there are any questions, I'd be glad to answer them.

President Sustarsic – Questions or comments from Council?

Councilwoman Mancuso – Director Johnson, in August, in our August report our budget was at, I believe, 34433 and our report we just got we're at 34464, that's where the difference is between these two, what you're telling us today?

Director Johnson – Yes.

Councilwoman Mancuso – Okay, so from August to now, we're approximately 114,000 over because we're not attributing that entire 195 to this 2-month period of time, is that correct?

Director Johnson – Are you talking actual expenditures?

Councilwoman Mancuso – Yes.

Director Johnson – No, right, some of these expenditures have not incurred, we have not incurred.

Councilwoman Mancuso – Okay, what have we already incurred, briefly? The gasoline I take it we've already incurred.

Director Johnson – Not all of it.

Councilwoman Mancuso – We have not.

Director Johnson – No.

Councilwoman Mancuso – The natural gas, have we incurred all of that in 25,000?

Director Johnson – Not all of it, part of it but not all of it.

Councilwoman Mancuso – How are we projecting those rates then?

Director Johnson – We're basing it on our consumption for the last several months and trying to project out for the next 2 months of the year approximately what we would spend.

Councilwoman Mancuso – So I should not see you come to us again in December with another \$114,000 overage because we're already projecting those into December. Is that correct?

Director Johnson – Right, at least not for these items.

Councilwoman Mancuso – Okay.

Director Johnson – There is another issue that I was going to bring up. Another issue that we're closely following and at this point we didn't feel it was absolutely necessary, but we do have an issue in the Jail area, particularly with regards to meals for prisoners and the housing of females in other jails. And like I said because we're still monitoring that, that's the only other issue that we thought that could possibly be an issue between now and the end of the year. But we didn't at this time we feel that it was evident enough that we should present an amendment to the budget for that.

Councilwoman Mancuso – Now, I know, I know our Clubhouse has only been open a short period of time, have we put anything in there for natural gas or electricity or anything for them into this addition?

Director Johnson – At the Golf Course?

Councilwoman Mancuso – Hm, hm.

Director Johnson – We feel that the budgets are in place now or currently should be adequate to carry us through to the end of the year. We monitor all of these on a continual basis so.

Councilwoman Mancuso – I understand that. I, I just haven't seen it so that's why I'm asking if we've included it in these projections.

Director Johnson – Yes, well, we took that into consideration. Because that is a brand new building we have no experience yet with heating bills. So, you know, right now it is our best estimate at this point. But we feel that the budget is adequate to cover the utilities that, as it is currently.

Councilwoman Mancuso – So you'd don't feel you'll be back again at the end of December unless something happens with the Jail with putting our prisoners elsewhere.

Director Johnson – I certainly don't expect to and I think that if we do request an amendment for the Jail that it won't be of this magnitude. One of the thing, one of the things that we did bring to your attention at the beginning of the budget process was the closing of the Women's wing and the renting out of the cells, if you would a group and the, the housing of female prisoners in other jails were unknowns. What those costs were going to be were unknowns and I think we did say that at the beginning. But we want to present an amendment to the budget for those items only if we feel it's absolutely necessary.

Councilwoman Mancuso – Is there anything we can do between now and then so that we don't have to do that?

Director Johnson – We're monitoring now and, hopefully, we won't have to. As soon as I think it's evident that we will need a budget amendment, I will bring it to Council's attention; but at this point, it has not been, it has not gotten my attention.

Mayor Cervenik – Also, if there is any additional expenses relating to the Corrections, it will be offset by revenue that has come in. We've saved approximately \$300,000 by having the women's wing closed. The Chief and the Warden have been very vigilant in providing spaces for federal and county prisoners and our income is up, oh, about \$150,160,000 above what we projected and our budget amendment if needed will not be near that number. Along with the \$85 or so a day we receive from those prisoners, there is some cost for feeding and all of that. But we will, so any, if there is an expenditure, increase in expenditures, it's only because it's more than offset by an expenditure of income.

Councilwoman Mancuso – So we don't feel at this point, you're going to need an amendment to do that nor do you see anything else that's coming up?

Mayor Cervenik – We don't think so. There may be a small one, but we hope not. We feel there's enough, there's some areas in the budget that there's enough flexibility to transfer it to the meals account; but if it happens, we will present that to you and we should know in the next 2 or 3 weeks if it happens.

Director Johnson – I'd like to point out that for a \$34 million plus budget the total of these amendments, which total \$383,000, is a little bit more than 1%...

Councilwoman Mancuso – I thoroughly understand that.

Director Johnson - ...of our total budget so I think...

Councilwoman Mancuso – I just don't want it to go any higher.

Director Johnson – Absolutely, absolutely.

Councilwoman Mancuso – Not seeing this every month it's, we're now, you're coming to us at the end of the year and we only have 2 more months left.

Director Johnson – Sure.

Councilwoman Mancuso – And if the money gets spent, we then don't have a choice or you shut down the City. I don't want to see that happen.

Director Johnson – Absolutely.

Councilwoman Mancuso – Thank you.

Councilman Gruber – I have two questions. One will be to the Recreation Director. The \$15,000 for natural gas at the Shore Cultural Centre, that's an addition to the original amount that we budgeted and what was that number?

Director Will – That is correct and I apologize I do not have that in front of me. It was approximately \$70,000.

Councilman Gruber – And then this would be on top of that 70,000?

Director Will – That's correct.

Councilman Gruber – Okay. And then to the Fire Chief, I notice we have overtime for our firefighters. Is this overtime already worked or is this anticipated overtime?

Chief Cosgriff – This is anticipated overtime that should get us through the rest of the year.

Councilman Gruber – Okay.

Chief Cosgriff – As you know, we've had a lot of long-term injuries in the Fire Department, which has caused us to have to replace them on overtime.

Chief Cosgriff – Okay, very good, thank you, Chief.

Mayor Cervenik – If I might, as well, address the overtime issue. I've met with the Chief and members of Local 337 and have requested they work with us through the end of the year to minimize the amount of overtime that needs to be paid and I'm confident and very happy that they're going to work with us. They're working under some difficult situations. I've committed as I committed to hiring 3 policemen at the last meeting. I'm here to tell you tonight that we have committed to hiring 3 new firefighters to help alleviate our manpower shortage. As the Chief alleviated, we've had as many as 5 or 6 men off on medical leave, injury, what have you. All of those, all of those items contribute to the amount of overtime. It is our goal to keep our manning at 16 men and with a little bit of cooperation from the union and I'm sure we're going to get that, that we'll be able to do that. And with the hiring of 3 new firefighters for 2006 as well as it is our intention to test for the Assistant Chief's position which will, which will help in the management in the Fire Department, that we will not have the overtime that we have right now. And again, I just need to thank the members of Local 337 for their cooperation as well as the Chief.

Councilman Gruber – Chief, do you feel that this is sufficient for the adequate manning of the fire stations that amount of overtime?

Chief Cosgriff – Well, that's, that's kind of a loaded question. Obviously, a few years ago we were at a 19 man minimum with Station 4 being opened. I'd love to see us get back to that point. This should help us maintain the 16 man minimum through the end of the year with the new hirings that the Mayor has announced and long with some retirements that we anticipate taking place next year. When we do retirements taking place, the people that we hire to replace them have less vacation time off, which also will help us in our manning, so we're hoping that by next year this time we'll be up over 16.

Councilman Gruber – Thank you, Chief.

President Sustarsic – Any other questions or comments? Okay seeing none.

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

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

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

Passed.

**Ord. 167-2005 (443-05) Cuyahoga Health Contract 2006**

An ordinance authorizing the Mayor of the City of Euclid to enter into a contract with the County of Cuyahoga, District Board of Health, for various health services for the City of Euclid for the year 2006. (Sponsored by Mayor Cervenik)

Councilman Daly moved for passage; seconded by Councilwoman Hufnagle.

President Sustarsic – Mr. Mayor or Mr. Gulich or whomever.

Mayor Cervenik – Mr. Gulich.

Director Gulich – These various health services, I think members of Council are fairly aware of the far-reaching scope of the work they do for us. I do send on their monthly bulletin to everybody. Anything from West Nile Virus, rabies concern, any rodent complaints, general health concerns, outfall monitoring, I call them the plague and pestilence people. That's part of what this contract covers. The dollar amount for 2006 would be the identical number to 2005 and that figure is \$176,602 for these services. And they've been great to work with and I think Council can find that, have found that they've been very responsive to your concerns.

President Sustarsic – Thank you, are there any questions or comments?

Councilman Sustarsic – I'm just very happy the way they do things. I've had to work with Barry because I had to answer some questions for members of the community and he's been very responsive and they do a good job and I support this 100%. Thank you.

President Sustarsic – Any further questions or comments?

Councilman Daly – Do we need to adjust this because our copy of the ordinance says 443-04 and this is 05.

President Sustarsic – Was there a typo there?

Director Frey – There certainly is.

President Sustarsic – Does that need a motion for, I don't think so.

Director Frey – It does not need an amendment; that's a temporary number; it'll be replaced by the ordinance number that's permanent.

President Sustarsic – Okay, very good, any other questions or comments? Okay seeing none.

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

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

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

Passed.

President Sustarsic – And at this particular point in time, we're coming up upon the time to change the tape so if we could have a 5-minute recess and we'll see you here in a little bit. All right, if we can please resume.

**Ord. 168-2005 (445-05) Auxiliary Enforce Parking**

An ordinance granting the Auxiliary Police Unit of the Euclid Police Department the authority to enforce the Euclid Parking Code, Chapter 351 of the Codified Ordinances of the City of Euclid. (Sponsored by Councilman Gruber by request of Police Chief)

Councilman Gruber moved for passage; seconded by Councilman Sustarsic.

Director Frey – With my apologies, I'm going to ask you to amend this ordinance. I have a typographical error in the Codified Chapter number midway through the first section of the legislation. And that sentence reads an auxiliary police office is invested with the same enforcement powers that a regular police officer has in enforcing the parking code including, but not limited to the power to issue citations and the powers of enforcement listed in Chapter and it reads right now Chapter 301 and should read Chapter 303 entitled, Enforcement Impounding. Chief brought that to my attention. I would ask Council to amend so that we have the correct chapter identified. It does not change the intent or meaning of the ordinance. What the auxiliary officers would have is the authority to enforce the parking code and if the Chief so directs, the ability to be involved in the impounding of vehicles that are illegally parked or abandoned on the City streets. So I would ask for that amendment in Section 1. Thank you.

President Sustarsic – All right so I think what we can do first, we will make that amendment and then any other questions or comments we can entertain by Council so the amendment.

Councilman Gruber moved to amend the Ordinance Section 1 to read Chapter 303 in place of Chapter 301 as written. Councilman Sustarsic seconded.

Roll Call: Yeas: Daley, Delaney, Gruber, Holzheimer Gail, Hufnagle, Langman, Mancuso,  
T. Sustarsic, J. Sustarsic  
Ordinance amended.

President Sustarsic – Questions or comments?

Councilman Delaney – Chief, this is a great idea. The only thought I had when I read it is there any other things that you think you could expand? Other complaints? Garbage being left out too late?

Chief Maine – That's an interesting concept. I really didn't think about that one, thought about the auxiliaries be entitled to issue parking citations, but something we can look at.

Councilman Delaney – That's a great idea. I think you'd be, it'd be helpful to add on. Thank you.

Councilman Gruber – I, too, echo my colleagues sentiments. This is a great idea. It'll free up our regular officers to do more important, not that this isn't important, but more demanding calls. And this, now they will have the authority to write tickets for handicap, fire zones, all types of parking tickets, is that correct?

Chief Maine – Yeah, the idea behind this is that our auxiliaries are a very visible part of our Police Department and they're involved in a lot of community activities as well as details at the holiday season in our retail areas. They're out in the streets during our major festivals and that sort of thing and when they come across a parking violation, they have to call for a regular officer to come issue a citation. This will, as you pointed out, free those officers up to do other duties. And it's not our intention to have them out doing parking enforcement details, this is simply to enable them to better do their job when they are working regular details.

Councilman Gruber – Very good and they did a wonderful job on Halloween backing up the regular officers as well.

Councilman Langman – Law Director Frey, just curious, are there State statutes that regulate what auxiliaries can or can't do, or is that a home rule matter?

Director Frey – There are statutes and what those statutes do is allow a duly established auxiliary police department to be empowered within the community as its legislative body determines. So, when our auxiliary unit was formed, there were not very specific duties enumerated in that piece of legislation. So I went through to make sure that enforcing the parking code would not be contrary to the State code and in fact found just the opposite, that that is a duty that the auxiliaries not only could perform, there are cases that discuss the enforcement of parking ordinances by auxiliary units. But more importantly what I found was that as this Council so designates, or would designate to the Chief to establish the duties of the auxiliary unit, that can happen within our local jurisdiction. They are empowered to do so if Council passes this piece

of legislation tonight and any other duties that Council would delegate to the Auxiliary Unit as part of their duties.

Councilwoman Hufnagle – I would just like to take a minute to thank the Auxiliary Dept. I know that they handle many tasks, one of which is delivering our packets to us every other week. But also really this weekend, I believe it was Saturday night we had a very bad accident on the freeway and I think we shut the freeway down because I was down on 200<sup>th</sup> Street and it was Mr. Cooke that was directing the traffic and he was doing an outstanding job with all the traffic. But seriously I would like to thank the men and women and commend them for their service to the city.

Councilman T. Sustarsic – We passed legislation some time back that gave our firefighters the right to ticket people that were parked in fire zones and such. Is this legislation similar in nature? Or is it a little more expanded?

Director Frey – It really is no different other than the fact that the auxiliary officers as the Chief has indicated are already on duty and so its not necessarily a case of going to look for parking infractions, but as in their regular duties find parking infractions, they'll now be authorized to issue citations. The Fire Dept. I believe we authorized for fire lane infraction. So this would be broader than that.

Councilman Daly – Have we at least mentioned this or run this by the Police Union just to see if they've had any thoughts on expanding the powers for the auxiliary? I think we may want to do that if we expand it any more.

Chief Maine – That certainly would be a concern. I don't think they would have a problem with this. This isn't really taking away from any of their duties, it is simply going to help augment what they are going to be able to do. Again, I don't think they're going to have a problem with this. Like I said, we're not going to have details out there specially just to issue parking citations. They are going to be doing this in addition to what they are already doing on their regular detail. I will certainly talk with them about it.

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

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

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

**Ord. 169-2005 (441-05) NPDES Permit**

An ordinance authorizing the Director of Finance of the City of Euclid to expend \$25,900.00 as payment for the annual NPDES discharge fee as required by the Ohio Environmental Protection Agency. (Sponsored by Councilman T. Sustarsic by request of Service Director)

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

Director Gulich – What exactly is a NPDES permit? That is our big permit. That is the permit that allow us to take treated wastewater, effluent, and discharge it into the waters of Lake Erie. We need to do that to conform with the very strict permit issued to the City of Euclid. I am pleased to report we are in full compliance with that permit. Mr. Gall and his people have done a tremendous job in reigning in that facility over the years and really running a first class operation and I appreciate the work they do for this City. I'll just mention that the cost of this permit is shared by all the fellow user communities, Wickliffe, Willowick, Richmond Heights, South Euclid and a portion of Cleveland that we serve. It is all a shared cost because we are providing a service to them as well. Thank you.

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

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

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

**Ord. 170-2005 (447-05) Playground Mini-Station**

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)

Councilman Daly moved for passage, Councilwoman Hufnagle seconded.

Director Will – As the Parks & Recreation Director, I'm always looking at different ways to improve our facilities, buy new equipment, but most importantly I'm always looking for ways for someone else to help me pay for them. I started talking to the Community Service Director Mr. Gliha and Mr. Sonnhalter in regards to the Block Grant Fund and worked with the Citizens Block Grant Committee, requesting to do a new playground on the site of the new mini-station. Currently as you know there are already basketball courts there and they felt this site would be very, very appropriate; kids are playing basketball, the younger siblings could have a playground to play at.

I went searching different websites and found this playground unit, it's a Tots Choice Expansion for ages 5-12. The unit has 4 slides, a look-out tower, cliff climber, a wiggly worm climber, a hula climber and bongo steps. It is actually a new playground model that's on the market and being offered to different Parks & Recreation departments at a very, very low price. This unit is currently at \$17,595.00 if we order it by December 1<sup>st</sup>. We'll also get free shipping. Once December 2<sup>nd</sup> comes, this unit will go up at least 40%.

I presented the unit to the citizen's group. Of course they were thrilled with it, not only with all the different activities on it, but also because of the price. I've secured the site right behind the mini-station. Once the unit is ordered, it will actually be stored until the springtime. At that time the installer will come back out, put in the area and put in the drain tiles and we'll be all set to go.

\$15,000 of this cost is being paid for out of the community block grant funds and the balance will come out of the 05 and 06 Recreation Capital funds which will also include any of the installation fees.

I'm hoping that with this new unit at the mini-station, we'll be able to work with the community police officers and also offer some programming up there at the new station. Last meeting, this item was pulled from the agenda in order for the property manager of Handl-It to put in writing his approval of the construction of the playground, which our Law Department did receive on October 31<sup>st</sup>. I look forward to ordering this and I hope I have your approval for this. Thank you.

Councilman Gruber – This is an exciting addition to the mini-station which we opened last week. It is a wonderful facility and this will target the age group like you said, that are too young to actually get into the basketball program, but sometimes they come down with their brothers and sisters and just hang-out and there is nothing for them to do. This will also benefit the children in the apartments across the street. It will be well supervised and I urge my colleagues to support this. Thank you.

Councilman T. Sustarsic – Anderson Recreation will be installing this for us?

Director Will – Yes they will. They will come back out in the spring and take care of it for us.

Councilman T. Sustarsic – Do they guaranty their work at all? Is there any kind of warranty?

Director Will – There is a warranty. There is a guaranty on their work, yes.

Councilman T. Sustarsic – I wish they had stuff like this when I was a kid.

Councilwoman Holzheimer Gail – Director Frey, could you explain the agreement with the landlord? Is it long-term?

Director Frey – The letter Councilwoman reads, this letter is authorizing the City of Euclid to construct playground equipment on the property site designated for the new mini-station. The playground equipment will comply with the codes and ordinances of the City of Euclid, Planning & Zoning Commission. Handl-It will incur no expenses in the construction of the playground equipment, nor will they be held liable for any damages or injuries as a result of the construction or use of equipment. There is no termination date. We do have a 5 year renewable commitment on the property that the mini-station itself is situated on. There is no reason to expect that for as long as we maintain the mini-station that we wouldn't want to maintain a playground and the basketball courts. I don't see any reason why that's going to end in any near term. It's good not only for the city, but I believe its good for that property as well. There is no termination date.

Councilwoman Holzheimer Gail – As a member of the Citizens Advisory Committee to the Block Grant, the Committee was in unanimous support of this proposal. They were very excited about the pulling together of different programs, both with the mini-station and the playground and the PAL programs. Hopefully additional city services coming to work one day a week or something basis that it would be a good draw for the community for that side. It would be more of an attraction to bring people to the mini-station as well. The committee was in full support and very excited to support that project.

Councilwoman Hufnagle – It is a beautiful playground and I always would support putting in playgrounds. I just have, if the officers of the mini-station are in support of this, then I'm in complete support of it. I just have one comment really. We have removed basketball hoops in other parts of the city because they were so close to playgrounds and the two age groups weren't mixing well. We had to make a decision of basketball or playground. Here we are making a decision to consciously put them both together. I'm assuming that has been thought out and the officers are in full support of that. But I just wanted to voice that concern because I know that I've worked with you on that, Director Will in other areas.

Director Will – Yes we did take that into consideration. I was actually excited that the basketball courts were there because the PAL basketball league is so successful that we can do some programming for the kids that aren't able to play basketball there, whether it be a story hour or something on the playground, on the deck of the new mini-station. I'm thrilled that the mini-station also is going to be manned at certain hours which should take away some of the problems that we've had at other areas with the basketball courts.

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

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

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

#### **CEREMONIAL RESOLUTION**

##### **Res. 171-2005 (446-05) Writer Lebovitz**

A resolution in memoriam for **Hal Lebovitz**, sports writer and local sports scene icon, who passed away on October 18, 2005. (Sponsored by Mayor Cervenik and the entire Council)

Councilman T. Sustarsic moved for passage, Councilwoman Mancuso seconded.

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

#### **COMMITTEE OF THE WHOLE**

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

Mr. Matt Sarver – 26550 Shoreview. Director Frey, a few days ago I received this flyer on my windshield supporting several non-incumbent council candidates. The flyer was apparently done by the Euclid Good Government Pac, Louis C. Frey, Treasurer. I was just wondering if you are related to Louis C. Frey? Or are you one in the same? Is that you?

Director Frey – Yes, that's me.

Mr. Sarver – Since you are listed as a Treasurer for Euclid Good Government Pac, could you please explain your role in this campaign?

Director Frey – The piece was produced and distributed by Euclid Good Government PAC.

Mr. Sarver – It seems to me like this would be a conflict of interest given that you are the attorney for some of the council people that you are trying to replace. It seems to me like there's definite conflict of interest here and what are your thoughts on that?

Director Frey – I respectfully would disagree with your position. You are certainly welcomed to seek that opinion elsewhere. I don't believe that my private political activities are in anyway a conflict of my duties to the City Council or to the City of Euclid in its administration.

Mr. Sarver – Did you seek an opinion from an outside attorney before doing this?

Director Frey - Sir I've been involved in the political process for many years, will continue to be involved in the political process as my conscience directs me.

Mr. Sarver – Well having heard that I will assert this statement. Because you are so deeply involved in partisan politics, your actions as Law Director must be called into question. From the advice that you give to Council people that you want to replace or see replaced, to your advice on seeking punitive damages against resident Jerry Corbran, I don't feel this is good for the city or for your political interests. Any thoughts on that?

Director Frey- I don't have any comments, thank you.

Mr. Sarver – Okay, thank you very much.

Mr. Dean Bryson - 11 E. 254 St. This is regarding the levy 167 tomorrow. The students at Euclid High School put a lot of energy into their school. We really care for our education and we like to be involved. Two of our sports teams last year went to State Championships. On Saturday our football team played at playoffs. The Euclid Panther Marching Band graces the football field at every game. Our Show Choir has experienced some great tremendous seasons. Our ROTC program held a city-wide walk-a-thon to provide funds for people diagnosed with reflex sympathetic dystrophy syndrome and Hurricane Katrina. Also to aid the Hurricane, the Academy of the Arts put on a benefit concert that showed off many talents from Euclid High School. Our Key Club has numerous members who step out to give their service to their community. Last year we put on Anything Goes, one of the best Big Shows in years.

Students attend meetings such as Student Council, Class Cabinet and National Honors Society to have a voice in their school. These are the future leaders of Euclid. At the upcoming levy, 167 doesn't pass, many wonderful things can be gone. Some teachers will be cut in our extra-curricular activities will conclude. Students won't look forward to school, they will find other things to do instead of after-school activities that build-up character. The result will be a less educated community for the City of Euclid. An unattractive school system will repel businesses and homeowners.

As a student in the Euclid City Schools and a citizen of Euclid, I am sincerely asking my fellow citizens to go out to the polls tomorrow and vote yes on Issue 167.

Mr. Bill Kermavner – 24751 Russell Ave. I'm here as a representative of Euclid PetPals this evening. For Paws Clam Jam and Boo Bash on Friday, October 28, PetPals held its third annual Clam bake. Participants enjoyed clams, chicken, corn, sweet potatoes with butter and strudel. There were more nice comments about the food than we could count. We enjoyed the music of DJ Ben Ricky and had a Halloween costume contest, imagine that. The winner was a cow-poke, complete with horse. Second and third place donated their winnings back to Petpals and we thank you. All enjoyed the Chinese Auction with items donated by local merchants and citizens.

Euclid PetPals made just over \$1,500 which helps us pay for animal care in the City of Euclid. Dancing finished off that evening.

All who had joined us had a wonderful time that evening. Pictures, you can see those on ECTV. Please support our local businesses and citizens who donated money or auction items. These people were, or businesses were, Perkins, Pet Supplies Plus, Studio 200, Driftwood Gallery, Big Bouquet, Starbucks, Euclid Garden Center, Tops, Richmond Restaurant, Alexander's, Invisible Fence, Heinen's, Al Paul Car Wash, Euclid Parks & Recreation, Briardale Greens, Cuts & Suds, National City Bank of Babbitt Road, Hill's Science Diet, Mr. Chicken, Imperial Dragon, TGI Friday's, Freeway Lanes, Keener Printing, Claudia Rose, Dave & Laura Gorsky, Pat Holcomb, Bill Cervenik, Sally Hufnagle, Ray Lewis, Fay Davis, Denise Chatsko, Bernadette Walsh, Nancy Good, Tod Guntner, Sharon Jensen, Lee Loy, Frank Pietravoia.

A few things of note, the Our Town All Around Books are on sale at the Shelter. Featured are hundreds of two for one dinner specials and coupons of 50% off for single dinners at many restaurants. These coupon books are on sale for \$20 and they also make great gifts.

Photos and this is important, photos with Santa will be held December 15<sup>th</sup> 6:00-8:00 PM, and Saturday, December 17<sup>th</sup> 12:00-4:00 pm. These pictures will take place at the Euclid Animal Shelter. Photos will run for \$5 and for each additional photo will be \$4 for each additional photo.

Euclid PetPals is always looking for committed and I stress the word committed adult volunteers. If you are interested please contact us at 289-2057. Thank you and remember to vote.

Mr. Tod Guntner – 390 E. 257 St. Tonight I thought I'd go in a different direction with Veterans Day coming up this coming Friday. There is something I received in an e-mail a couple of weeks ago that I would like to share with the citizens of Euclid. I would like to do this in memory of my father Melvin Clayton Guntner who served in France in World War II as a Second Lieutenant.

Why Taps is played. If any of you have ever been to a military funeral in which Taps were played, this brings out a whole new meaning of it. Here is something every American should know. We in the United States have all heard the haunting song Taps, it is the song that gives us the lump in our throats and usually tears in our eyes.

But, do you know the story behind the song? If not, I think you will be interested to find out about its humble beginnings. Reportedly it all began in 1862 during the Civil War when Union Army Captain Robert Ellicombe was with his men near Harrison's Landing in Virginia. The Confederate Army was on the other side of the narrow strip of land. During the night Capt. Ellicombe heard moans of a soldier who lay severely wounded on the field. Not knowing if it was a Union soldier or a Confederate soldier, the Captain decided to risk his life and bring the man back for medical attention. Crawling on his stomach through gun fire, the Captain reached the stricken soldier and began pulling him towards his encampment.

When the Captain finally reached his own lines, he discovered it was actually a Confederate soldier but the soldier was dead. The Captain lit a lantern and suddenly caught his breath and went numb with shock. In the dim light, he saw the face of the soldier. The soldier was his own son. His son had been studying music in the South when the war broke out. Without telling his father, the boy enlisted in the Confederate Army. The following morning, heartbroken, the father asked permission of his superiors to give his son a full military burial despite his enemy status. His request was only partially granted. The Captain asked if he could have a group of Army band members play a funeral dirge for his son at the funeral. The request was turned down since the soldier was Confederate. But, out of respect for the father, they did say they could give him only one musician.

The Captain choose a bugler. He asked the bugler to play a series of musical notes he had found on a piece of paper in the pocket of the dead youth's uniform. This wish was granted. The haunting melody we now know as Taps, used at military funerals, was born.

The words are, day is done, gone the sun, from the lakes, from the hills, from the sky, all is well, safety rest, God is nigh. Fading light, dim the sight, and a star gems the night. Gleaming bright from afar, drawing nigh falls the night. Thanks and praise for our days, 'neath the sun, 'neath the stars, 'neath the sky. As we go, this we know, God is nigh.

I now have a deeper respect for this song than I ever did before. I knew there were words as a child. When I was a Boy Scout, I did not know the words. Also, within memory of my father, I would like everyone to remember those lost and harmed while serving their country and also those presently serving in the Armed Forces. Thank you for allowing me to speak tonight.

Mr. Jeffrey Beck – 25540 Chatworth. Three weeks ago I stood before this Council asking for help with the Illuminating Company in taking down a neighbor's dead 80 ft. oak tree declared dangerous by the Illuminating Company in July.

I'm happy to report that the tree was finally removed on Wednesday, November 2<sup>nd</sup>. I would like to thank the members of this administration for their help in this matter and especially Mayor Cervenik for his help with an obstructive neighborhood.

In addition to asking for help in removing this tree, I ask this Council for three things. One, sponsor and pass legislation setting minimum service levels expected from utilities with large fines for violations. If this is not feasible, I would like to know exactly why. Businesses in this city are regulated in a number of ways. As an example, a business could not endanger a neighborhood by storing hazardous waste on its property. Why then would a utility be allowed to endanger a neighborhood by failing to maintain their lines in an adequate manner.

Two, as 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. I no longer ask for this. The Illuminating Company's representative made it clear in the Sun Journal article that the service levels suffer everywhere and not just Euclid. Since they have conceded this I know longer feel the need to belabor this point.

Three, alter Euclid's dangerous tree ordinance to include any tree declared dangerous, not just those overhanging the right of way. A dead tree is just as dangerous in someone's backyard as it is in the front lawn. This ordinance needs to be changed to reflect this. A homeowner should be given 30 days to remove a hazardous tree and fined if they don't comply. If the cost is not affordable to that homeowner, the City should offer with some kind of help with maybe a low interest loan secured by the property or put it on the property taxes of the owner of the tree as it is done in this case.

This entire process took over 5 months. From my first complaint to the Illuminating Company in May until the tree came down on November 2<sup>nd</sup>. This is more than any citizen should have to put up with. By demanding a specific performance level from this public utility, the citizens of Euclid can once again enjoy their safety and piece of mind.

While I consider this to be a serious issue, after the Sun News article appeared, I received a call from a Euclid citizen who said that there were frayed high voltage lines running along St. Robert's church and property. This homeowner stated to me that repeated calls to the Illuminating Company have gone unanswered. I went out and took pictures of these lines and have them here tonight and I will give them to whomever would like them after the meeting. I'm not an electrician, but it looks like a dangerous condition to me. Thank you.

Mr. David Jeffries – 61 Noble Beach Dr. It is regarding Issue 167 tomorrow on the ballot. As a Junior attending Euclid High School, I have been involved in numerous extra-curricular as well as the Honors classes. From very early on when I attended Upson Elementary, I was told to become involved in whatever I can. Ever since I started involving myself with whatever opportunity arises, as I entered my Freshman year of high school, I loaded my schedule with rigorous classes and then topped off the workload with Varsity Chorale, Audio/Visual Club, Big Show and Varsity Swimming. Since then, I have picked up a harder schedule willingly sacrificing my lunch and study halls to take more upper level classes. As I have also become involved in the a cappella choir here Forte, which will be singing this Friday at the Veteran's Day get together here. I'm also billing service hours with Key Club. Myself and hundreds of other students are concerned about their futures. Extra-curricular and sports my life in order, as well as other students in school.

Without the passage of Issue 167, all of our extra-curricular will be cut, along with high school busing and athletics. But most importantly, 20-30 teachers will be cut. How can you get an education without teachers? Without teachers how can you build a strong school district? Without a strong school district, what company is going to want to come to the City of Euclid? I urge the voters tomorrow to vote yes on Issue 167.

Miss Rachel DeAngelis – 344 E. 266. This is regarding the levy as well. I'm a senior here at Euclid High School. I've been in the Euclid school system since Kindergarten. On June 6, 2006 I will graduate from Euclid High School with the feeling of pride for my high school and knowing that I was able to do whatever I put my mind to at Euclid High School. Euclid High School has more opportunities than many schools around the area.

When I schedule classes I often feel that I want to take more classes than I'm able to put into my schedule. Euclid High has many things to offer all students. Everyone of the 2000 high school students can choose their path and take classes to learn valuable skills for their path of choice.

I ask you tonight to go out tomorrow and vote yes on Issue 167 so students who will graduate after me have the same opportunities and same quality education that I've had. Thank you.

Miss Kristen Griffith – 19631 Ormiston Ave. Also in regards to the levy. Throughout my years at Euclid so far I have been actively involved in numerous activities. Currently at EHS I am involved in Varsity Chorale, Choral Master, Forte and Big Show. I am also a member of the Varsity Swim Team and Key Club. I don't know what I would do without these activities in my life. They not only act as an outlet, but also as a source of motivation and support. I always know that I can go to my coaches and directors if ever need anything.

All of these activities play an important part in my life, as well as the lives of many other Euclidians. I can't imagine attending a school without activities to keep me going. If this levy doesn't pass, there will be no extra-curricular. There will be no outlet, but mostly the children of the future of Euclid will have nothing to look forward to, nothing to motivate them, nothing to get them dreaming and studying goals. If you are deciding to vote against Issue 167, you are not only taking away our extra-curricular, but you are taking away our motivation, our dreams and our opportunities. I encourage you all to vote yes on Issue 167 tomorrow and support the children of the future. Thank you.

Ms. Kate Wenrich – 294 E. 264 St. I'd like to read a letter to the Editor. This letter was written by Patricia Cosiano, 4<sup>th</sup> Grade Teacher, Memorial Park Elementary School and it appeared in today's paper.

I've been a teacher in Euclid for the past 21 years and I am appealing to you today to vote yes on Euclid's School Issue 167 on November 8<sup>th</sup>. I can quote campaign literature in the hope that you will understand the urgency of this operating levy. I can tell you that it is necessary to keep the quality academic programs, activities and transportation that are essential to a strong school system.

I can remind you that passing Issue 167 is in the best interest of our schools and our city. But what I would like to tell you is about its students. Students that will not have a chance to learn the value of music, sports, journalism, drama and leadership in school. Students who will miss out on the opportunity to practice skills like teamwork, cooperation and character building. Students who will be lost in classes that are too large to meet their needs. Students who won't understand the concept of decreasing home values but will understand if their schools and their community begin to deteriorate. This will be the result if Issue 167 does not pass. Field trips, interscholastic sports and extra curricular activities are eliminated. Please remember those students and please help us to pass Issue 167.

I would like to please urge everybody to please flip to the back of your ballot tomorrow and vote yes on Issue 167 first. This levy is an operation levy to operate our schools. This gives us money to pay the bills, textbooks, other materials needed to run the schools on a day-to-day basis. Contrary to the belief of some citizens, the teachers will not realize an increase in starting salaries for the next two years, per their contract. Should Issue 167 fail, that would mean no high school busing, all other busing would be pushed to two miles instead of one mile. Elimination of all sports and extra-curricular activities, that includes these guys, their Chorale their music, it would be closing buildings early. The bottom line is that our children deserve a quality education so I would urge everybody to please vote yes on 167. Thank you.

Mr. Joel Lancry – 26080 Euclid Ave. I'm the owner of the property at 26080 Euclid, regarding agenda item #1 tonight, a resolution granting a variance to Joel Lancry to operate a store where liquor, wine, beer, malt liquor is sold. Perhaps the timing was bad today with elections and people might be afraid to vote their heart because of their constituents. But, I think there's a big misconception of what type of business is actually going to be going into this place. One, the place has been empty for many years. The building was designed to have vehicles drive in and out, Jiffy Lube was built in 1985 as a commercial Jiffy Lube. Hundreds of cars a day went in and out of there. I know this has nothing to do with liquor, but regarding the traffic flow and the easements, everything is in place, legally that property has a right to drive in and out.

Getting back to the alcohol issue, it is not going to sell Mad Dog and Beer. The place is going to sell Crispy Crème donuts, coffee, milk, eggs, bacon, anything convenient. We live in a city that has 8 months a year horrible weather, there's a medical building where several hundred people a day come in and out of, can pick up milk, go home. I'm not a slum-lord operator. I'm not going to run the business, I'm strictly in real estate. I've won several awards in Cleveland Heights. I'm well-known in a lot of the suburbs. I own property all over the place. Never in my life in the last 15 years have I had a situation where I didn't even have a minute or an opportunity to rebuttal or state my case. I found a person who is a family man who had a business for 15

years, near Case Western Reserve, who sold everything convenient. Unfortunately he had a fire and his business burned down. He found an opportunity to possibly put a convenient store in my building. In the last 15 years that he operated, never once did he have a violation with the Division of Liquor Control. The guy who's sitting in the back has run his business with an iron fist. He doesn't tolerate loitering, riff-raff. He wouldn't tolerate that. He would plant flowers, keep the place immaculate and run it as an owner-operator, not an absentee owner.

The point I'm making is, sometimes you're right, alcohol is bad for neighborhoods, but you can't across the board generalize and say every business that sells alcohol is a bad business. Well they maybe Hyde Park, they sell wine and liquor, maybe that's not a good place, or the Shell gas station on 260<sup>th</sup> & Euclid, where you can drive your car up, fill it up, buy beer and then, hey you're in a vehicle. It is not a good mix, alcohol and motor vehicles. But you can't across the board say everybody that has a car and alcohol is a bad person. I thought that I was doing the city a favor in a way by bringing some type of business that's going to create up to 8 jobs, tax base, take a building that's been empty for years where people in fact can commit crimes because there are no witnesses. Have several cars a day going in and out where anyone in law enforcement would know that you are having witnesses and more people around, you're going to have less opportunity for theft, less opportunity for crime because there is more activity. The misconception of being an alcohol establishment only is wrong. The place could become a great thing. You have a drive-thru beverage store on 200<sup>th</sup> Street across the street from an elementary school, surrounded by residential houses. I'm in a neighborhood that is strictly commercial, no residential areas, you can't even spot a single house from the front of the building and I was shut down before even having a rebuttal. I'm asking the Council to reconsider. We went through the zoning 3 out of 5 votes. This isn't going to be some schlock operation where he's selling alcohol and trying to take advantage of the disadvantaged. This is an opportunity to create synergy on the street and get one business after another to see, you know what I mean. For God's sakes Wendy's is shut down, Pizza Hut and all these other fast food, you'll never find a Wendy's shutting down, there is something wrong with that area. By putting some type of business that's going to bring people, it might be a good thing and not a bad thing. So I'm asking the Council to reconsider. Thank you very much.

Mr. Tom Cooke – 25641 Edgecliff. First of all I would like to congratulate the Euclid Public Library on the level of performance it has achieved over the last couple of years. For those of you who have not heard in 2004 Henning's American Public Library ratings which rates over 9,000 libraries throughout the nation based on input and output measures ranked the Euclid Public Library number four in the nation of those libraries serving cities with populations in the 50,000-100,000 population range. Quite a remarkable achievement.

In 2005 the Euclid Public Library moved up to the number 3 position among the 531 libraries of its classification. This level of performance is remarkable and most be extremely gratifying to those individuals who have made such a goal a reality. My hats off to those people whose hard work and perseverance have brought the Euclid Public Library this level of stature and national recognition it has earned.

Needless to say when the Euclid Public Library comes to the voters with a levy request, they will have my support and I would presume the support of the voters of Euclid for they have already proven themselves responsible stewards of taxpayers' money and have gone well beyond performance levels that one would expect as reasonable.

Then there's the Euclid Public School System. Here are some statistics that the voters maybe interested in. I retried these statistics from the State of Ohio Department of Education website. In the 1998-99 school year and the 1999-2000 school year, the Euclid School District performance results as measured by the State of Ohio met requirements for Academic Emergency. The lowest academic rating possible. Based on an A through F grading system, this is the equivalent of an F.

The 2000-2001 school year was not available. The four following school years, 2001-2004, the Euclid School District achieved a rating of Academic Watch. This is the second lowest academic rating possible. Based on an A through F grading system, this is the equivalent of a D.

Since 1998 the Euclid School District has either been in Academic Emergency or Academic Watch, at least they're consistent. In the 2001-02 school year, the latest year in which I found available data, Euclid's per pupil expenditure was \$9,500 dollars. Similar district, average per pupil expenditure was \$8,500 or \$1,000 less than Euclid. That State of Ohio average per pupil expenditure was \$8,100 or \$1,400 less than Euclid's per pupil expenditure. The average Euclid teacher's salary was \$47,000. State of Ohio, average salary for teachers was \$43,000, or \$4400 less than Euclid teachers salary. The median household income for Euclid was \$28,500.

Did you know that Charter Schools who are constantly being hammered for taking money away from the public schools are only here because of the failure of the public school

system? Public schools would not be allowed in Euclid if the Euclid School District was not designated, I'm sorry, Charter Schools would not be allowed in Euclid if the Euclid School District was not designated as being on Academic Watch.

It is the rating of Academic Watch that Euclid brought upon itself that has allowed the proliferation of Charter Schools in Euclid. You are correct Mr. Langman when you said that Euclid Schools are an investment. Right now history and data clearly suggests Euclid Schools are a bad investment. Passed history is all we have to go on to make intelligent decisions.

While I was gathering information on Ohio's website, a picture began to emerge in my mind. Public schools are not what they were when I went to school. Preparing a person to function in the outside world was the primary purpose of education when I went to school. Today based on the information that I was reading on the Ohio website, Euclid School district's past history and Euclid School Board's approach to this levy, education today resembles more a social program than a place of learning and preparation for real life's experience. I for one am not going to support or pay for another social program. Thank you.

Mrs. Janelle Daugherty – 121 E. 200 St. While I respect Tom Cooke's right to freedom of speech, I strongly disagree with his reasoning for being against our schools. This will only hurt our city. We need funding to improve student achievement. I urge voters to support Issue 167 for our schools. This November election is critical for our schools.

The way school funding works is the public schools must pass a levy in the year prior to the year levy funds will be received. If the levy passes tomorrow, November 8<sup>th</sup>, then Euclid Schools will begin receiving the funds in January 2006. If the levy does not pass tomorrow, then the Schools will not receive school levy money until January 2007 regardless of when and if it would pass in 2006. In other words, the schools will have to wait another whole year to receive school levy money. In order for the schools to receive money any time in 2006, it must pass tomorrow. Your vote is critical to avoiding major cuts in the school system. Major cuts will start to dismantle our school system. Euclid cannot afford for this to happen.

Also the funding problem cannot be fixed by voting against the school levy. The way schools are funded has been ruled unconstitutional four times by the Supreme Court. However, the legislature is not fixing the state funding problem. Even when they do change the way schools are funded, taxpayers will still be paying for school funding in some other manner. We cannot allow our schools to falter while we are waiting for the state to fix the problem. This will only result in cutting vital school programs and teachers. If this happens, many families will move to districts where the schools are supported. We can prevent this by voting for Issue 167 on November 8<sup>th</sup>.

Voting for Issue 167 will protect our property values and help retain involved parents in the school system. We must all take part in improving Euclid. The cost is only fifty-cents per day for the average homeowner. It takes money to improve any city. Please invest in your community.

The school's website, which is [www.euclid.k12.oh.us](http://www.euclid.k12.oh.us) where Dr. Jones has summed it up well says, a positive vote will preserve the district's current programs and personnel levels and allow us to continue working our plan for improved student achievement. Please think about the cost of passing the levy, fifty-cents a day for the average homeowner versus the cost of defeating this levy, \$4 million in projected cuts in 2006 to the school system. Whether or not you have children in the school system, we must all vote for Issue 167 to protect our property values and our community. We need to keep Euclid moving in a positive direction and that cannot happen until the school levy passes. Please vote tomorrow for Issue 167. Thank you.

Miss Karen Connavino – 227 E. 271 St. I'm also speaking on behalf of Issue 167 on tomorrow's ballot. You heard a lot of status from the last two people that spoke and I just want to talk to you as a student. I'm a senior at the high school and I've been in Euclid schools my entire life. I love the schools and I'm very proud of the schools. I am the President of Varsity Chorale and as you saw tonight we were all here to sing and show our support. Also you saw the younger generation that is moving up, as the football team is here tonight. I would hope that those kids would have the same opportunities that we have, that I have had in my high school career.

These opportunities that do include extra-curriculars will be cut if this levy does not pass. But in addition to that, our educational opportunities will be severely decreased. Programs like NHS and Key Club which are extra-curriculars but are not sports or music related at all, they are education related and community service related will be cut because the buildings will be closed and the supplemental contracts for the teachers will not be available anymore, so they won't have advisors. I'm also a member of both those organizations and they are a necessity to the school system. We have great kids in our school as you can see right here. We're here to show you that we love our school and we're here to support it. We're asking you to support it for us so the

future generations as well as the underclassmen that are here tonight can have a successful education in the schools and not be forced to leave the school district. We also all know that a successful school district leads to a successful city. As we graduate we'll move on and hopefully be able to get jobs in the city and move businesses into the city and we need a successful school district to be able to do this. Again, I ask for your support tomorrow on 167. We really need your votes and thank you very much.

Mrs. Del Tekieli – They're a tough act to follow. 5 E. 221 St., retired administrator for Euclid Schools and currently co-chairman of the levy campaign. Six years ago there were 5 attempts to pass the school operating levy that finally passed on the 6<sup>th</sup> attempt. At that time, 1,000 children approximately left the district each year for the following three years. When a levy fails, more people who can afford to leave the district which equates to losing parishioners in churches and losing business for our retail and service companies. Public education is a responsibility of everybody. Just as every taxpayer gladly helped pay for the senior center because it improved our city.

For 20 years I was the administrator for the State money that comes through the district to the parochial schools. AT one time it was approximately \$1 million combined for the six parochial schools. I bought their books, computers, remedial, gifted and speech teachers. That was everyone's tax dollars. We're all in this together.

A few people say they won't vote for the schools because the test results are poor, even though we are making progress. I equate that philosophy to taking medicine. I'm sure many of you have taken an antibiotic called a z-pac. The instructions require you to finish the entire prescription in order to achieve the best results. Would you stop giving a child the remaining medicine if she was doing a little bit better? Absolutely not. Children who are making progress with tutors would lose if these services are stopped because we could not afford to pay tutors.

Real progress is being made as the district focuses on new instructional and assessment methods. Most children who have been in our district for 3 or more years are doing very well. It takes time for children to achieve educational goals and our teachers and tutors are working closely with those who have not been successful. Issue 167 Our Schools Come First, is critical. Failure of the levy would mean fewer teachers and tutors who are critical to the children's success and the city would lose much needed income tax dollars from those staff members. If extra-curricular activities are cut, the children will be out roaming the business areas and neighborhoods instead of doing something constructive.

As was mentioned, the Supreme Court ruled four different times that State funding is unconstitutional. But we cannot punish the children because our State government is ineffective. The public must put intense pressure on the Governor and the Legislature to solve this funding issue. In Ohio most schools go back to the voters for additional funds every three years. Our district has stretched the operating dollars to last six years by making more than two million dollars, \$2.5 million actually, in cuts just this year. There is some costs the districts are unable to contain. The district pays approximately \$1.04 per gallon more than high-test for diesel fuel for the 52 school buses that average only 3-4 miles to the gallon. We cannot control these costs. Last year utilities cost us approximately \$1.2 million, this year we'll spend an additional \$442,000.

We did pass a levy two years ago to open new schools, buy computers and for all day kindergarten. The first grade teachers have seen big difference, a significant difference in the children who were in kindergarten all day last year. These children now have a good educational foundation. No one wants to pay more taxes, but the only way the schools can improve is to make sure there is sufficient money to run a sound educational program. If the levy passes tomorrow, it will be a 5.9 mil and the district will receive the money in January. If it does not, the next levy will have to be a 6.9 or 7.9 mill because the money won't be available until 2007.

Since I've always been a good bargain hunter, I look at this as the pre-Christmas sale. However, the children of Euclid and the future of our community are too important not to take this seriously. Issue 167 is the tipping point for this community. Better schools are essential to stabilize our community and that keeps good taxpaying businesses in Euclid. Please turn to the very back of the ballot and vote for our children first, yes for Issue 167. Thank you.

Mr. Dick Tomsic – 25571 Glenbrook Blvd., the Beverly Hills area. I'm a taxpayer. I pay property tax, I also pay income tax. I don't have anybody in the school system. So why should I pay school taxes? Sick, sick, sick excuse for voting against 167. I went to school, did I pay my way? No. Did my parents pay my full tuition? No. Other people paid for it. If I take this attitude, why should I pay for somebody else's kids, you're being selfish, greedy and in my terminology, sick.

My children went to Euclid. They've all graduated which is why I said I don't have anybody in the school system any more. I don't have any grandchildren in the school system. Should I say, I don't want to pay for the schools anymore, I don't have anybody in my family in the schools. And yet, who paid for my children? I didn't pay the complete tuition for them. Somebody else paid, businesses, other residents, members, homeowners. It would be sick if I sat here and said I don't want to pay taxes because I don't have anybody in my family that goes to school.

A couple of comments that were made earlier just sort of got me angry, I wasn't going to speak about the program, schools aren't what they used to be. Yeah, you're right. When I graduated from Euclid there was no Honors program. When my children graduated from Euclid High, they had Honors programs. They were getting college credit for courses they got at Euclid High School. Does that make the Euclid School System worse or better?

There have been Euclid students have come out of Euclid High School, gone to college, passed Advanced Placement tests and exempted the whole first semester of their Freshman year classes less tuition for their parents to pay. Euclid's not as good, it's better than when I went to school.

Why are there maybe some people that aren't doing as well, don't blame the school. My brother graduated from high school, a high school in the City of Cleveland. He was older than me he graduated before we moved to Euclid. Out of his graduating class there were doctors, lawyers, college professors, building tradesmen, good family people and in his graduating class there were some Mafia soldiers, bank robbers and other people. Blame the schools? I don't think so.

I think we're getting some really bad information on what the schools are. Let's take another look at school teachers salaries. What is the average salary school teachers in Ohio? Were we comparing school teachers in big cities and high cost of living areas against school teachers in rural areas where they can pay a school teacher maybe 20, 30, 40% less because the cost of living is less? Did we partial that out? We can do a good job of lying with statistics. Let's be very careful and think about what we're doing. There's a lot of people out there, unfortunately what I said earlier about taxpayers not wanting to pay because they don't have anyone in the school system, that's not if you'll pardon the expression not a very Christian attitude.

Also, charter schools, why are there charter schools coming up? I hope there's some people who are sending their children to charter schools wake up pretty fast. They don't have to pass the same qualification tests or they're not passing them that the Euclid School System students have to pass. In fact there are a couple of charter schools that are going to be shut down because they say oh, our people have been passing these tests. Only maybe 15 or 20% have taken some of the tests not all of them. I had lived in a city before I moved back to Euclid where the people were saying oh, we're going to go to these private schools. Now all of a sudden a lot of the people in that city started waking up that, wow, we in these other schools we had teachers that didn't have college degrees, had class sizes of 30 and 40 students. Who when their students graduated from these schools and wanted to go onto college, they didn't have the educational background.

President Sustarsic – Excuse me, Mr. Tomsic, your time is up.

Mr. Tomsic – Yes, I'm sorry.

President Sustarsic – Thank you.

Mr. Kent Smith – 34 Charleston Square. I'm the current Vice President of the Euclid School Board. I'm a 1984 graduate of the Euclid High School. One of the statements that was made earlier this evening is past history is the only thing to go on. The past cannot be changed. Only the future lies in the balance. Do you want to change the future in a positive way or do you want to change the future in a negative way? There is a plan in place that the Euclid Schools have implemented to raise student achievement and we've seen positive results in only the first year of that plan. We've reopened elementary schools; we brought back all day kindergarten and this year we began a testing strategy called Short Cycle Assessments. With just the first year of that plan, we saw 15-20 to sometimes 30% gains in all of our schools in all testing areas. Again, I would say are you concerned about the future or are you concerned about the past?

Let me throw some other statistics out there since we've heard a lot of them. The graduating class of 2003 from The Euclid High School earned over \$5 million worth of academic scholarship money. That is the most academic scholarship money ever earned by a graduating class in the history of the high school. That is a pretty recent accomplishment. That suggests that we are doing some things well.

If you are concerned about the past, I would say you have a way to voice your opinion on Election Day. You can not vote for me. I am a Euclid School Board member, arguably, I'm responsible for the past 4 years. If you believe that we in the Euclid Schools have not done a good job, you can vote for my opponents. You can not vote for me if the past is the distinguishing that you're going to judge your vote on. If you hold to the plan that is in place, if you believe that we are making progress, if you believe the future holds brighter days, then you need to vote for Issue 167. I will gladly trade a vote for me for a vote for the kids sitting behind me because they are going to have a much bigger impact on this town and this community and this state and this world then I will in the days to come. An investment in them will reap many more positive rewards than looking at the past.

I would, I would just, I would say this that the newspaper is coming tomorrow and it's gong to come the day after that and the day after and the day after and we have the ability to write positive stories or negative stories in those future newspaper stories. Thank you very much.

Mr. Harvey Mlachak – 23831 Lake Shore Blvd. I would like to agree with, affirm and endorse everything that Mr. Cooke had said here this evening. And I would also like to endorse and agree with those folks who spoke here at the Council meetings and wrote into our newspapers stating their views against Issue 167.

It's been a long time since I've been subjected to as much propaganda that's been going on by Council incumbents and Council wannabes. Much of your literature and Council, comments at Council meetings you said no new taxes, charge, fees, expenses and so forth, no new taxes. Yet at the end of the last Council meeting, I believe to a person you all endorsed passage of Issue 167. If Issue 167 is not a tax, please tell me it's a chance to win 2-week vacation at Disney World. When the grades for the Euclid School System come out on how they meet the State's standards, academically Euclid fails miserably. We're not getting our money's worth.

The last two levies that the School Board put out they never mentioned that these levies are a permanent levy. To verify it's a permanent levy, 167, I talked to a young lady at the School Board who said yes, it's a permanent levy. Once it's on there it's on there for good. You know what that means? That means your grandchildren's grandchildren are going to be paying for this same levy. That's a hell of a burden to be putting on these kids.

From 7.9 mills to 5.9 mills the 7.9 mills failed miserably. Why the difference in the 2 mills? Was it a scam on the taxpayers or were they asking for more money than they really needed? Mr. Smith and Dr. Jones mentioned the fact that the all utilities are going up for the schools. I feel sorry for them. What's happening in your house and mine? They're telling you what your gas bills are. I won't let my furnace come on yet because I'm scared to death of what they're going to do for me. I can't support the both of yas. Do you think that I'm going to get additional money to carry the both of us? Get off my back; you're heavy.

Mr. Jones says 50 cents a day for the owner of \$100,000 house is not much money. Sure it's easy for a man who's salary as Superintendent is \$124,000 a year. My AARP supplement just went up this year \$13. That, if you take it to the end of the year, that's just about what the School Board wants for their money, I mean for their taxes. Where am I going to get the monies to pay for this on my absolute limited income? When the media, I said that here, yeah, when the media publishes the schools ratings, look at the bottom of the page, that's where you'll find them.

Mr. Jones paints a very bleak picture of what's going to happen if the levy fails. I'm an old-timer like this gentleman was over here. What did we do during Depression? You take another hitch in your belt and you try a little bit harder. You do a little bit more with a little bit less. He also picked on the parochial schools and says the busing's going to stop there. Mr. Jones, I would say leave the parochial schools alone because they'll survive one way or another.

There were many members that have gone through this Administration and the Council who did not attend Euclid schools and they also chose not to send their children to Euclid schools. Does that give you an academic message? Why, if you live in this town and everything else and you want to praise what a good school system we have, how infallible it is, why do you send your child out of the City to school? That gives me a message.

I think, oh, as far as what the bleak picture is, when these young people here talked, the majority of them talked extra-curricular activities, football, band, art, whatever you have. None of them talked about the academic accomplishments. What is most important the extra-curricular activities or their academic studies?

President Sustarsic – Excuse me, Mr. Mlachak, your time is up.

Mr. Mlachak – Thank you.

President Sustarsic – Next speaker, please.

Mrs. Madeline Scarniench – 1511 E. 221. To all of Council, thank you. I'd like to touch on a couple of things. As far as Planning & Zoning's concerned, I love the idea that we're going to let the Police Department know a little bit about what's going on so they could give their input. When somebody comes before Planning & Zoning, the only people that get told about this is the adjoining property owners just one not two just the ones that surround them. I would like to make another proposal. I would love to see. We've got approximately 80 homeowner associations in this City and you can call Kristal Skovira and get that list. I would love for Planning & Zoning to send the presidents of the homeowner associations the agenda when it has something to do with something in their area 'cause otherwise they wouldn't know. I don't think that would take a whole lot to do, but it would help. It would also help to be able to let other people on the street or more than one person know because if you don't know you can't speak. And like I said, I wasn't able to go to the meeting. I think if I would have been there it would never have got this far.

Block grants, early in, early in probably August you get big notices in the paper about the upcoming Block Grant applications. Over the years that I've been on there, we've gotten a few from outside sources. I can remember when Kelly Butauski's group, her homeowners' group put together a plan to, to build a playground in their area and the pavilion and they raised half the money and got half the money from block grants. Two years ago I told Kristal and the rest of the Weed-N-Seed group that, you know what, our mini-station falls in the category, let's put something together and give it to them to look at and the Committee looked at it and they helped pay for the new Mini Station. So the key here is knowing when to do this and the time is now. You start working on a plan now. You find out if what your idea is fits in the criteria that we get from HUD. If it does, have a plan because we do tear these things apart and that's how come we're going to have a new playground at the new Mini Station. That wasn't the intent to begin with but that's how the Committee decided to go. So the key is start working now.

Next thing, treasurers of committees, PACs, whatever you want to call them, is one person. Their name has to be on the literature, but they're only one vote. So if there's 10 people and they vote how something's going to be, that's the way it's going to be. It's not one person's vote.

And lastly but not least, Tod brought Veteran's Day up. I have to tell you my little story. This past week I took my father to Washington, D.C. Had to push him in a wheel chair, hope I can get through this, but it was important to take him there so he could see the World War II Monument that he helped to erect. When my father was in the service, he was shot in the head. He was in a body bag with his dog tags in his mouth. I guess to some people that meant I wouldn't have been here so that might have been good for some people. His family was told he was dead. Two months later they get notified from Battle Creek, Michigan that my father was alive and I thank God every day that he was and he lives with me. While we walked around, he has a hat that he wears and it says DAV, Disabled American Vet, and every place we went people said thank you and he couldn't understand what that was all about. I said Dad, they're thanking you for what you did. It was really cool because it made him so proud. I got to visit with Councilman Gruber's dad at Arlington and that was cool. The whole week was cool and wonderful. Wearing shorts, no jackets, the sun was shining. It was super. It made my dad very happy. So to every Vet out there I want to say thank you. God bless all of you and everyone who will serve this country in the future.

President Sustarsic – Next speaker, please.

Mr. Dennis Berzinskas – 20890 S. Lakeshore Blvd. Education. Education is what you need to progress as a country. These children today are our future. Don't short change them. They need all the help they can get harder world out there, harder to get a job, harder to make ends meet; but let's not short change them.

If you want to do something, pass the legislation, pass the school funding tomorrow, but on that do something. Find out from Dr. Jones, who do we call? Who do we go after to change the funding, to take it off the older citizens of the city; this is what we have to do. Don't go after effects, go after the cause. When I see a problem, I try to go after the cause not the effect. Sometimes it's hard to sort out, but you can do it, all of you.

Piece of literature, Euclid Avenue Corridor, our city is positioned for dynamic growth in the industrial and business corridor along Euclid Avenue. Decisions regarding the development of the southeast quadrant will impact the entire city for years to come. This was for Slot B. Chris Frey, you serve on the Planning & Zoning, like Mr. Saver said you could have put some input in there. A man buys a building but he can't make a goal of it. We don't have to sell liquor there

so he can have a tenant. It happens. You make bad business decisions, don't help them ruin the city.

Charlene Mancuso, Daryl Langman, thank you for doing your job for the citizens. You work at our discretion. We vote you in. Thank you for having the wherewithal and the tenacity to stand up tonight and speak your mind and demand what, the Administration talks out of both sides of their mouth. Once, when they want the information, write it to us; give us a list so we can figure out what we're going to say. Works both ways. Thank you.

Ms. Jessica Vandegrift - 20131 Priday Ave. I'm a student at Euclid High School and I do not consider myself a part of the statistic, this gross generality which includes us all in this failure of school system. At the end of last year I had a 4.26 grade point average and along with myself are several underclassmen, which are coming up behind me. And this, this generality is causing people to not, to not allow students that actually are trying to have their opportunity to let the levy go and not to support it would not, would not punish those that aren't trying but rather that who are. We, by cutting our, our teachers to our NHS and to our, our extra-curricular activities that are for, excuse me, that are used for services to the public and by not allowing us to continue our education that is, that we are excelling in that, that, that's just wrong. To allow students that are coming up behind me, I'm graduating this year; but to allow students coming up behind me to not have the same opportunities as did. I'm not going to speak about extra-curriculars, as in sports and things like that, although they do keep students' gpa's up because they do have requirements, minimums that they have to follow.

I do have sympathy for those who are on fixed incomes and cannot, cannot, and don't see any way to support the levy; but in the same way to be fair, out of my paycheck comes Social Security, which isn't going to me but going to people that are older than me that I don't keep myself. I give to other people. So saying that we, that it's not fair that you have to give to something that you don't have any part of is unfair because we're doing the same thing, but to support us in our, our, we're trying. We're trying to go and get our 4.0 gpa's and our extra-curricular activities and we're trying to excel in our own school, but to push us down isn't going to help your community. It's not going to help us; it's going to hinder us and we need, we need all your help. We need everyone to vote for Issue 167 and to help those that are trying that aren't part of the statistic that are above the, the academic watch or the academic failures to keep on going and to keep meeting our own expectations of ourselves and our own goals. So vote for 167. Thank you.

Mrs. Bernadette Walsh – 651 E. 266<sup>th</sup>. Now kids, we're going to do the math here. And I've got to tell you the truth back in 1963 I was not the best math student. If this levy fails, you're going to lose \$4 million. If we lose \$4 million that means you're going to lay off 20 to 30 teachers. If there's 10 buildings, I believe that comes out to 3 teachers a building. How's that for math? And who suffers? I'm not going to suffer, but the young lady who just said she's going to take care of my Social Security, God bless her. There's a couple kids in this group that were former Up Stage Players. And I would publicly say Miss Connavino, you've done me extremely well tonight. If you sat in the back and you watched her leadership abilities that came from an extra-curricular, I believe, of Up Stage Players it is fabulous. This whole row and this young man who auditioned for Up Stage Players are a credit to the City of Euclid and you're pounding them down. You're making him a nail and you're putting him in that train track and you're pounding him down.

And again, and I've said it before, not bringing politics into it and not bringing the party that he stands for, any person who is benefiting from a tax abatement has no say so in taking 167 from these kids. I can understand if you're a senior citizen. I can understand if you have tremendous bills. But if it's 50 cents a day, Mr. Sustarsic, Jr., that's one Dunkin' Donut.

Councilman Sustarsic – I'd be willing to give that up.

Mrs. Walsh – And heaven knows I don't need one Dunkin' doughnut. I watched you kids tonight and slowly your enthusiasm turned to a frown. It can't happen because you were fabulous. The whole scenario of the youth tonight is fabulous and if you keep them off the streets, you're not going to pay in another way. We owe you 167 and trust me, Miss Connavino, Mrs. Walsh doesn't have the 50 cents a day either. God bless each and every one of you.

And how did I do on the math? I'm really proud of what I did. Thank you.

Ms. Rachel Silva – 175 E. 267 St. Just quickly I want to say there was a statement made earlier about how all the students can do is complain about the extra-curriculars and activities they'll be losing and how it's not fair, but ask any counselor or any college administrator you're not going

to get into a good college based on just good grades. You need those extra-curriculars. You need the sports; you need the choir groups; you need NHS. Those are what make you look good and give you an edge over the thousands of other people that apply to college. So to say it's unfair that we want to keep our extra-curriculars is really unfair for you to deny us the chance to get into a good college because we don't have those extra-curriculars and just wanted to make that statement.

Also there was something about the taxes getting him a trip to Disney World, but next week I'm going with the band to Disney World and just without band, I mean, I've been flag corps for 4 years and I look forward to Disney World every 2 years and I think it's an amazing experience. I love going to Disney World and, I mean, your tax dollars aren't necessarily getting you to Disney World but it is giving us a chance to go. So I just wanted to make that as well. So, thank you. Please, please vote for 167 it really is a good deal. Thank you.

Dr. Jeoff Jones – 131 E. 265<sup>th</sup> St. I want to start off by saying we're not paying a cent for Disney World. I want everyone to know that. We're very happy they're going. They've earned their way, but they're paying their way. I want that to be known.

It was hard to prepare comments for tonight because I didn't know, of course, what was said this evening; but I do want to offer a couple of clarifications. The first one is the question was raised why from 7.9 mills to 5.9 mills was that I think the word was, was this a scam and we didn't need the money before. And actually, no, it's not a scam at all. As a matter of fact, people did ask about this question back in May when the, the HB66 was first presented and there was talk of 5 mills, \$5 million one year, \$5 million next year. That decreased to 2-1/2 million, 2.6 million and we never really knew how much we were going to get prior to the approval of the tax bill by June 30<sup>th</sup>. And when we did we receive that we received an increase of about \$2 million. One million dollars of that was direct poverty-based assistance for all-day kindergarten, which had been promised, and upon which we had made our decisions to put all day kindergarten back into the curriculum, which has been a marvelous improvement for student achievement. And that is the reason now with the additional \$1 million per year over the next 2 years of this bi-annually budget that we were able to reduce as a promise to the community that we would be frugal and wise. That is the reason we lowered our millage to 5.9.

I also want to clarify that I have never said that anyone can afford 50 cents a day. That is not where I would presume to have a judgment. I don't know where people, what people can afford and what they cannot afford. The simple fact of the matter is the math is 50 cents a day, approximately \$181 per year and that's all that's been stated. I do believe, on the other hand, that the loss of \$4 million in educational expenditures that we will have to cut for these children and the future children is a very costly outcome of a negative result tomorrow. But I will assure you I've never judged whether or not someone can pay 50 cents a day.

I can also assure you that the young ladies and gentlemen here tonight have impressed me with their emotion, with their ability to communicate, with staying on their message, which I did not prepare for them; but I can also assure you they're very serious students. They've mentioned extra-curricular activities quite a bit and that was challenged. That's, you know, there's more to life than extra-curricular activities. I happen to be a proud member of the Rotary and there have been many stories about their lives and my lives when we were children in schools. And never once has anyone ever said can you remember that essay we were given in first period English class? It's usually about those things which made their education, kind of gave them, my colleagues in Rotary and myself as well the types of activities that certainly round out a person's education. I would defy anyone to say that people who are not involved in school activities actually receive a better education because I'm not sure why that would be. I can't say why that would be. But I guarantee you and as I guarantee the community that we all will be fiscally responsible. We have made cuts. We will continue to watch our spending, but we're at a point where with \$8 million looming as the deficit by June of 2008 that we must act. We can only in schools either raise revenues or cut expenses. We're asking to raise the revenues that will keep us from having to cut the expenses that we will have to cut. We will protect the classroom for as long as we can within these cuts and we're asking the community to understand that this is a commitment not just to the children but to the City.

As I've said in many places before, no strong cities have declining schools. Yes, we have a long way to go. We have a vision and a plan, but we need to have support to achieve that. So I thank the community for their consideration on Issue 167, 20 seconds 'til I'm done and an hour and 15 minutes until Election Day. Thank you.

President Sustarsic – And seeing no other speaker, seeing no other speak.

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

#### COUNCILMEN'S COMMENTS

Councilman Langman – Mr. Petkovic, we communicated this past week on an issue that the resident wrote me a letter, but I don't know who they are so there's a shrubbery issue on 272<sup>nd</sup> so would you please give an update on that situation?

Manager Petkovic – Sure, Mr. Chairman to Councilman Langman, I don't know who the person either and I received two letters that were not signed. Last Thursday I made an appointment by telephone to talk to that homeowner about the issue, and 1:30 this afternoon we had a very productive meeting. When I arrived there, as a matter of fact, the nuisance has been abated. He actually cut down quite a bit of the shrubbery on his side of the driveway so that issue has been taken care of.

Councilman Langman – Okay, so now it's at the 3-foot height that our ordinance calls for?

Manager Petkovic – That's correct, right.

Councilman Langman – Gosh that seems like there would have to be an awful lot of cutting, unfortunately.

Manager Petkovic – The tall grass that is there. It's the ornamental grass. It's still there. That has to be trimmed every Spring right down to the root and that will be cut in the Spring. I backed out of his driveway and I could see the sidewalk and the street. Both sides are in compliance.

Councilman Langman – Very good, thank you, and to that resident out there I hope you vote tomorrow, whoever you might be.

Director Gulich, received several telephone calls from the residents on Sunnycliff. They are not happy with CEI's tree trimming and the trespassing on their property. They were not notified that would happen. Do you have any update on that for me?

Director Gulich – I was hoping to talk to our liaison, Ms. Johnson, today. Unfortunately, I didn't have any direct contact with her. But as you're probably aware, being on Council, CEI does make an effort to contact homeowners before going out on their private property to trim trees. They do use a door hanger type thing. Why these people did not receive any notice in this particular instance, I haven't gotten that information; but I'll be glad to share that with Council when I do. Again, the Illuminating Company normally is usually pretty diligent of communicating to people that there's a need to come on to their property. And again, I don't know why that didn't happen in this case, but I'll find out.

Councilman Langman – Okay, well, I'll talk to you about it but probably not tomorrow. And finally, there's been much talk about Issue 167 and I've spoken about that many times and the kids left and they really were troopers for staying here. That's really what it's all about. I've said it before and I think it bears worth repeating that we can bring in new business; we can do lakefront development; we can do a marina and if we have poor schools, it won't make a whole heck of a lot of difference.

Now, I am a graduate of Euclid Public Schools, like to think I turned out pretty good. Class of '81 and the teachers made the difference in the schools and for the kids that went to school when I went to school. If you don't pass the levy, you're not going to have nearly as many teachers so the quality of the experience will go down. And so you will not retain families and wealth here and, therefore, on an economic basis your retail districts will not be as strong. Your housing market will not be as strong. You will not be able to sell some of the homes that are under construction and that are proposed to be built in this City and, quite frankly, businesses like we talked about tonight will take a second look before they will invest in the City. So it's really, even though the City Council doesn't run the schools, the Mayor doesn't run the schools. It is a critical factor in what we're all trying to do, which is make our City better. So I know it's difficult. It's hard that the mechanism is no good. Everybody agrees to that. The State needs to do their job, but we can't be the example. That's simply not practical. If Euclid is going to be ultimately competitive, then we need to pass this levy. And with that, I hope everybody comes out and votes tomorrow and after the polls close I'll be at Erie Waters with about a hundred of my closest and dearest friends. Thank you.

Councilwoman Mancuso – I also have a request. I, frankly, e-mailed you, Ron, about a property we had spoken about and the e-mail bounced back. That was today. I don't, I'm not sure you got over and took a look at the correct property that had the hole in the back of the garage that they were so upset about.

Manager Petkovic – Are you telling me the address is wrong?

Councilwoman Mancuso – No, no, the, the, you went to one and they'd given you the wrong address. You went to the second one.

Manager Petkovic – Oh yes, that, that has been cited, yes.

Councilwoman Mancuso – Do we know if we've gotten any response?

Manager Petkovic – No response yet.

Councilwoman Mancuso – So how long do we wait?

Manager Petkovic – I believe on that one was 14 days and it's going to be coming up shortly. If not, there will be a Prosecutor's Summons requested by the Housing Department.

Councilwoman Mancuso – Good because we've heard from the person again.

Manager Petkovic – Okay.

Councilwoman Mancuso – And, thank you. Director Will, at our Recreation Committee meeting we were talking about all the grand ideas that we wanted to do this winter and you had promised you would get us business plans for each of them how we would go about doing them and what the cost of them would be versus revenue we might generate. I have not seen those yet. Are they forthcoming?

Director Will – I put together a budget for the upcoming months but I didn't detail it into each program.

Councilwoman Mancuso – That's what we had asked for.

Director Will – I did not detail each program.

Councilwoman Mancuso – Would you please?

Director Will – I can look into it and give you the best of what I can come up with. It's going to be difficult only because I've already got employees working there and if there's an event that we're doing at the Golf Course, I'm not really bringing in extra people, you know, I'm have to do with it with the people I actually have working there. But I'll look into it and see what I can come up with. We'll put something together.

Councilwoman Mancuso – Thank you. And I hope everybody goes out and votes tomorrow; 167 is, obviously, very important. We've heard it tonight. I hope there are some future Council people sitting in that front row because they certainly had the demeanor and the professionalism that we need here. Go out and vote tomorrow and, hopefully, it's a nice, dry, sunny day. Thank you.

Councilman Sustarsic – I'd just like to comment on the PMX, I mean, just the excitement this morning seeing the Cleveland Crain's Business and having this big thing PMX marks the spot, seeing this project go through. And then I'm thinking to myself, you know, Euclid probably hasn't seen, or at least this region hasn't seen an industrial project of this magnitude since probably World War II when they built TRW and Addressograph-Multigraph. This is huge for our community. And I, the Mayor alluded to earlier, too, that's why it's so important to pass 167 as these businesses are going to want good school systems to come for their employees and it's very, very important.

I attended their rally for the levy Saturday and it was amazing just the support there, the talent that was there between the athletes and the musicians and artists just how involved they are

in that school. And it's good for the school and it's even better for our community, too. I mean, this is the future and it's very, very important. Walking door-to-door tonight I spoke with a bus driver and, I mean, she was almost in tears. She's going to be out of job if this levy fails. So I mean, it not only affects the kids it affects our neighbors and friends that work for the Board of Education.

I have a few other Issues that are important to me. Issue 1 for the infrastructure improvements and economic growth, I think that's going to be very, very important to the City of Euclid and I urge all of our residents to vote for that.

Issue 7, which is for the Board of Mental Retardation, we have two facilities here in Euclid the Rosemary Home on Euclid Avenue and the Mary Mavec Center that benefit greatly from the monies that come from Issue 7 and it's very, very important effect the quality of life of those in need.

And Issue 37, sewer replacement levy, which is our Truck 200 that comes out to the people's house and I know it's a service that all the residents appreciate when they need it.

I look forward to Veterans Day and you always do a touching ceremony and it's great to pay tribute to those who gave all of us the opportunity to sit here and to speak at that microphone, I mean, just to give us our chance to speak our mind and to express our beliefs. And with that I guess I'd like to say good night and I'll see everybody tomorrow at the polls. Good night.

President Sustarsic – Tonight was, I thought tonight was a great night. Everything was tied in together in the sense that we're looking at the future of the City of Euclid. That being the promise or rather the potential fulfillment of economic development in the City of Euclid, the participation in our meeting by the future by they championship caliber football players at a very young age and it looks like Euclid has a pretty good future in football, if I may say based upon that. The cheerleaders, the children that spoke for 167 it was all about the future, I think, of the City of Euclid today and so I think it's, it's very, very important and it would prove everyone's responsibility and civic duty to support 167 tomorrow and to secure our future and as well give a good look to all of those Issues that are presented as well as all the individuals running for Council and do what you think is best and whom you think would make the difference in the running of the City of Euclid because we have a terrific base to work with and I look for nothing but, but good things from here on in, not that there haven't been up until to this point in time, we have progressed greatly but at the same find it in your heart to study the ballot, vote for the schools, vote for the individuals you feel can best move to the City forward without any divisiveness. And with that I'll turn it over to Mr. Daly because I think we all have a long day tomorrow that we're going to be looking forward to.

Councilman Daly – Couple of quick comments, I have spoken about the Euclid schools in the past. I do believe the test scores that everyone quotes are not indicative of the quality of education you can get in Euclid schools. Students that are there from day 1 or arrive performing at grade level do excellent, excellent jobs. So I think we need to look beyond what the test score is.

As far as someone brought up Catholic schools and I did attend Catholic schools as well as all my brothers and sisters and I send my children to Catholic schools, it's in no way an indicator of what I think of Euclid schools because I would do that whether I lived in Westlake or Bay Village or Columbus, Ohio. There's things about Catholic education that, you know, I value but it has no reflection on the City of Euclid. In fact, if I had a special needs' child, they could probably only get services as part of the Euclid Public Schools so think carefully and think about the future when you go to vote on that Issue.

Lastly, I know it's late. There are a number of Issues that are important on the ballot tomorrow. But going through this campaign, going door-to-door, the one thing that hits out at you is the number of people that don't vote. If you're going, you know, going a list knocking on doors of people who have voted, the number of houses you pass in between voters and you can see that the owner of the house is very, you know, they keep their property; they're very enthusiastic with Halloween decorations. You see they care about the community, but they didn't go to vote. I think that's something tomorrow however you feel about candidates or issues, it's important we honor the veterans, who gave us the opportunity to go out and exercise that right to cast your ballot tomorrow. So with that have a good night.

Councilman Delaney – I would like to congratulate Dr. Roy Larick, Gib Gibbons and Ed Siplock they have published a book about the Euclid Creek Watershed, a very fascinating book, the 8 communities in the entire watershed and how it became settled and why we live where we live and the buildings that were built there. They do a very, very nice PowerPoint presentation. They illustrate some of the pictures that didn't get into the book and they had their unveiling at the

Henn Mansion last week. They'll also be at the Euclid Public Library on November 29<sup>th</sup> at 7 o'clock. They'll bring their book signing to Cleveland Heights Superior School House on December the 7<sup>th</sup> at 7 p.m. and December 8<sup>th</sup> at the South Euclid Library. It's, it's a fascinating little book if you like local history and it's, for Roy Larick it's the second book in 3 years that he has, that has Euclid in the title.

Quite an announcement about PMX, congratulations, Director Pietravoia, but I'm a little confused. Councilman Sustarsic talked about the project. Is there a tenant for the site?

Director Pietravoia – There are at least 3 interested parties that are looking at the site currently with C.B. Richard Ellis, who is the broke representing the property. We don't have a specific commitment from a tenant, but there's at least 3 parties looking.

Councilman Delaney – There's no commitment and we don't have, obviously, a plan in front of Council that shows buildings, the driveways. What we have here is a Memorandum of Understanding?

Director Pietravoia – That's correct.

Councilman Delaney – Okay, so, that is very much like a Letter of Intent?

Director Pietravoia – It's an indication of a commitment from both the City and the developer to pursue that project.

Councilman Delaney – So we have, it's an indication.

Director Pietravoia – It's not a contract. We can't enter into a contract, as you know, without the authority from Council.

Councilman Delaney – There was mention of county agencies, state agencies, who have we talked to in the county and the state specifically about this project?

Director Pietravoia – Individuals?

Councilman Delaney – Yes.

Director Pietravoia – We've talked with Tracy Nichols, who's the Economic Development Specialist for the County Department of Development. We have also been in contact with Fran Migliorino from the State. I think most of you may know Fran. She's the Governor's Representative here in the Cleveland area. With the Port Authority we've been talking with Linda Highsmith, I believe she's second in command at the staff level there. Who have I left out? Team NEO, Pat Gammons, one of the top staff people there.

Councilman Delaney – I can't, okay, and, what this, what this reminds me of, and I think what my questions in the future allude to more, is this reminds me of Century Corners. Going ahead, clearing land, making it available and Century Corners has been vacant for 6 years, 5 years. What is our plan? We have industrial property available throughout Tungsten throughout Argo Tech and the Heritage Business Park. What does this mean to the competition of the land that we're trying to move, the land that's already ready to build on and the other private entities? That's the first thing that comes to mind. What's our plan and how does Century Corners fit in with this now that this is a focus and a priority?

Director Pietravoia – Our plan, I thought, was pretty straight forward with the discussion that we had tonight. We intend to take an 83-acre site and turn it into a modern industrial park. We own land on Euclid Avenue...

Councilman Delaney – But what are we going to move forward on...

Director Pietravoia – We will continue to market the land on Euclid Avenue as we've done in the past. I think any City that has more options stands a better chance of attracting business and industry to their community. By developing the PMX site as an industrial park we're adding a huge option to a list that was fairly narrow prior to that.

We had a year and a half ago we estimate at about a million and a half vacant square feet of commercial or industrial space in this, building space. Between PMX the demolition of that building...

Councilman Delaney – I've only got a few seconds left. I understand...

Director Pietravoia – Well you asked a question, I'm trying to respond.

Councilman Delaney – My question, I think I want to clarify it. I said what is the plan for Century Corners? Have we bailed on Century Corners? Is there a change in directions?

Director Pietravoia – Absolutely not, we still intend on marketing Century Corners just as much as we have in the past. There's 13 acres left...

Councilman Delaney – Do we still have Century Corners with C.B. Richard Ellis as well? Have we renewed that agreement?

Director Pietravoia – No, we do not currently have a private commercial broker for that property.

Councilman Delaney – And, but before we did have, I think the same individual Howard Lichtig was also marketing Century Corners for us when he was with C.B. Richard Ellis.

Director Pietravoia – Yes, he was, at least, at one point in time. You're correct.

Councilman Delaney – So now he's showing the tenants to PMX.

President Sustarsic – You're out of time, Mr. Delaney.

Director Pietravoia – Yes, along with his entire team of brokers that work for C.B. Richard Ellis. Tremendous effort.

President Sustarsic – Mr. Gruber.

Councilman Gruber – Three potential tenants at PMX is probably better than 4 potential buyers at Harbor Town so that's not too bad.

I'd like to start by thanking everybody for the opening at the Mini Station. It was a wonderful event. It's really a landmark on Euclid Avenue and when the landscaping's in and the deck is on and the kids start coming down there and the police officers are there and there'll be other City services available out of that building for seniors and stuff for, if you want help with filling out your taxes, it'll really be even more of a neighborhood community center. So it's really, really nice job, thank you.

Also the homeowner groups that held candidates nights and put up with us for the last two months, I'd like to thank all of them. They're all very gracious and kind and I hope that we were informative. And also to all the people that I'm sure all of us met as we went door-to-door. Everyone was kind even if they were for us or our opponents or whatever, I'd like to thank the citizens for putting up with us.

Good news on Euclid Avenue, the Walgreens is taking over the old Medic at 193<sup>rd</sup> and Euclid Avenue. You've got a Walgreens on Euclid and they are interested in building a stand-alone building somewhere on Euclid Avenue in that facility so we will be working with them. I know that Director Pietravoia and myself have been in contact with them and it's very, very exciting.

And Mr. Petkovic, I would like to thank you for taking care of my shrubbery problem on Chippewa today. You were very efficient in that matter so thank you very much. Good night, everybody, and see you at the polls tomorrow.

President Sustarsic – It's up to you. We've got 2 minutes before we have to change tape so if you would rather wait and then we could change the tape and then we could continue if that'll be okay with you? It'll take 30 seconds to change tape.

Councilwoman Holzheimer Gail – Veterans Day, I just wanted to take the opportunity to remind people that the public is welcome. We do have a program here at City Hall, Veterans Day, Friday, November 11<sup>th</sup> at 11 a.m. I would encourage residents to join us for that program. It's always a wonderful program.

Another announcement, our State Rep Kenny Yuko will be holding a public forum for all House District 7 residents on the issue of reducing the cost of heating bills over the winter. It's at the South Euclid Community Center, which is at 1370 Victory Drive on Monday, November 21<sup>st</sup> from 5 to 7.

I was able to attend last year the Cleveland Women's Orchestra concert at Shore and I really would encourage everybody who's able to or interested to attend that. They're a wonderful orchestra. One of the few remaining women only orchestras in the country I believe and again, that concert will be November 20<sup>th</sup> at 3 p.m. at Shore Cultural Center.

And just, you know obviously, I want to encourage everyone to vote. I would love to encourage everyone to vote in support in Issue 167. There's a lot of talk about report cards and how our kids are doing. Well, my kids got their report cards today from Lincoln Elementary and I'm proud to say they did great. And I'm sure, I just want to take the other opportunity to acknowledge Amy Barwick and Zach Schlosser, who recommended recently as National Merit Scholars. I'm sure their report cards are wonderful. There's many kids in the Euclid schools who are achieving and who are achieving at a very high level. We need to support them; we need to support all of the students so that they can achieve. Our schools will not improve without additional funding and our schools as we all know are the cornerstone of our community and we cannot improve our community without our schools. So please join me in supporting Issue 167.

Councilwoman Hufnagle – Two years ago we did not have an Economic Director and in Ward 3, economic development is key because it is the largest section of industrial land in the City. So that has always been a priority of mine. I carry around with me a chart that Director Pietravoia has provided to me where it lists the 12 economic development projects that his department has done in the last 2 years brining in over 300 new jobs and retaining over 1100 jobs. So I will always champion and fight for new business in Ward 3 and the one thing I have learned from Director Pietravoia is, unfortunately, timing isn't always at our discretion. And, otherwise, when we first started meeting on PMX, we thought we would be having the wrecking ball in the middle of October; but these things take time.

As far as Pioneer Solutions this evening, this is a deal we had worked on for several months and you know, as a Council person, I get my packet anywhere between Wednesday evening and Thursday evening. And it's my responsibility to read that packet and ask the questions and get the information that I need to conduct business on Monday evening. And I will always do that. And I can say it to the Mayor and members of your Administration I have never been turned away from one of your Directors or I have never not had a phone call answered. I have had several phone calls answered after 7 o'clock at night. You know, even the Chief of Police and Chief of Fire have been very accessible to me as a Council person and that's, that's critical in doing our job. And that, that's where I stand on that issue. It's my responsibility to do what I need to do to make the decisions and to cast my vote.

And PMX, you know, congratulations, Director Pietravoia, your office, your department is outstanding. I mean, this is going, you know, I was kind of disappointed in the article in Crain's 'cause I know they couldn't devote a whole lot of time to it but this is going to be the biggest project in northeast Ohio and I know that we have some concerns about it. It, it, there are some questions about it, but you know what?

Scott Stubbfield, he's quoted in the paper as saying, I'm a believer in the build it and they will come philosophy. We're not talking about a fly-by-night. We're not talking about a new company. This is a 25-year-old company. They have redeveloped 5 million square feet of industrial land in over 10 locations in the United States. They own 12-16 million square feet of land. They know what they're doing and they're willing to invest in Euclid and in PMX and this is huge for the City. This is a positive thing. This is built out conservatively. It's a thousand jobs and it's not a thousand jobs with one company that we have to pray every night they don't leave. It's a thousand jobs with diversity, with numerous companies. So when one little company leaves, we're going to feel the pinch but not like, you know, we'd feel the pinch if Lincoln Electric left. So this is a positive thing and this is, this is where our efforts should be focused. Economic development, PMX, the Pioneer Solutions, somebody buying the Hitachi building, these are outstanding accomplishments in this City and these are, this is the future of the City and these are the things I want to focus on and I want to leave the residents tonight remembering because I guess we haven't done a very good job of promoting all the good things that we've done. You know, we have a factory in the vacant K-Mart building and, you know, the prospect of PMX and Pioneer Solutions and if people don't know these things, then we haven't done our job in promoting that. And I think we should look at that in the future because we, our residents deserve to know what is going on and, you know, I hope they're all standing out there watching when the wrecking ball comes down on PMX and they see the future of that piece of

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property because I think we all pledged that would be a huge concern for us and that's where our efforts would be focused. So with that I will say good night. Thank you.

ADJOURNMENT

Councilwoman Hufnagle moved for adjournment; seconded by Councilwoman Holzheimer Gail.  
Yeas: Unanimous.

Attest:

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Clerk of Council

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President of Council