

COUNCIL MINUTES

December 19, 2005

The regular Council Meeting was held on Monday, December 19, 2005 at 7 PM in the Euclid City Hall Council Chamber. President Gudenas presided.

Members Present: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas.

Others Present: Mayor Cervenik, Law Director Frey, Public Service Director Gulich, Finance Director Johnson, Acting Recreation Director Grida, CS&ED Director Pietravoia, Police Chief Maine, Fire Chief Cosgriff, Acting Housing Manager Drazetic, Zoning Commissioner Torowski, Mrs. Hastert-Wolf, Mr. Gliha, Sgt.-at-Arms Novosel, Clerk of Council Cahill.

Invocation was given by Rev. Gene May of Living Waters Church.

COMMUNICATIONS

Council has received the following communications:

A memo from Director Pietravoia regarding the renewal of the Breckenridge Senior Independence Services Contract for the Continuation of Nursing Services and Home Health Aide Service for Fiscal Year 2006.

Council Minutes

Councilwoman Holzheimer Gail moved to receive the Council Minutes of December 5, 2005. Councilman Gruber seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik – We will be brief tonight due to our lengthy agenda. I would first like to call on Chief Cosgriff to give us some good news about a grant that we received, I think it was Thursday.

Chief Cosgriff – At the June 20th Council meeting, Council approved legislation to allow me to apply to the Department of Homeland Security SAFER grant. SAFER is the acronym for Staffing for Adequate Fire and Emergency Response. We requested \$1 million in funding to hire an additional 10 firefighters and I'm happy to say that I was notified last Wednesday that we have been awarded this grant. I will be coming back to Council early next year with legislation to accept this grant.

Under the terms of this 5 year program, the federal government will pick up a portion of the salaries and wages of firefighters that are hired to increase our numbers. I must stress that these funds may only be used to increase our numbers and consequently there were be a significant cost to the city to take full advantage of this grant.

The funding amounts to a maximum of \$100,000 per firefighter, so the actual amount that we realize from this award is dependent upon how many additional firefighters we hire.

Mayor Cervenik – We will be coming to Council to determine, letting you know what number we feel is appropriate. This grant is a decreasing grant, meaning that in the first year they cover approximately 90% of the salaries, second year and every year after it declines. At the end of the 5th year we must continue to keep that manpower as is, at that same increased number and pay for it all ourselves, so there is some budgeting involved here. Knowing that we were going to hire three firefighters in 2006 and the plans were to hire three at least in 2007, this is the perfect time to receive this grant and it is going to go a long way into increasing our manpower on the fire department.

Director Gulich has a couple of words concerning salt usage and our garbage collection.

Director Gulich – Garbage pick-up will be on its regular scheduled days throughout this Christmas holiday, with Christmas being on a Sunday. So plan accordingly and Waste Management will be in your neighborhood as per usual.

I just wanted to report that as of December 9th, I know that was 10 days ago, so far this fall season since we are not into winter yet, from November 25th to December 9th, we used approximately 4,000 tons of salt on our local roads here. This is a cost of about \$136,000.

In a normal winter time we usually use between 9,000-10,000, keep in mind we are at \$4,000 already. Overtime money spent so far for putting all this salt down and moving all this snow, we spent in excess of \$16,000. Our fall leaf pick-up, our overtime was way above and beyond last year's overtime, \$22,700. I just wanted to give everybody an idea on how much this is costing us. Thank you.

Mayor Cervenik – I don't know if I will have an opportunity later in the meeting so I would like to wish everyone a Merry Christmas, Happy Hanukah, Happy Kwanza or just Happy Holiday Season, whatever it is you celebrate; celebrate it well in the City of Euclid. Spend time with your family, spend time with your friends. We all make New Year's Resolutions, hopefully we'll keep them. My resolution is to try to be even nicer to people and make people understand that they are very, very important and that we really care about everyone's opinion and everyone's feelings. If we all make that resolution together, I think the City will continue to move forward in a very positive manner. In the next 10 days, 12 days, enjoy your family, enjoy your friends, enjoy life and think about the things that are really important to all of us. With that communications from the administration are ended.

President Gudenas – Thank you Mayor for that nice message.

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Animal Shelter Report of November, 2005; Organizational Meeting Min. of December 5, 2005; Recreation Commission Min. of Nov. 9, 2005; Board of Control 11/28/05 and 12/05/05. Councilman Lisy seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE

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

Mrs. Audrey Kaplan Goodman – 20201 Glen Russ Lane. I want to address #2 on tonight's agenda. I want to clearly state that this is a great beginning, but please understand that it is just that, it is a beginning, it is a long way from a solution. As an individual who has worked as a licensed insurance agent and a mortgage loan originator and has worked with major lenders for many years, I want you to realize that this is truly only the tip of the iceberg of the problem.

One of the most common practices in the loan business is the re-selling of the original loans by the originator. Loans are sold in bulk packages each and everyday on Wall Street. So the lender who registers as the lender one day, may only be the first of many lenders involved in the home mortgage transaction and not the lender of record at the time of foreclosure. This is a problem that must be addressed to the State of Ohio's Department of Commerce Division of Financial Institutions, as well as the Governor, Attorney General and our elected state representatives.

This is not a problem that can be solved only at the city level. I applaud this beginning, but you need to send resolution that laws need to be enacted by the State that would require that when a mortgage is resold to another lender, that this transaction must be registered. Thus when a property goes into foreclosure, you will be able to find the most current owner of the property.

May I also make a recommendation that the administration and/or council prepare a study and create a list to be on record in the Housing Dept., that shows those mortgage brokers who seem to be involved in the greatest number of Euclid foreclosures. This could be called a Buyer Beware list and may likely lower the number of foreclosures in the future. If I can be of any help in any way, feel free to contact me at 216-486-1326. Thank you.

Mrs. Madeline Scarniench – 1511 E. 221. Question on #16, are you planning to vote on that tonight or is that going to go to committee about the commercial snow removal?

President Gudenas – We are hoping that we can vote on it tonight because we're letting the administration come up with any specifics with the plan. This just authorizes the administration to levy the cost of snow removal for anyone who is not following our rules, just like grass cutting.

Mrs. Scarniench – Then I have a couple of questions. Is there a law in our State that talks about snow removal? Is there something to base this on? To me and a couple of people I've talked to today thought it was pretty unconstitutional. Because, how can you go after a business and

you're not going to come after me at my house. That was a question I was asked today and I said I don't know, I will ask. My concern too, especially the fact that we can't even get our side streets plowed, but we're going to take our people to go do sidewalks for businesses and wait forever to get the money because the money is not going to come, they don't pay it, it is going to go on the taxes and it is not going to be there. So I want to know how you are planning to fund this? If you could answer, that would be great. Thank you.

President Gudenas – We can clarify with the administration but we do have an ordinance on the books that requires snow removal from sidewalks within so many hours of the storm ending. So we're not changing that law, we're just changing, actually we're trying to help businesses and others in the City of Euclid to remove the snow.

In terms of taking people off the street, we definitely don't want to do that, that's why we've been talking with the Service Director Hank Gulich on hiring private companies to do that work on behalf of the property owners and then that cost will be billed to those property owners. My guess is that these are going businesses that the amounts really won't be that high because it is just sidewalks. That probably most will pay, those who do not pay, then of course it will be accessed to their taxes, if they don't pay it immediately, then there's interest charged, we think it will be a very small impact to the budget, but a big impact to residents who rely on the sidewalks in generally commercial areas. We are trying, the purpose of this is to get better access to the schools, to bus routes and places where people generally have to walk, have no choice because of the location of wherever they're going. We'll discuss that further but hopefully that answers some of that.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. Ordinance #21, for the Hunger Center. Thank you for this. The need is great, especially this time of the year. You know the weather out there. If you could see the people that really need this, you'd understand. To those of you out in the community that give, you open your hearts and you open your cupboards, thank you. The food is given out as it comes in. It is not stock piled. Food has been going out as it comes in and it is really needed, especially this time of the year. Think about it after the holidays, we need the help after the holidays too. Keep your donations up, thank you. Everybody that gives, I can't thank you enough. Thank you.

President Gudenas – Dennis before you leave could you let everybody know if they do want to give, a phone number or a location?

Mr. Berzinskas – We're over at Shore, we are in the basement, down the bottom of the ramp from the back parking lot. We're there on Wednesday from 8:00 AM to 1:00 PM. We're there Saturday from 8:00 AM to 1:00 PM. Most of us are all volunteers and I'll tell you the volunteers we have are great.

President Gudenas – What kinds of things are you looking for?

Mr. Berzinskas – We are looking for just about anything, soups, we can even store frozen things. We've gotten a new freezer right now, meat, canned meats, baby food, toilet paper. We give all this out. We have cereal for the kids. Just about anything that you can think of that you could spare, we'd really appreciate it. Thank you Mayor for your donation.

Mayor Cervenik – If I could Mr. Chairman, the hours when people can bring food to you?

Mr. Berzinskas – Wednesday from 8:00 AM to 1:00 PM. Saturday from 8:00 AM to 1:00 PM. That is the only time we will be there.

Mayor Cervenik – I would like to make sure people understand that if they can't make the donations during those hours, to please feel free to make the donation right here at City Hall. We have a box in the rotunda here and we will make sure the Hunger Center gets it when they are open. Don't let the hours delay the donations because there are a lot of people out there that could really use the food and help this time of year.

Mr. Willie Trotter – 953 Caledonia, Cleveland Heights. This is my wife and we come to represent item #1, House of Jubilee Ministry and we are requesting an opportunity to serve this community and we would love to come in and help the families and strengthen the families and also to develop a tutoring program that would assist the schools and help the children with their

education and their homework and things like that. We would like to institute some type of after school program where we will get an opportunity to bring the children in and help strengthen their math and their reading and their science. At the present time we have many educators in our congregation as I stated the last time I was here and we're all anxious and awaiting to be able to operate in your community. We thank you for that. This is my wife, Michelle Trotter and we're here and expecting to be able to work in your community. Thank you.

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

LEGISLATION

Res. 181-2005 (455-05) UDE

A resolution granting a Use District Exception, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Mr. Willie Trotter, Pastor of House of Jubilee Ministries Church to allow a UR-2 (Church) use in a U-6 (Industrial/Manufacturing) Use District at 1331 East 260th Street, Permanent Parcel #648-26-005. (Sponsored by Planning & Zoning Commission)

Councilwoman Walsh moved for passage, Councilman Langman seconded.

Director Pietravoia – Before we get started, just a technicality as far as the procedural requirement. We do require three readings of Council and then advertising and holding a public hearing. We can dispense with that rule with a majority vote of Council.

President Gudenas – I was told that only for zoning changes you need the public hearing, use district exceptions you don't. We didn't unfortunately run the ads, if that is the case.

Law Director Frey – You can waive that by a majority vote and go ahead with that tonight.
President Gudenas – What about the public hearing part?

Law Director Frey – You are holding it now.

Councilman Delaney moved to waive the three reading rule and consider this the public hearing. Councilman Gruber seconded.

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Lisy, Mancuso, Walsh, Gudenas
Nays: Conway, Langman
Approved.

President Gudenas – So we shall discuss this today.

Director Pietravoia – I will turn it over to our Zoning Commissioner Andy Torowski who will report the outcome of the last Planning & Zoning meeting on this item.

Commissioner Torowski – For those of you who are new and not familiar with the term Use District Exception, a use district exception permits the extension of a non-conforming use for a building upon an established use district. Use district exception becomes attached to the land. In the event that the non-conforming use is abandoned another use that is the same may continue the use district exception. If the use district exception is abandoned for six months, the zoning automatically reverts back to its previous zoning.

The House of Jubilee Ministries is a multi-cultural church comprised of approximately 70 adults with the focus on strengthening the family. They are currently located at Park Synagogue in Cleveland Heights and have been an established church for five years. Because of their religious services and activities coinciding at times with other religious groups at the Synagogue, this creates scheduling issues. Pastor Trotter sought a location for his church where the scheduling issues would not interfere with his congregation. The vacant Palisades Bowl building would meet the churches needs.

Pastor Trotter has submitted a plan for the lay out of the church, of which a copy was sent to all council members. The plan is for the use of 11,400 sq. ft. of the south section of what used to be the bowling alley. This area would house the main assembly area, administrative office and social area. If approved, a detailed set of construction documents, signed and stamped by design professionals will be submitted by Pastor Trotter for a complete commercial code review to be completed by the city's building department.

Of the concerns brought up by residents and members of the Planning & Zoning Commission at the November 15th meeting, the majority were in regards to the condition of the building on the property and the extended parking of car carrier trailers for one of the tenants of the Palisades complex. With the condition of the property and building if approved by Council and before a Certificate of Occupancy is issued, a complete commercial maintenance inspection will be completed for the interior and exterior of the building and property as well. All violations found with the building and the property are required to be corrected by the owner before the CO is issued.

With respect to the extending parking of the car carrier trailers, these trailers were parked for extended periods of time just north of Tizzano's and adjacent to E. 260th. Mr. Russell Berzin, owner of the Palisades Complex informed the members that this was not the space designated to the tenant responsible for the car carrier trailers. Mr. Berzin has contacted the tenant and the city is in receipt of notification sent to the tenant to park those trailers in the designated areas which is directly north of the two story building at the southwest section of the complex. These parked trailers will continue to be monitored.

As far as the other parking requirements, the number of parking spaces available for the church and other businesses of the complex exceed the number of required of Section 1389 of the Zoning Code.

As far as the type of assembly use in a U-6 Industrial District, this type of use is not that different from the uses that are or were established in this area. These uses would include the now defunct bowling alley, Tizzano's Party Center, and before that the Euclid Veteran's Club.

In conclusion, Planning & Zoning Commission approved the Use District Exception to Council with condition that car carrier trailers where the rental tenant spaces at Palisades Complex parks the trailers in the designated areas to protect the health, safety and welfare of the church congregation. If there are any questions from Council, again Pastor Trotter is in the audience and so is Mr. Berzin.

Councilwoman Holzheimer Gail – Mr. Torowski, you mentioned the trailers being parked there and they are part of another tenant in that building. Is there another tenant in the rest of the building? Or are there plans for other tenants in the remaining part of the old Palisades?

Mr. Torowski – This is a complex of several buildings. The car carriers are involved with one of the tenant spaces that are not included in the building that the Use District Exception is being asked for.

Councilwoman Holzheimer Gail – Do you know what the plans are for the remaining part of that particular building that we are talking about?

Mr. Torowski – I do not but Mr. Berzin maybe able to address that question.

President Gudenas – Mr. Berzin, would you like to address that question? Please come up to the microphone.

Mr. Russell Berzin – 2775 Bishop Rd., Willoughby Hills. As to the balance of the 30,000 plus square feet we have in that now closed bowling center, that is going to be under the control of Pastor Trotter and his congregation. At this point he is choosing to develop the front 11,000 feet for the use of his congregation with hopes at some point to expand it as his parish or congregation grows.

President Gudenas – So there is no specific plans for that part of the building?

Mr. Berzin – Not that I'm aware of at this point.

Councilwoman Holzheimer Gail – The Use District Exception though, did I understand correctly, is only for the portion that they currently plan to use, it is not for the whole building?

Director Pietravoia – That's correct. To Councilwoman, it is written very specifically just for the portion that they are currently using the 11,000 that they are proposing to use.

Councilwoman Holzheimer Gail – As they move forward and if they wanted to use it for church use, they would need to come back and ask for either an extension or expansion of the Use District Exception or any change if it wasn't industrial manufacturing.

Director Pietravoia – That’s correct.

Councilman Gruber – Just for a point of clarification, the Church will be leasing the property from you Mr. Berzin?

Mr. Berzin – Yes.

Councilman Gruber – So the property will still be paying taxes on that parcel, correct?

Mr. Berzin – That’s correct.

President Gudenas – Is there any chance that with this extra space that it could become a charter school or anything like that? No. Okay.

Director Frey – That would be specifically the case that Director Pietravoia just mentioned. Any change in that balance is it 30,000 sq. ft. that is not subject to this Use District Exception the building owner or the lessee in that property would have to come to P&Z for a hearing for a different use. A charter school or any school would not be permitted, nor would a church use be permitted in that 30,000 sq. ft. without first coming back to Planning & Zoning and then going to Council.

President Gudenas – Would the city have reasonable areas to look at a school? In other words, not have to approve it if you already approved the church next door, do we still have the ultimate say over that?

Director Frey – It would be subject to review, both in Planning & Zoning and by City Council. The surrounding area has a variety of different uses, whether a school would be an appropriate use in that area is a very fair question but open question that I don’t think anybody has considered at this time.

President Gudenas – Approving the church does not in anyway influence a school in the future?

Director Frey – The answer to that question is there are a variety of different uses in that specific area off of Tungsten. I don’t know all of the uses, I know a good number of them are industrial. Whether that’s an appropriate place to have a school I think is a debatable question. I wouldn’t want to say that having a school there given that environment would be appropriate, I think that first case needs to be looked at more thoroughly by Planning & Zoning.

Councilwoman Mancuso – If we could have Mr. Trotter clarify for us, he was talking about doing some type of education or tutoring for the children. Is this a facility that you are going to use 7 days a week or primarily 1-2 days a week? Everyday after school, or?

Mr. Trotter – We’d like to use it everyday after school and be able to bring the children in and do some tutoring with them.

Councilwoman Mancuso – How are you going to do that? You said you had school teachers within your congregation who are actively working at this time. So, they are going to have to from wherever they are teaching to this facility. Do you have commitments to do that right now or not yet, this is just a plan?

Mr. Trotter – We have teachers that would be willing to participate in the program and we haven’t actually solicited any children yet because we’re waiting to get a yes from you guys.

Councilwoman Mancuso – Would you be charging these children anything?

Mr. Trotter – We haven’t considered that. We would like not to. We’ll see how it works out. We would really like not to.

Councilwoman Mancuso – Other than tutoring, what other purpose other than your services, would there be any other purpose with the church?

Mr. Trotter – Maybe some recreation, you know, try to keep the kids busy from being in the streets. A lot of children I believe are latch-key kids and if they can have something to do, I think it would be good with some adult supervision.

Councilwoman Walsh – To Mr. Trotter, how many services are you going to have on Sunday, and how many during the week?

Mr. Trotter – We'd imagine we'd have one service on Sunday and one service on Wednesday night.

Councilwoman Walsh – How many do you think would be attending?

Mr. Trotter – I would like the whole of Euclid to attend, but 75 I would imagine at this time.

Councilman Delaney – I would agree with this use change because as Mr. Torowski stated it was a gathering place, a public use. There is no change in the traffic pattern. I certainly, if this use is granted, would welcome Pastor Trotter and his wife to our city. The only question I have is to the Law Department. We had had a situation for a church at Dille Rd. that I voted against because that was actually a machine shop which is a little bit different than a public gathering place. We had often talked about as we go through this to update our zoning codes. I know we've passed legislation and laws are on the books, I just wondered where we were with that on looking at our zoning codes and bringing them up-to-date?

Director Frey – We met with Professor Weinstein from Cleveland Marshal College of Law. If you recall he assisted City Council and City Administration in drafting the adult entertainment component of our zoning code. We've asked him to send us an engagement letter for purposes of assisting in the code review. We had several hour discussion with him, I'm guessing it is probably two months ago, month and a half ago, anyhow, where we talked about the need to update the master plan to update the zoning code. We talked about the moratorium that Council had imposed on used car lots. We specifically talked about church use and we talked about group homes. If you recall this past fall we had a prospective group home in a residential area. We were concerned that we not run into the same issues with group homes as we were running into with churches. Those were two areas that we identified. Professor felt comfortable in suggesting that those two might be able to be fast-tracked along with more comprehensive review of the overall Planning & Zoning Code. We're awaiting for his engagement letter. I guess he got involved with some litigation that's delayed his getting that letter drafted and to us for review. He would be a piece of that process. We would then want to take our RFP for the city planning or whatever the planning and zoning professionals and try to put this team together to work with the planning and zoning commission and then ultimately present that to city council for review.

We're a long way away. We estimate that it could be a year at this point. We've had very significant discussion with Professor Weinstein about being involved in the overall team representing the city.

Councilman Delaney – That was my next question, you actually made it sound like it would be sooner than later, but it is about a year away.

Director Frey – I had hoped so. Those pieces we think we can fast-track, we're not suggesting are a year off. We're suggesting that the overall project maybe a year before its completed between a master plan update and then a comprehensive zone proposal to be presented to Council. Those portions that deal with the church and as I said we identified group homes as another area that needs to be fast-tracked. We don't anticipate that would be that kind of time frame. I know that as recently as last week, our second justice department inquiry called and wanted to know how we were doing in progressing in the zone review relative to the churches and I gave her the same information that I've just given you.

Mayor Cervenik – It is important that we update our master plan, along with the zoning code. Part of the process of updating our master plan as was done in 1996 I believe it was, is we need great citizens participation. Our goal will be as the Law Director said, to fast-track those three important issues and then we have the combination of the citizens input and the professionals input to do both the master plan and the zoning code at the same time. That way everything will mess and we'll be on good solid footing. You can't rush it, it is a long process, it needs to be

done and we will get those three items fast-tracked hopefully sometime in March or April at the very latest. The three major issues that we're tackling right now will be presented to Council.

President Gudenas – I was part of that Master Plan in 1996 and often our money could be better spent on other things at times.

Councilman Lisy – I had the opportunity to meet with Pastor Trotter and we had a great morning discussion on what his plans were. I felt very comfortable with the interactions and that this will be a benefit to the City of Euclid. My question is to my Ward 3 Council person, what's her opinion of this church moving into her district or Ward?

Councilwoman Walsh – I think it would be an asset to Ward 3, another jewel in our neighborhood.

Councilwoman Walsh moved to close debate, Councilman Lisy seconded. Yeas: Unanimous.

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso,
Walsh, Gudenas

Passed.

President Gudenas – Welcome to Euclid.

Ord. 182-2005 (007-05) Foreclosure

An ordinance to supplement the Building and Housing Code of the Codified Ordinances of the City of Euclid by enacting new Sections 1753.13 to 1753.17, relating to notification of foreclosure filing. (Sponsored by Council President Gudenas) (Recommended for passage by the Executive & Finance Committee)

Councilman Lisy moved for passage, Councilman Delaney seconded.

President Gudenas – This legislation was in our committee and discussed and approved for passage. Those were well taken comments that we heard earlier in that this is just one small part of the process that the city needs to get going to address our housing issues, one tool. We did talk to the Cleveland Heights people about various things they're doing and they are saying their success is only because they have many tools and they use all of them. Basically this will just help the city identify individuals responsible for foreclosed homes. It is not going to happen overnight. There's many issues involved with that. Locating the people, it will probably take many months before it gets to work in a reasonable manner. Perhaps the Law Dept. could prepare a Resolution asking the State of Ohio to help cities like ours by requiring the registration also with the State ordinance or whatever you call that, to require all mortgagees or mortgagers whatever to register appropriately with the city that they are dealing with. The State requirement would probably help significantly also.

Director Frey – If I could suggest, I don't think our issue is necessarily the first mortgage holder or subsequent mortgage holders, but as we identified in this legislation requiring any entity that files a foreclosure action at that point they are required to provide notification to the city at the time of their filing. Whomever in the chain of title owns that property at that point, that's the person we want to notify us and that's obviously the person who is likely to file the foreclosure action. What I would recommend is that we mirror the language we put in this ordinance as far as the state legislature.

President Gudenas – I know Director Pietravoia and I talked about additional software that his department might get to help us map these trends to see which lenders are more involved in foreclosure. I know County Treasurer Rokakis told me that some lenders are as high as 60% of their recent loans are in foreclosure. So that would be a very good beware list that we should publicize.

Director Pietravoia – I just wanted to comment also that we're working with Professor Tom Bier at CSU who has access to a lot of these records and he's helping us to determine, in fact the question that was raised tonight, which companies, their loans are more likely to go to foreclosure. We're doing some research along those lines already and we'll make a report to Council as soon as we complete those findings.

President Gudenas – This is step one in a long process. Actually not step one, but a recent step. I'm sure there's other things done before this, but we're trying to make this a priority because the vacant homes and foreclosed homes seems to be a very significant part of our issues with the housing stock here in Euclid.

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

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas.

Passed.

Ord. 183-2005 (011-05) Building Official

An ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a contract with CT Consultants, Inc. (CT), 35000 Kaiser Court, Willoughby, Ohio 44094, for Building Official services for the period of January 1, 2006 through December 31, 2006. (Sponsored by Mayor Cervenik by request of CS&ED Director) (Recommended for passage by the Executive & Finance Committee)

Councilwoman Holzheimer Gail moved for passage, Councilwoman Mancuso seconded.

President Gudenas – This also was discussed at length at our committee meeting and basically continues the services of CT Consultants for another year to act as our Building Official so that we will continue to be certified with the State of Ohio to review the plans here in house. They also promised to be helping the City of Euclid evaluate the response time of permits to help work hopefully to get something going on line so that people can apply for simple permits on line and also the consumer response cards so that residents and businesses that use our building department can help evaluate things that are good and things that we need to improve on. Anything to add?

Councilman Lisy – Director Pietravoia, during the Executive Committee Meeting you had some very interesting statistics on the performance on CT Consultants. It was basically their turn around time and their fees as compared to other areas. I hate to put you on the spot, but just for the information of the televised audience tonight, could you go over some of those numbers?

Director Pietravoia – I'd be happy to. We did a comparison on the rate question that Councilman Lisy raises with other communities that also contract for these kinds of services and we found that rates for plans examination, there are two components; we review plans and we have building official services. For plans examination the rates range from \$60 on the low end to \$90 on the high end, with 10 out of the 14 that we surveyed having the same or higher rates which are proposed in this contract which is \$75 an hour. We fall very well within that range of the proposed \$75 rate.

The same was true, there were fewer to compare, there were only a couple of other companies in the State that do the building official services, but we found that those that did were in a similar rate when you accounted for the fact that they charge an hourly rate plus travel time it compared to our hourly rate proposed to be charged here in the City of Euclid. So we fared well on both of those.

Councilman Lisy – The turn-around time?

Director Pietravoia – The turn-around time, we found that on smaller projects, residential projects such as decks and fences, we're turning those around in a 2-5 day time period. On larger commercial projects, our goal is to stay within a 10 day or two week time period and we found that the majority, based on actual factual information that was tracked by CT, the overwhelming majority fell within the two week period or less. We had a small percentage that went over the two weeks. Our goal is to eventually get 100% in two weeks and we're very close to that now.

Councilman Lisy – As the Council President said, we're looking at automating the entire process to even speed it up a little bit better and better record keeping. So I was very impressed with the presentation at the Executive Committee Meeting and I vote for passage.

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

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

Roll Call: Yeas: Conway, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh,
Gudenas

Passed.

Ord. 184-2005 (014-05) Engineering Services.

An ordinance authorizing the Director of Public Service of the City of Euclid to extend the agreement with CT Consultants, Inc., 35000 Kaiser Court, Willoughby, Ohio 44094, for the purpose of performing routine engineering services for the year 2006. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Lisy moved for passage, Councilman Gruber seconded.

President Gudenas – This is our standard engineering contract, we have to give it to somebody so why not CT.

Director Gulich – A little bit more to that. For those that aren't aware, I referred this to our soup to nuts, day to day engineering needs contract to serve the Service Department as well as Parks & Recreation, any other department that maybe in need of these services. They help us prepare our Issue II applications every year. They aid us in all of our in-house specifications, all the projects we do in-house. They help us prepare those plans, advise on proper engineering techniques. They also aid our Engineering Dept. on a day-to-day basis with their needs. They make themselves available 24/7. They are available for unending phone conversation. The price for this is \$3,100 which is the same amount as our previous engineer.

To bring everybody up to speed on that. Back in 2002 City Council received and we interviewed a number of highly regarded local engineering firms, all very capable firms. The result of that process with the selection of Chagrin Valley Engineering. Chagrin Valley Engineering, held that contract and actually ended up absorbing the previous company that had that contract, so they took on a number of the people that had been performing that service. In 2004 Chagrin Valley submitted a letter to the city stating that due to other obligations they felt that they could no longer perform that; essentially a letter of resignation. Since then we've hired Chagrin Valley to do some other projects quite successfully. We relied on our 2002 presentations and in light of the fact that we recently brought on CT to do these other services, we felt it would be a good fit and again we're asking that we allow CT to continue in 2006 to perform these month-to-month services.

President Gudenas – That \$3100 is the monthly fee, not yearly?

Director Gulich – Yes. Mike Stinehelfer from CT Consultants is here if there are any questions of CT.

President Gudenas – Just one question I have, I know traditionally that if you are the city's consulting engineer, you often get extra work for big projects and the like. How is it we decide which engineering firm works on big street projects, sewer projects, waterline projects and the like?

Director Gulich – All of those come to Council. Recently we awarded work, as you are aware, to Mike Benza and Associates to do the waterline work. They had done the computer modeling and that was the reason I asked Council to select them. So, again, we've used Chagrin Valley since then for a couple of projects and I wouldn't rule out if there is a need or an outside engineer has a better expertise we feel for some particular reason that we could also go with another engineer.

President Gudenas – Do we ask for proposals? Or is this generally a list that you’ve worked with before?

Director Gulich – We would ask for proposals.

Mayor Cervenik – I would like to add that because of the size of CT and their experience, they are also always looking for ways to get their communities other grants. CT was very instrumental in helping us acquire the NOACA grant that we’re using for the Downtown Euclid study and they are looking at other items such as that to help out a well. They have been extremely helpful in the 222 reconstruction process as well. I think we’ve been served very well by them and hope we can continue this relationship.

President Gudenas – We are looking for a lot more too.

Mayor Cervenik - a list that you’ve worked with before?

Director Gulich – We would ask for proposals.

Mayor Cervenik – I would like to add that because of the size of CT and their experience, they are also always looking for ways to get their communities other grants. CT was very instrumental in helping us acquire the NOACA grant that we’re using for the Downtown Euclid study and they are looking at other items such as that to help out a well. They have been extremely helpful in the 222 reconstruction process as well. I think we’ve been served very well by them and hope we can continue this relationship.

President Gudenas – We are looking for a lot more too.

Mayor Cervenik – Yes we are.

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

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy,
Mancuso, Walsh, Gudenas

Passed.

Ord. 185-2005 (005a-05) Kids Walking in Street

An ordinance to amend Section 537.13 of the General Offenses Code of the Codified Ordinances of the City of Euclid. (Sponsored by Council President Gudenas) (Recommended for passage by the Executive & Finance Committee)

Councilman Gruber moved for passage, Councilman Conway seconded.

President Gudenas – This was also discussed at our Committee Meeting and a minor amendment was made to clarify the penalties which is now before us.

Director Frey – Just to distinguish those two changes, the gray blocked in area is the new proposed violation. Section 537.13 (a)(4). In Section (b), 537.13(b), that’s the change that was made, proposed, in the Committee Meeting last Wednesday and incorporated in this (a) version of this ordinance and it would specifically make a violation of that new provision (a)(4) a minor misdemeanor. As we indicated last week, a minor misdemeanor is punishable by a fine not to exceed \$150.

President Gudenas – For those at home watching, we’re talking about the kids walking the street issue here. That is what this ordinance is about. That has always not been permitted, but this legislation would provide additional responsibility onto the parents/parent or guardian that those individuals if their children after warnings and at the discretion of the Police Dept. needs special attention, those individuals could also be fined for those actions. This is before one additional tool for the Police Dept., the School system and other city officials to use. It certainly not going to stop everything as the Police Chief indicated but will be helpful to further draw attention to

the fact that for everyone's safety that people should stay on the sidewalks and I believe we'll have some progress with this as the word gets out and the Superintendent of Schools, Joff Jones indicated that if we pass this come January, he also will help get the word out to the parents in one of their mailings. So that all people here in Euclid that are concerned about the safety of our kids will have this information.

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

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy,
Mancuso, Walsh, Gudenas

Passed.

Ord. 186-2005 (006a-05) Settlement of Law Suits

An ordinance to amend Section 107.04 of the Administration Code of the Codified Ordinances of the City of Euclid. (Sponsored by Council President Gudenas) (Recommended for passage by the Executive & Finance Committee)

Councilman Delaney moved for passage, Councilman Langman seconded.

President Gudenas – This also was discussed at our Committee Meeting and an amendment was made to clarify the Law Director's hiring of outside legal counsel. That was indicated on the back in item 7 (G), which certainly does not restrict in any way the Law Director's ability to hire outside legal counsel, as long as he has asked for that money prior to hiring somebody, which is pretty standard practice anyway. Any further questions on this?

Mayor Cervenik – As was discussed in the Committee, the Administration is not thrilled with all portions of this legislation, but we understand your concerns. It will be our intention that when situations arise where we feel portions of this legislation could actually put the city at a disadvantage in legal actions, we will ask you to convene in Executive Session and we will explain to you at that time with the facts right in front of us, but in the meantime we appreciate the ability for the Law Director to hire the qualified people that he feels is available. We'll leave it at that.

President Gudenas – To clarify, this is just to clarify when the Law Director can settle law suits, puts it a little more specific boundaries than what we possibly had before. Of course, Mayor Cervenik, we'd certainly be happy to settle any law suit that you bring before us, hopefully not to many.

Mayor Cervenik – We hope its not to many either, Council President, we really do.

Councilman Conway moved to close debate, Councilwoman Walsh seconded. Yeas: Unanimous.

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

Roll Call: Yeas: Conway, Delaney, Langman, Lisy, Mancuso, Walsh, Gudenas
Nays: Gruber, Holzheimer Gail

Passed.

Ord. (030-05) Nuisance Abatement

An emergency ordinance enacting Chapter 529, "Nuisance Abatement", of the Codified Ordinances of the City of Euclid to declare certain activities as public nuisances and to provide for the costs of abatement of such nuisances to be certified as a lien on the County tax duplicate. (Sponsored by Council President Gudenas & Councilwoman Holzheimer Gail)

Councilwoman Holzheimer Gail moved for passage, Councilman Gruber seconded.

President Gudenas – I know Councilwoman Holzheimer Gail had been working on the for awhile. Would you like to explain what we are doing here?

Councilwoman Holzheimer Gail – Sure. One of the more frustrating calls as a Ward Councilperson, is the consistent calls to homes for nuisance-type behaviors. It could be anything from on-going barking dogs to loud noise late at night, to actual criminal activity. I happen to go to one of the First Suburbs meetings and met, I believe it was the Housing Manager from Cleveland Heights and talked with him about their nuisance abatement efforts that they are doing there. I was working with the Mayor and the Law Dept., looking at modeling their ordinance so that we can actually, hopefully abate some of the nuisances. The goal is to eliminate it and make our neighborhoods more safer and comfortable for residents.

What this would do is for a series of behaviors that also take a lot of police time and housing inspector's time, at the third offense we would have the ability to start charging the homeowner for the response time. If it is a rental property, the homeowner would still be responsible and hopefully we could also do some positive programming to go with this so that the homeowners whether they are renting or live there themselves, know that they need to be able to follow certain rules, we have standards in our community and we need to live as neighbors.

I'm hoping, I think this would benefit with more discussion in Committee. I think we really need to look at how we can operationalize it, learn from Cleveland Heights, Lakewood has similarly passed one recently and I believe Shaker Heights has one as well. Our efforts went a little bit beyond what Cleveland Heights was doing and we wanted to look at both the criminal police responses, but also the housing responses so that we could coordinate those efforts as well. The goal being, let's make our neighborhoods, improve the quality of life in our neighborhoods. I'm pleased to co-sponsor with Council President Gudenas, who similarly had conversations with Cleveland Heights recently.

President Gudenas – Seems Cleveland Heights knows what they are doing, so we are going to copy them.

Councilwoman Holzheimer Gail moved Ord. (030-05) to Safety Committee.

Councilman Delaney – Cleveland Heights has seen some success and Lakewood has hoped for better results. What I've come to gather from both communities, is the success of this type of ordinance completely hinges on the communication between the Police Dept. and the Housing Dept. We have to absolutely have a rock solid procedure in place so that these two departments can communicate with each other. It is also a helpful tool with landlords, that they will begin to be more encouraged to screen tenants, to discourage bad behavior because a lot of the times they'll be on the hook for administrative costs.

President Gudenas – This will give the administration some time to think about how we can share that information with the problem areas, to make sure that everyone understands what we need to do.

Councilman Langman – I too support this legislation. It is another tool, as you have mentioned. I'm sure there are issues the Police Chief would like to express about. Since there are a couple of different elements involved, there is a housing issue, there's also criminal aspects, I suggest that this be put into Executive Committee, so you can address all the issues.

Councilman Langman moved Ord. (030-05) to Executive & Finance Committee. Councilman Gruber seconded.

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy,
Mancuso, Walsh, Gudenas

Send to Executive & Finance Committee.

Mayor Cervenik – I should have probably asked this sooner, but could we move #10 up to the next item. We have an outside person here that is waiting to speak on #10, out of courtesy?

President Gudenas – Yes, do you want to do them all at once?

Mayor Cervenik – If you could do that, that would be great.

Ord. 187-2005 (025-05) Breckenridge/Seniors

An ordinance authorizing the Director of the Community Services and Economic Development Department of the City of Euclid to enter into a contract with Breckenridge Senior Independence for the provision of Home Health Services and Nursing Services in the amount of Forty Three Thousand Dollars (\$43,000.00) for the period of January 1, 2006 through December 31, 2006. (Sponsored by Councilwoman Holzheimer Gail)

Councilwoman Holzheimer Gail moved for passage, Councilwoman Walsh seconded.

Director Pietravoia – I'll start and then both Margaret Hastert-Wolf, our Senior Programs Manager, and Louis Calderwood from Breckenridge are available to answer questions and Councilwoman Holzheimer Gail may have some comments as well.

This program has been in place for some time as part of our overall senior program services that we offer. This provides services to the most frail and needy elderly, both in the category of nursing services as well as home health aide services.

On the nursing side, Breckenridge provides a nursing supervisor. They run programs actually at the community center itself, educational programs, and they do assessments of the elderly for blood pressure and things of that nature.

On the home health aide side, this idea here is to keep those elderly 60 and over, as long as possible in their home through the support of assistance this provides, through programs like this, for things like personal grooming, bathing, dressing, care of that nature, respite care, etc.

We provide through the program, we've estimated 1300-1500 hours of service on the home health aide side. Nursing programs are offered weekly at the community center and the types of assessments I had indicated are also offered weekly at the community center.

At this time we respectfully request, we'd like to continue this service with Breckenridge. They have an advantage in that they can help, as a single agency, they can help to coordinate the two services and actually helps to serve in place of a staff position that had been eliminated a couple of years ago and has not been replaced. So that coordination provides a great benefit to the community and to the seniors in particular.

With that, I'll defer to Councilwoman Gail who I believe has some comments.

Councilwoman Holzheimer Gail – As Director Pietravoia said, one of the main goals of the Senior Programs is to help keep seniors in their home as long as possible. This program does help to do that. Louis Calderwood who is here tonight is active in so many other senior related activities in Euclid, the Aging Services Network, and has helped Margaret Hastert and her staff on a number of occasions in planning, strategic planning, and really helping in an advisory capacity. We're very lucky to have her role and her expertise helping our programs.

This is funded through the Community Development Block Grant. The Advisory Committee did review this proposal and supported its passage. I thank Breckenridge for their service. We really get a great bang for the buck because they have a whole continuum of service and wonderful expertise serving seniors so we're lucky to have them serving us. Thank you.

President Gudenas – Is there a cost to the resident for this service?

Manager Hastert-Wolf – The cost to the, there is not currently a cost to the resident. The service is provided on a donation basis. The seniors are encouraged to donate for the service. Because it is a block grant service, we are able to provide it in this fashion under the same kinds of guidelines that are provided through the Older Americans Act. So because of the block grant, we're able to do that.

President Gudenas – Is it income restricted? That you have to have no more than a certain income to qualify for this service?

Manager Hastert-Wolf – No. Services are certainly targeted. Although we don't restrict the eligibility for the service, we do target the service to those people who are not eligible for our Medicaid coverage, but would be not in the position to be able to hire this kind of service privately. If folks were in need to hire it privately, it would be, there would be many people in the community who would not be able to do that. So, no it is not income restricted, however, it is targeted.

President Gudenas – About how many do we serve annually?

Manager Hastert-Wolf – I also did want to add a thank you to Louis for coming out in particularly chilly weather tonight and to be with us tonight. She could probably address the numbers.

Ms. Calderwood – I think the two different programs, we are able to serve, probably about 50-60 people through the home health aide program in any one year. Most individuals stay on that program at least 9 months to a year and receive a number of hours between service. Through the nurse services, of course, we're providing more screening education, we're able to see a broader number of individuals at the community center. In that instance we're probably serving several hundred at the center who do attend the programs, who do attend the screenings.

President Gudenas – Are we turning people away? Of is this 50/60 the demand in the City of Euclid for this service?

Ms. Calderwood – The access to the program is somewhat narrow by the fact that the staff at the Senior Center are identifying those in need. We are not broadcasting the availability, so the access is really be identification of staff.

President Gudenas – I see, it seems like a very good service.

Councilman Langman – Margaret, Lois or Bob, is the cost of the contract, has that changed from last year, previous years?

Ms. Calderwood – There is just a slight increase. Our Home Health Aide unit price last year was \$18.82, the current contract year. We're asking \$18.89. Of course you realize the high cost of fuel and our aides going from home-to-home. We do pay our home health aides mileage reimbursement so we have increased that.

Councilman Langman – Mr. Gliha, what was the cost of the contract last year?

Mr. Gliha – Off the top of my head I believe the contract was approximately \$41,500 last year. I would like to also add as Margaret and Lois were saying we target specifically the seniors that have the biggest economic need. In other words those that do not qualify for Medicare/Medicaid support, therefore they really have no other ability to contract for these services. The one thing that is really sort of disappointing is the way that the federal block grant has been funding and the decreases. I think every time I get up here and we're presenting a block grant project, I bring up the fact that we are going down not up. We are estimating approximately \$110,000 cut this year from last year. On top of that, for some reason which none of us have been able to understand over the last 30 years, we have a statutory spending limit when it comes to social services and that is capped at 15% of our total expenditures. So therefore we are limited in the amount of additional aid that we can provide through the federal block grant. These are important programs. These do help subsidize a very great need. I guess my point is, if we continue in this circumstances, we may come to City Council for a little general fund help. We appreciate your support of this contract as it stands right now. Thank you.

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

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas.

Passed.

Res. 188-2005 (023-05) New Position/Commissioner

A resolution to create the position of Commissioner of Building, Housing, and Zoning for the City of Euclid. (Sponsored by Mayor Cervenik and Council President Gudenas)

Councilman Lisy moved for passage, Councilwoman Mancuso seconded.

President Gudenas – This came to our attention through Director Pietravoia, basically to help his department to concentrate on development issues and bringing on an additional person to help manage the Housing & Zoning department. Currently that is with CT Consultants as a private contract and this basically, this person would replace the CT Consultant position.

This legislation is somewhat broad in that we are just basically, it is a resolution, basically asking the administration to proceed, but to come back to City Council with the specifics. How much are you going to pay? The specific responsibilities, and how that department would end up being re-organized in terms of the other responsibilities. But we know the contract expires in January and it is time to proceed because we have two weeks to go.

I would ask that if it is possible to approve this, but with the understanding that it is the beginning of the process that the administration will come back to us with the specifics.

Director Pietravoia – We did anticipate that we would have Mr. Torowski who has done a great job for the city continue very much on a part-time basis, on a month-to-month basis, probably just at least through the month of January when we go through our budget hearings, until we get this new position established, budgeted and hired. I just wanted to comment that we will have an interim period when Mr. Torowski will continue.

President Gudenas – The key part of us here at City Council would be to have a very clear job description, responsibilities, qualifications of the individual, how you are going to recruit for the position and then also how he fits into the organizational structure of the Economic Development and Housing Dept.

Director Pietravoia – We will provide all that information to Council. This is something that you and I discussed and I've been discussing with the Mayor for some time, it took us awhile, this year, but we recognize with the request coming both from residents and Council that we really need someone full time on the zoning end. Our contract with CT with Mr. Torowski's help was very much on a part-time basis.

My thought was to combine this, the zoning function with supervisory, administrative position that would oversee as you pointed out in your opening remarks, the entire Housing, Building Division and Zoning function. Therefore freeing up some of the day-to-day things that I get involved in as Director, with that supervisor in place.

I will bring that detail to Council and I will look forward to your support on this particular proposal.

President Gudenas – That means you'll be bringing in a new restaurant in no time.

Director Pietravoia – New restaurants, new industries, we'll be able to turn our attention more so to economic development.

President Gudenas – Just to clarify, this year we're estimated to spend about how much for the contract with CT for this service?

Director Pietravoia – We would have spent, if we renewed the contract, approximately and correct me if I'm wrong, Bob, but I believe it was in the range of \$40,000-\$50,000, for part-time zoning services.

President Gudenas – I thought we had increased that a bit to maybe \$70,000 or so?

Mr. Gliha – Originally this year anticipated a \$45,000 to \$50,000 expenditure. As the Director said, as we actually got into the year, the demand for the zoning activity just continued to rise, whereas the building official stayed steady. So we were able to take funds that were allocated to the building official, switch them over to the zoning official to cover our costs there, and we're estimating actually that our zoning official probably will be more in the range of \$60,000 this year. The proposal for next year was \$78,000 for the zoning official alone. This was based on the demand that we have this year.

Councilman Lisy – I had an opportunity to meet with Director Pietravoia on this subject matter and with your contingencies, I do recommend that we pass this resolution because Director Pietravoia, his talents are much better served doing economic development activity instead of the day-to-day operations of the Housing Dept. Anything we can do to help him develop the city we'll benefit in the long run. Thank you.

President Gudenas – It seems budget-wise the \$78,000 might be fairly close to a wash after benefits, everything else are taken into account. Yet, we have a full time person, as opposed to part-time.

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas.

Passed.

Ord. 189-2005 (022-05) Real Estate Agent/Century Corners

An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to seek proposals from real estate agents, and to enter into an agreement with the selected agent, to broker the sale of the Century Corners property. (Sponsored by Councilpersons Gudenas, Delaney, Mancuso)

Councilman Conway moved for passage, Councilman Delaney seconded.

President Gudenas – This also came up through conversations that I had with Mayor Cervenik and Director Pietravoia. There's obviously no guaranty that a real estate professional will market the property, but it is another tool. My thought here was to do it, and that's why were asking for, I'm going to clarify a little further for the proposals to come back to city council. But my thought is that we maybe ask a real estate professional to conduct more of an auction-type process for Century Corners, giving a specific deadline when the proposals are in, with no minimum price set for the property. Let the potential user set the price with the understanding that we will make the decision based on the number of jobs brought in and the income tax collections brought in as opposed to simply selling the property and just worrying about the sales price. Also about their ability to move ahead very quickly. I think hopefully if the word gets out with the right people, that the city is really willing to be very aggressive in working with the developer and end-user on that property, we'll be very flexible as long as they are very serious and willing to bring in some jobs here right away. That was the idea.

Mayor Cervenik – I agree wholeheartedly. Most of the developers and brokers that are working in the City of Euclid, have had conversations with me. I've told them just that, don't worry about the purchase price of the land, bring me a company that's got jobs, bring me a company that's got a long term benefit for the city of Euclid and we can be very, very flexible, very flexible in the price in the purchase agreement. I support this wholeheartedly. No one whose ever had anything to do with this city would be more happy to see that land occupied and be producing taxable benefits to us.

President Gudenas – The idea here also is if we can again locate a good real estate firm or professional to help us with this, they could possibly help us with other projects too. This would be the starting point to see how they do. So would it be okay with the administration that when you go out and solicit for proposals you ask the top three that you think come before City Council and explain what they can do to help market and promote this property?

Mayor Cervenik – I have no problem with that whatsoever.

President Gudenas – I know we did this before, not much happened, but we'll try it again.

Mayor Cervenik – Try it again.

President Gudenas – With the idea that we could see for ourselves what this firm or individual may have to offer on other issues here because we certainly have a lot of develop here from PMX to the other vacant land to city property all over the place. Director Pietravoia, however you make the phone calls and send out proposals. Again even with the real estate professional, we're asking to be very flexible, maybe they'd work on a commission basis, maybe flat-fee basis, we're open to suggestions, basically looking at quality and the ability to get things done.

Director Pietravoia – We would based on your recommendation and our discussion, I would recommend a fairly formal process where we actually send out a written request for proposals. Perhaps the top three can come back to a committee meeting, would probably be a better structure for that type of presentation. So we'd be happy to do that at a Council committee meeting.

President Gudenas – Obviously some phone calls too because a lot of these real estate firms get tons of junk mail and the like and hopefully they won't see our City of Euclid stuff as a tax bill or something.

Director Pietravoia – Interestingly enough even before we decided to do this more formally, I've already had a couple of brokers approach me with a formal proposal. We'll make sure to include them along with the rest of the mix.

Councilman Gruber – Director Pietravoia, would it be beneficial to go out for request for qualifications first and then go out for the request for proposals?

Director Pietravoia – We can undertake a two-step process. I found that, well it depends on the time of year and how busy the brokers are. They prefer to get right into it and give a proposal. I would probably go right to the request for proposal process immediately.

Councilman Lisy – Director Pietravoia, what would be your time-line on something like this?

Director Pietravoia – I would suggest that we'll try to accomplish this in the first quarter of the new year.

President Gudenas – January would be a good time because that's usually the slower time of the year. If we could, that would be great.

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

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso,
Walsh, Gudenas

Passed.

Res. 190-2005 (017-05) Landmark Commission Members

A resolution to reappoint John Williams, Roy Larick, and Roger Kelly to the Euclid Landmark Commission. (Sponsored by Mayor Cervenik)

Councilman Delaney moved for passage, Councilwoman Holzheimer Gail seconded.

Mayor Cervenik – Both Roger Kelly and Roy Larick's terms are up December 31, 2005. Although it has been my habit for the most part of not reappointing people but bringing in new blood, these two gentlemen have served this Commission and the residents of the City beyond the call of duty. I strongly recommend that City Council reappoint them, approve this appointment. John Williams, I can say the same about John. By administrative error from me, John has been serving this past year without being formally reappointed. So all three of these gentlemen if you vote on them tonight will continue to serve the community in the Landmark Commission very well. I strongly ask for your support.

President Gudenas – Shall we debate this at length?

Mayor Cervenik – I hope not.

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso,
Walsh, Gudenas

Passed.

Ord. 191-2005 (026a-05) Citizens' Committee

An ordinance creating a Citizens' Committee, appointed by City Council, to review and evaluate the City services received by residents and the general public, and requiring all departments, with the exclusion of Fire, Police, and Corrections, to create and provide citizen response forms. (Sponsored by Councilpersons Gudenas, Delaney, Mancuso)

Councilwoman Mancuso moved for passage, Councilman Delaney seconded.

President Gudenas – This came from other discussions. The whole point of this is to let residents and businesses that have contact with officials here at City Hall and throughout the city, to make it easier for them to help us evaluate our performance in our various departments to see where we are doing

good. As we saw from our Building & Housing Dept., they did a little bit of that with CT Consultants and that helped us with our decision making showing that they were well respected and doing a decent job and this would expand that to various other departments, such as the Recreation Dept. and others, I'm not going to list them all. We specifically of course excluded the Police Department because sometime you may not be that happy with your dealings and the same with the Fire Dept. and the Jail, we'll probably have a lot of unhappy people there.

Chief Maine – Just to let you know, we already have a formal complaint process in place. So, were responsive to the public just like everybody else.

President Gudenas – Very good. The key part of this although, to help City council and the administration to evaluate it to get an independent group of residents that would actually review these things and help prepare the reports, analyze the information and this could be done, this is meant to be very flexible, this could be done through the internet, it could be through obviously post cards and the like, whatever works the best. This group would meet periodically, maybe at first once or twice a month and then later, less often, to just make sure that these cards or internet usage response forms are being used, they are being read, they are being evaluated by an independent group and that reports are made every quarter or so to the City Council and Administration on how we're doing. Is there any question on that? It is fairly general right now, asking the Administration to work on that.

Councilman Conway – I think this is an excellent idea and will certainly hold people accountable and it is always good to get the feedback of the residents. At this point, has a nominating process been identified? Or is that something we should announce tonight and have the process started?

President Gudenas – Nothing specific. If it is approved then we would ask for the 9 members of City Council to give us ideas on how you'd like to proceed and we would announce that at the next Council meeting. There are no individuals. My guess is hopefully some individuals that have some experience with this type of thing, some business experience possibly, dealing with the public or marketing sales and the like. So somebody that brings some expertise to the table and helping us gather more information.

Director Johnson – You brought up the internet and that little light bulb. We have the ability to conduct those types of surveys on our website right now. All we need to know is what the questions are, what the format of the questions are, and people can respond to them and we can accumulate the statistics, the responses of what those are. So, we have the ability to do that. As soon as we can put a committee together and they can formulate what the questions are, we can put those right on the home page of the website and begin to accumulate the results immediately.

President Gudenas – Excellent, right, that's what we're looking for, that kind of idea and rather than us coming up with the questions, the citizen group would have some quick meetings with the various department heads to identify the main issues and they would come up with something. I know the School System is using a very innovative thing with the phone system, where they are allowed to go out and make, ask questions through their phone bank of all their parents and the like. They can reach thousands and thousands of families in a matter of a few hours. For instance, they asked recently about the dress code for the kids and they were able to get an initial response within hours of making those phone calls. Possibly we could work with them on some issues too. The more feedback we get, the better job we'll do. This is again being very general at first because we don't have all the answers but trying to get the process going.

Councilman Gruber – Do you know of any other communities in the area that do this now?

President Gudenas – Probably no one does. But, I was at the post office today and I forgot to bring the form in, but they are really pushing that over there. They want the people who use the post office to respond. Were the people happy, what things could they improve. So other governmental agencies have done it, but as far as local governments go, we might be the very first.

Councilman Gruber – It might be interesting to contact maybe the League of Cities or something to see if there are something in place already and we could build off that. This is good thank you.

Councilman Gruber moved to close debate, Councilwoman Mancuso seconded.

Director Frey – Remember this is an amended version that was submitted today so it is going to require a separate vote to waive the 24 hour requirement. Thank you.

President Gudenas – That's section 3 and again, when I turned in the legislation that part was accidentally omitted which basically asked that the administration work to create with the citizens group this form or process through the internet.

Councilwoman Mancuso moved to amend as stated in Ord. (026a-05). Councilwoman Walsh seconded. Yeas: Unanimous.

Roll Call on Amendment:

Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy,
Mancuso, Walsh, Gudenas.

Amendment passes.

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

Councilwoman Walsh moved to suspend the rules, Councilman Lisy seconded. Yeas: Unanimous.

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy,
Mancuso, Walsh, Gudenas

Passed

Ord. 192-2005 (027-05) Committee with School Board

An ordinance to explore potential areas of cooperation, resource sharing, and combined services between the City of Euclid and the Euclid City Schools, by selecting a committee comprised of three City Council Members and two School Board Members. (Sponsored by Councilpersons Gudenas, Delaney, Mancuso)

Councilman Delaney moved for passage, Councilwoman Mancuso seconded.

President Gudenas – Again this is a concept that we had tried before but we had tried to make it a little bit more official. What I notice during the previous few months, we had a chance to talk to a lot of people, many of the residents see the schools and the city as one big enterprise here and they see concerns with both entities and suggestions with both. So it just makes sense that our city council work as closely as we can with the School Board. I did bring this up with several school board members, apparently with positive response and Supt. Joff Jones. If we approve this today, then hopefully this will be on their agenda in January when the new School Board takes over.

This is an informal group, not to look at education issues, to work on issues such as snow plowing. For instance, we share a long stretch of sidewalks here. It would make sense that one group handle this sidewalk and maybe the other group handle sidewalks elsewhere instead of stopping halfway. Obviously Memorial Park behind City hall is owned by the School Board and the City of Euclid, so we share issues there. We have issues maybe working with services. Our service garage and their bus garage both need some improvements and issues to be addressed. If we could work together on those, that could save us money hopefully in the future. This task force is geared to address those kinds of issues with the idea to improve services and reduce expenses for both the school board and the City of Euclid. Nobody has been named to this yet because obviously we'd first have to wait and see if the school board approves it and then we'd go from there. There would be meetings as needed and then reports back to both entities as specific ideas come up. I do certainly look forward to working with the new school board. They seem to be very aggressive and Supt. Joff Jones also have a lot of ideas. We just want to make sure that we can get as much done as possible as soon as possible.

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

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy,
Mancuso, Walsh, Gudenas.

Passed.

Ord. 193-2005 (012-05) Roof Fire Station #4

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Duro-Last Roofing, Inc., 525 Morley Drive, Saginaw, Michigan 48601, for the labor and materials for installation of a roof at Fire Station No. 4 building located at Tungsten Road and East 260th Street,

in the amount of Forty Nine Thousand Six Hundred Eighty Dollars (\$49,680.00). (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilwoman Walsh seconded.

President Gudenas – Perhaps we could address this one and the next one at the same time because they both relate to Fire Station #4. Director Gulich.

Director Gulich – The building over there at 260th & Tungsten, it needs a new roof, it needs a new HVAC system. Both of these systems are the original. We've been repairing them for an eternity. The roof is a completely flat roof and it is the original roof. I mentioned to Council and I'll bring it up for the citizens that the State of Ohio has bid this out for us through their co-op. This is an excellent system. We've seen it put to use over there at our Service Center. It is a 15 year guaranty roof. It is also installed by State Certified contractor. Unfortunately there is no local contractor in our city that has the certification. We've been encouraging some of our local roofers to get this and it would be a good feather in their cap for getting this type of work.

As far as the HVAC system, again, original system. We've been repairing it since forever. Basically it is in failure. I don't think that we could go in and habitat that building with the existing system in there. The roof leaks caused quite a bit of damage to the roof. If anyone wants to get in there and see the building, I'd be welcome to show them. I believe the majority of Council already knows very well what I'm talking about.

The roofing contractor would be a local roofer, I'm sorry, the HVAC contractor, would be a local contractor. We did get three prices for the HVAC. I have all kinds of details, probably about 10 pages of details on the type of system the efficiency of the system. The company doing this has a great reputation. They've done work on other of our buildings and my hope is probably sometime in March. Obviously we'll need some decent weather to do this roofing work, but we can have this building dry and inhabitable.

President Gudenas – So you're promising us decent weather in March. Just to clarify we have about \$100,000 in improvements. Will we be getting more requests for additional repairs or do you think this the extent of repairs?

Director Gulich – We need to do the tuck pointing on the building. If anyone wants to see what I'm talking about right now you run the risk of getting hit by a falling brick, we need to pay attention to that. Again a long standing issue has been the basement, the need for the waterproofing. Anyone who has driven by there in the last couple of days has seen that we've had a contractor out there. We did have money in the 2005 budget to do that. The previous Council did approve that. Again we went out and got three bids. We got an excellent contractor and we discovered a few reasons why that basement would be leaking after this time and we're confident these repairs will correct that situation. Again the same contractor is also doing work simultaneously at Fire Station #3 at Lake Shore and 260th, there's some concerns there. Were able to address that and be able to do it for a price that let us just go to the Board of Control. They recently passed that just last Monday.

President Gudenas – Total dollar-wise after this one, any guess?

Director Gulich - \$49,000 for the roof, \$50,000 for the heating, \$27,000 for the tuck pointing and waterproofing I believe is right around \$9,900.

President Gudenas – These two on the agenda today are coming out of this year's 05 Capital budget?

Director Gulich – yes.

Councilman Gruber – Director Gulich, you mentioned that you had three bids on this. How were the bids taken? Were they advertised for bid, or were they just three contractors called?

Director Gulich – I would like to commend Denny Valencic. Mr. Valencic had three well respected contractors visit the site. We asked for a design bill proposal rather than us hiring an engineer to do a design and charge us for that. We required the contractor to do that. Obviously he's responsible for designing something that works, we hold him to that. I let Mr. Valencic choose those contractors based on our knowledge of their creditability.

Councilman Gruber – I know Mr. Valencic's work and I trust his judgment. Thank you.

Councilman Lisy – Director Gulich, the \$10k for the waterproofing was out of the 2005 capital budget previously approved. The \$27k for the tuck pointing, is that up and coming? Or has that already been approved?

Director Gulich – That was also included in the 2005 budget.

Councilwoman Holzheimer Gail – Director Gulich thank you for your earlier memo detailing all of the legislation tonight. You mentioned this is a flat roof and in your memo you said don't do flat roofs again in the future. Did you consider or did the roofer consider adding a pitch to the roof? Would that be more work than it would be cost efficient?

Director Gulich – I think back a couple of years ago when we had Fire Station #1 right up the street here, if you had ever been in the Chief's office with the sheets of visqueen guiding the rain waters out the window, that again was a flat roof and we did hire an engineer to make that consideration of putting a pitched roof on there and the costs were very exorbitant. Unfortunately when the building is designed the way it is, you are going to spend a lot of money, you can buy a lot of flat roofs just to do the redesign on the building. We thought about it momentarily, but based on our knowledge of the previous building which was designed by the same architect, we felt quite sure we would encounter the same problems.

Councilman Conway – What is the time-line associated with when the mini-station may be opened? Based upon the renovations plans and your process?

Chief Maine – Assuming that all the repairs can be done expeditiously, it is our hope to be in that building no later than the end of March because that is when our present lease runs out up at the other building.

Councilwoman Holzheimer Gail – Given the good news with the fire grant and hiring additional firefighters, is there any plan to use this as a fire station?

Mayor Cervenik – Although we received very good news that we will be able to increase our numbers to a higher level, our budget, even with this grant will still not allow us in the near future to get our numbers up to the point and Chief can expound on this if he wants, where it would be beneficial to open that station up as a fire station again. That will be our goal sometime in the future either to, as I believe the study we did years ago, would be to relocate a third fire station and continue with three, but to strategy locate it and add additional manpower. But the possibilities in the near future of Fire Station #4 again being opened as a fire station, I just don't see it right now. If things change and that was to happen, that decision could be made. These repairs would be useful whether it is a fire station or a police mini-station and it is preserving some assets that the city has. The building was beginning to deteriorate very fast.

Councilwoman Holzheimer Gail – I know that the ability to respond will increase whether we have three stations or four, the additional manpower will be greatly beneficial.

President Gudenas – Any other questions on 12 & 13?

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

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas.

Passed.

Ord. 194-2005 (013-05) HVAC Station #4

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Vadakin Refrigeration and Air Conditioning, Inc., 1240 East 286th Street, Euclid, Ohio 44132, for the labor and materials for installation of an air conditioning system at Fire Station No. 4 building located at Tungsten Road and East 260th Street, in the amount of Forty Nine Thousand Dollars (\$49,000.00). (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Lisy seconded.

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso,
Walsh, Gudenas

Passed.

Ord. (021-05) Sidewalk Snow Removal

An emergency ordinance amending the Streets, Utilities and Public Services Code, Part Nine, and the Health and Sanitation Code, Part Eleven, of the Codified Ordinances of the City of Euclid to provide for the efficient removal of ice and snow from sidewalks in the main commercial districts. (Sponsored by Councilpersons Gudenas, Delaney, Mancuso)

Councilman Delaney moved for passage, Councilwoman Mancuso seconded.

President Gudenas – This sort of resulted from our first meeting and basically gives the administration another tool to help remove the snow. The idea is, just like with grass cutting we hire outside firms so that the city doesn't run all over the place mowing lawns, now the Service Director can also hire outside firms. Could be on a piece-meal basis for one or two areas, or Director Gulich has received some proposals already regarding Euclid Ave., Lake Shore Blvd., and some other streets. It could be on a grander scale, we understand obviously winter is well on its way here, actually not really, it is going to start in two days or so. Director Gulich, would you like to explain a little bit about the proposals you've received so far?

Director Gulich – Actually feels like winter has been forever already. As you said the vision is me not taking people off the street, to have the ability to hire a contractor as we do in other instances. It would require a pretty good thought process to put together a program that would work well. I'd be glad to work on that over the warmer months and perhaps I can bring Council what I think would be a proper methodology to follow through on this, concerns to work out on this, logistics. I'd be glad to put something together, if Council so approves then, we can approve legislation right out of the box at the end of the summer allowing me to go out for bids.

President Gudenas – In the meantime the firms that gave you proposals so far, would those firms be available for smaller instances, where we may have 200 ft. or so that needs to be cleared and the owner has not done so and there are a lot of complaints?

Director Gulich – They both indicated to me that yes indeed.

President Gudenas – You already have the system in place on how to bill the property owners for that service?

Director Gulich – Yes.

Councilman Lisy – Have you looked at working with the School system because I look at most of our major thoroughfares and there's usually a school nearby. They seem to have their sidewalks and parking lots cleaned. Do they have the equipment to do this and is there a way that we could work with them, such as Central on Euclid Ave., where a lot of these problems seems to be.

President Gudenas – It will be on our Task Force.

Director Gulich – That would be an excellent place to bring that up. Mr. Clapacs, two doors down, always great to work with, he calls me from time-to-time if they need help with something, we're there, same goes for us. A couple of weeks ago we had to spread some salt in their parking lot, their spreader was down. Upon occasions when they need some sewer expertise that we have, it just makes sense to call us. Again, they've been great to work with and I'm sure we can improve upon it.

Councilman Lisy – That's a follow up question. Are there other departments within the city that may have resources such as manpower during some of their slower times such as Parks & Rec

which is also doing snow removal in their certain areas to coordinate efforts. I know you already do that, but to use that as another tool to put this altogether, so that we are putting a very efficient plan together.

Director Gulich – When it comes to extra manpower to remove snow and ice, that's more of a dream than anything right now. We recently hired, I think as Council has heard me say, six people to shore up that department. Unfortunately, I have to report that for various reasons, three of those people are already no longer with the city. It is tough.

Councilwoman Walsh – To Director Gulich, I've had a chance to ride down Euclid Ave. around 4:30 today, all the way to Indian Hills. It amazed me that all of those businesses had sidewalks covered with snow. There were a lot of mounds right where they cleared their driveways, but they didn't clear the sidewalks. We have no power to go to the owners and say clean your sidewalk?

President Gudenas – We have the power, but we're trying to also hire a contractor to do it. We can order them to do it, but it is just better to get it done. We can just send someone over to do it and bill them.

Councilwoman Walsh – If they have the power to clean their parking lot, they should have the power to clean their own sidewalk.

President Gudenas – That's a good point, although the people they hire to do their driveways and parking lots, don't have the proper plow for the sidewalk. You need special equipment and usually these other firms may not have that equipment, so that's what usually happens. Very rare the same firm would do both at the same time.

Councilman Lisy – They have a policy of not getting out of their trucks usually and that's why they just drive the trucks around.

President Gudenas – We're trying to find a firm that would just focus on sidewalks.

Councilman Conway – Elaborating a little bit on Councilwoman Walsh's comments, do you currently have a list of businesses in the commercial districts that have been an offender of the sidewalks not being plowed over time?

Director Gulich – The answer to that Councilman Conway is no, we do not have such a list.

President Gudenas – But we will.

Councilman Delaney – I'd also like to dovetail off the Ward 3 Councilwoman's comment, I had been trying to watch the sidewalks ever since the snow flew this year, it seems like we've been having these conversations. I happen to notice that along our longer stretches of sidewalk, 250th, that being the golf course, looks like a very, very, big area to get. Century Corners along Euclid Ave., and as I went up and down Euclid Ave., almost from the other end traveling east, you could barely put together 100 ft. of sidewalk that was plowed. I have to say that was, seemed to be the biggest obstacles. There's huge mounds on the sidewalks where the drives and aprons are. The point I wanted to make is that I saw the high snow, I also saw a lot of footprints and counted as many as a dozen bus stops. I think it is very important that we get to be diligent and I did notice that as soon as we did start to talk about this issue, the point around Shore was plowed very nicely the last snow storm, all along Sims Park was plowed, those are big areas for us as well. But, as I traveled into Wickliffe and I went from the County line to Lloyd Road, all of their sidewalks are plowed; side-streets, both sides of Euclid Ave. I imagine they have the equipment. It looks like one piece that did that, as well as contacting the schools, it might be helpful to contact Wickliffe and find out how they keep all of their sidewalks plowed the way they did. It was pretty impressive especially when you drove from Euclid into Lake County to see that, it really stood out. Thank you.

Director Gulich – I just talked to their Service Dept. in the last two weeks because I was aware of their past in-house plowing program and they said they have recently stopped plowing sidewalks.

Councilman Gruber – I know South Euclid has a current program to do sidewalks, a Bombardier with a salt spreader on it and they do a lot of their commercial areas. I notice in our ordinance it says commercial, should we maybe slash that industrial as well, because there are several industrial properties on Euclid Ave. How do we charge for a service like this? Would it be by the foot? I know these are things that we need to go through the city with, but how would you charge? Would they spread salt at the same time? What if damage occurred to the lawns and such? I noticed one of the biggest offenders on Euclid Ave. is the Rosemary Home. What do we do in a situation like that? They haven't plowed it once. Maybe we get some volunteers over there or something. But how do we address these different issues?

President Gudenas – Director Gulich will address all of them. Part of it is again, that would be in the contract obviously. In other words, whoever does the work for us would have to be insured and bonded so that if they cause any problems, they would be responsible for them.

Councilman Gruber – Should we amend this to include commercial, or industrial?

President Gudenas – Director Gulich, additional clarification to add industrial to this, or would that be automatic?

Mayor Cervenik – How about letting the administration notify the various business owners in our commercial and industrial area over the next few weeks. Put this in committee and let us work out, actually have a conversation with some of the business owners in the commercial area. The way some cities take care of this, for instance in downtown Euclid, is that they have a special incentive district. The payments they would make towards that incentive district would actually pay for the snow plowing of sidewalks, the cleaning of litter and all that. In the meantime, we will notify the business owners, but why don't you give us either table this, give us another meeting, or put it into Committee and we can discuss it together. We've got some issues where we are saying we'll do certain areas and not other areas. I can see a headache coming if we don't have specific rules and residents will say, wait a minute, I walk down 200th Street that's a commercial area and why aren't you doing 200th Street for me, I walk that way, I don't go into downtown Euclid. It is up to you, but it is going to be very difficult to administer this in the next couple of weeks, but I think notification of businesses of their responsibility under present ordinances and what their liabilities are, might be a little helpful and give us a chance to sit down and work out some of the problems with this that other cities have experienced.

President Gudenas – That's a good point. My thought would be that this would give you greater leverage when you deal with these businesses. When you go talk to them, say this is a new ordinance on the books, that gives us the right to bill you, it puts a little burden on the property owner to cooperate or come up with their own plan, knowing that the City can come up with a plan for them, right away. If you noticed the legislation didn't have any specific deadline like some of the other things giving the administration a lot of lead way here with the understanding that it is wintertime and you are starting something brand new, so we don't expect everything done, maybe not even this wintertime.

Mayor Cervenik – I was asking for a little bit of lead way. I just would prefer, we've built a pretty good relationship with the business community, both large and small. I'd really like to get a little bit of their input before I say, hey, you've got to do this or we're going to do it for you and charge you. That's all I'm asking.

President Gudenas – The snow is coming.

Mayor Cervenik – it is here.

President Gudenas – It is here and I'd like to be doing something.

Mayor Cervenik – Strictly up to you.

President Gudenas – I would recommend that we could table it over the next meeting or whatever Council would like to do.

Councilman Delaney – I would be in favor of tabling it for the next meeting. We've got budget hearings. We've got a lot of work in Committee as well. It would be helpful to have more input

from our smaller businesses, commercial businesses, smaller landlords. The business incentive district is an excellent idea as a tool that we can get the whole thing done. I would only say to table it because it is winter and we do want to get people started sooner than later.

President Gudenas – Director Gulich during that time period, I know you have the proposal for the downtown Euclid area. I did the quick numbers, it might be around \$120 a business for the entire winter season, which didn't seem all that unreasonable considering that's how they get their customers into their stores. It might actually help some of them save a little bit of money, because if they have another contractor that's doing small work, maybe one guy who does a lot maybe cheaper. If you could sort of give some of these business people an estimate of what it might cost that would help.

Councilwoman Holzheimer Gail – One final comment, if we're going to table it. We had a question from the audience whether Ohio has a law and whether there was a problem with looking at commercial only and not residential. My other question was for the grass it has to be 8 inches before we cite people. Do we have to cite a number of inches of snow? I don't know if those need to be answered tonight, but if we're going to table it, we could have those answers when we come back.

Councilwoman Holzheimer Gail moved to table Ord. (021-05). Councilman Gruber seconded.

President Gudenas – This is with the understanding that we will bring it back at the, next year.

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas.

Tabled.

A short break was taken.

Ord. 195-2005 (028-05) Temporary Budget

An emergency ordinance which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2006. (Sponsored by Mayor Cervenik and entire Council)

Councilman Lisy moved for passage, Councilman Gruber seconded.

President Gudenas- We're very happy to report our general fund has dropped from \$34 million to \$13 million, so we have done a great job.

Mayor Cervenik – This is just a temporary measure we need you to pass this so that we have the authority to spend money after January 1st. As we said, budget hearings are scheduled for January 9th. We'd appreciate your support here.

If we could move item 23 up next? We have a representative from Maximus here as well. I didn't know he was out there. He is scheduled for the second last piece. If you could think about doing that, I'd appreciate it as well. Thank you.

President Gudenas – So not good news, just temporary. As the Mayor said, we will have our budget process starting on Monday, January 9th and we'd probably go into Wednesday the 11th and possibly that Thursday. We're not expecting to do that whole budget that week, we'll probably come back again and do it the week after, depending on how things go and the like. Were you still going to give us your best guess on the yearly budget? I think we were talking about next week or so?

Mayor Cervenik – We are hoping to have our budget packages out to you this Thursday. Let me ask you this, just in case, is anybody of the 9 of you going to look at that package Christmas Eve, Christmas Day or the day after Christmas?

President Gudenas – I think Daryl will.

Mayor Cervenik – Only because we have been, each morning I've been meeting with the Directors and it is taking a little bit longer. If nobody is going to look at it until Tuesday, if you wouldn't mind, we may not deliver it to your homes until Tuesday?

President Gudenas – You can have a Merry Christmas and wait until Tuesday.

Mayor Cervenik – You may get it before but we just want to make sure that, there's some different changes and we want to make sure they are all covered.

President Gudenas – That was the intent, actually was after Christmas.

Councilwoman Mancuso – While we are talking about the budget packets, could we because we have new council people here, Director Johnson when you made us the FTE list, where you went through each of them, you did it in 2003, could you do that for us? Current, so that we have that to work with our budget packet.

Director Johnson – There's an appendix that we're going to place in the packets that will show the positions for every department going back to 1999.

Councilwoman Mancuso – With the detail that we had in 2003? That was most helpful. Remember you had the spreadsheets for each one.

Director Johnson – Yes, yes, I can, we can also provide that sheet also. You're talking about the sheet that shows the position, the salary, all of the benefits, yes absolutely.

Councilwoman Mancuso – The benefits, what other allowances, whether they get longevity, all of that for each. I would appreciate that and I think our new colleagues would also appreciate that, it is very helpful. We'll get that when we get the budget packets?

Director Johnson – Yes.

Councilman Lisy – Is there an opportunity to start looking at how we can get some cost savings by working with the various departments, such as the Parks & Rec that I think really has some complimentary activities with a few of the other departments. We don't want to tell you what to do but I think if you can work together and try to come up with ways to help out. If you look back, our Community Services & Economic Development, that was really two separate departments, and now we're trying to do both out of that same department. We talked about getting a manager for the Housing & Buildings department. There should be ways that we can work together so we can free-up individual's times and become more efficient overall so that we can absorb any type of retirements or people moving on.

Mayor Cervenik – Yes, we on a daily basis try to find ways that the departments help themselves out. December 1, 2003, I had my first Director's meeting as Mayor and I told them all we are a team and from here on end we work together. My experience over the two years, we've come a long way in departments cooperating together, we're sharing equipment, we're sharing employees. There are some union issues that collective bargaining issues that do get in the way on occasion. But to be honest with you our bargaining units have been very cooperative as well. As we go through the budget hearings, if you have any suggestions at that time, please let us know. We're open to suggestions because team work is the only way we succeed here and we pride ourselves on that.

Councilman Lisy – One of my suggestions is to work with some of your employees because they call me anonymously, leave me e-mails and they have cost-cutting ways for their departments. For some reason they are a bit gun-shy about bringing it to the Directors or their Supervisors. So I'm not an expert and I don't know if it is a great idea or not, but I don't want to be an expert in some of these areas, but it seems like some of these ideas seem to have merit, not all of them, some of them.

Mayor Cervenik – It is funny you bring that up. I have a piece of legislation on my desk that's current legislation that was I believe put in place during Mayor Lynch's term that actually has awards for employees. We have the authority to give out a thousand dollars, whatever it is, for the best cost saving ideas that come from our employees. It is my intention to reinstitute that in 2006. I run a pretty open door policy with employees. I always encourage employees to take up issues with their supervisors and/or directors first, but we do listen to our employees. Case in point, our Motor Maintenance, John Zigman, came up with a very good cost saving area where

the Recreation Dept. and the Service Dept. will be sharing a high-lift truck that should be coming in within the next couple of months. He's also got some programs on how we can share vehicles between departments so that we're not so territorial. That came from his work and his effort and wrote up a little report. We do everything we can to encourage our employees to come up with ideas because they are the ones working day in and day out and they are the ones that should be able to come up with some of these ideas.

Councilman Lisy – I would like to co-sponsor that legislation when you move that forward.

Mayor Cervenik – It is already in place. We're just going to do the program.

Councilman Lisy – Great. We don't have to do anything just get it going. Thanks.

President Gudenas – Could we as part of the budget process get an updated organizational chart for the various departments so we could get a feel for supervisors, foremen, workers.

Mayor Cervenik – We are working on that as well, yes. It is an ever changing thing, especially in some of the departments more so than others. I talked with Councilman Lisy and we told him we would be able to produce those as well.

President Gudenas – That will help so we understand how the departments operate and make sure that we are cooperating as much as we can. It does seem when you are doing your budget, you should add a lot to snow removal for salt. As Director Gulich said we are almost halfway done and the residents really appreciate the salt. If there's money in there, we should put it on the ground.

Mayor Cervenik – With the limited resources we have, we have increased our salt allocation as well as, we've got increased fuel, increased utilities and we've also increased it somewhat for manpower because empty trucks don't do us much good out on the street.

President Gudenas – Right so we are all on the same page there.

Councilman Lisy moved to close debate, Councilwoman Walsh seconded. Yeas: Unanimous.

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso,
Walsh, Gudenas.

Passed.

Ord. 196-2005 (029-05) Maximus-WWT Audit

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to execute a professional services contract with Maximus, Inc., relating to the performance of audit and cost analysis studies of the City's Waste Water Treatment Plant, as well as other agreed upon services specified in the proposals, for the year 2006, at a cost not to exceed Twenty Nine Thousand Four Hundred Dollars (\$29,400.00). (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Langman seconded.

Director Gulich – During the last two decades of the last century the City of Euclid wrestled with the humongous Consent Decree with the US EPA and the OH EPA resulting in about \$24 million expended on wet weather facilities, correction of combined sewer overflows, the installation of various facilities across the city in the combined sewer areas, the swirl concentrators. As part of this Consent Decree, back in 1989 we selected a company named DMG, was mutually acceptable to perform an audit of the Waste Water system. This audit would determine what our rate structure would be, keep us compliant with EPA standards and then on an annual basis that we would forward onto Council and onto our member communities for their review to see that the city was operating a utility in accordance with all the necessary laws. Tonight I'm asking that Council allow Maximus to perform this. Maximus has been doing it for the last 5 years now, previous to that they did it in various other incarnations. Bob Fink

from Maximus is here if there are any questions he'll be glad to answer them. I passed along a little information about previous ones to Councilman Lisy earlier.

Councilman Lisy – Since this is a not to exceed piece of legislation, as I mentioned in the e-mail I was curious about their track record on how they performed. Did they ever exceed their not to exceed limit? Because it does have a plus per diem charge and specified hourly rates and it was a little disconcerting. Your e-mail stated, please.

Director Gulich – It is not to exceed and of course we can't exceed unless we come back to Council. I'm not aware since its inception that we had ever exceeded the rate approved by Council.

President Gudenas – Their duties, would that include providing suggestions on the operation of the plant? Or is it strictly a financial audit to check the accounting and the way we keep our books?

Director Gulich – It is a financial audit. They don't make any engineering recommendations.

President Gudenas – I meant recommendations, not the engineering but the operation of the plant in terms of manpower or spending levels, things like that.

Director Gulich – The manpower is pretty much mandated by the EPA. I would have to say no they really don't address that situation. The only thing I can tell you is from the time we originally started this, we've gone from about 65 employees to about 45 employees, we might be at 44 right now. I don't know over the course of time how instrumental they were on that. But obviously we're always looking at ways to save money and operate more efficiently there. This audit has enabled us to do that.

President Gudenas – Does the firm that does this work, do they need a special area of expertise? Do they need special individuals, or is this strictly more of an accounting type operation where any firms could do it?

Director Gulich – There are other firms that do this. Again as I mentioned to Council some of these firms in the Ohio area that do this are used by the other member communities to review this audit. I wasn't here for the process of the original selection.

Director Johnson – This is a national firm and this is their specialty area. True there is a lot of accounting that goes into it, but in terms of being able to analyze the rate structure, it is a bit of a specialty in the accounting field. That's one of the specialties of this firm. I might add that in the past, this was before I came here to the City, I understand that whenever there was a report that was published and if the report recommended that there was a rate increase, some of the member communities balked at that rate increase and there was years of negotiations before those issues were finally settled. I can't recall once, I think we have had one or two rate increases since DMG has done this report and I don't believe we've had any resistance from any of the member communities, either with a rate increase or any arguments with the reports that they've received every year.

President Gudenas – I understand that for the city's auditing firm that by State law we have to rotate every 5 years or so that you always have fresh eyes and different approach and make sure you keep independent representation on the audits. But for the Waste Water plant, we're not doing that and so my only concern is that they've been here 15 years or so and there is an advantage in some rotation every now and then.

Director Johnson – There could be if there was another firm that was found with the same expertise and not to say that there isn't another firm, it would not just be a generic accounting firm, I don't believe. With regards to the 5 years, that's a State Auditor's policy. In terms of producing the audit report for the city, it is totally the State Auditor's prerogative to do the audit or to allow the city to use an independent public accountant. Usually if they allow an independent public accountant, the limit is a 5 year contract, that's what you're referring to. That's a State Auditor policy.

President Gudenas – When would this report be due if they are hired shortly?

Mayor Cervenik – I would also like to reiterate the other member community users, Wickliffe, Richmond Heights and others have been very receptive to the quality of work and reports that this company has given in the past. That’s important to us that those other communities that we charge for using our facilities are comfortable and do agree that this company is giving them the information they feel is adequate.

Councilman Lisy – I pulled up one of the reports that we had in the past. How do these reports differ from year-to-year? Is it basically the same information just updated?

Mayor Cervenik – It is updated. They run a moving average on usage when they are trying to gauge our rate increases. They recommend, give us a suggestion of when they think rate increases will be needed. A lot of our income is very much dependent upon the water usage itself for our residential sewer charge. It has been very helpful information. As you read those reports it helps us manage and helps us prepare for when and if we need to raise the rates.

Councilman Lisy – When I looked over that report and I started trying to estimate how many hours it would take, I think we’re well served by the amount \$29,400 for this work instead of going out to another contractor. I agree with the council president that we should be considering other people in the future, but right now we have a lot more things on our plate and I think for \$29,400 we are better served by staying with this group. Thank you.

Councilman Lisy moved to close debate, Councilman Walsh seconded. Yeas: Unanimous.

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso,
Walsh, Gudenas
Passed.

Res. 197-2005 (020-05) Confidentiality Tax Info

A resolution requiring the establishment and publication of a privacy and confidentiality policy for the use and release of tax information. (Sponsored by Councilpersons Gudenas, Conway, Delaney, Langman, Lisy, Mancuso)

Councilman Lisy moved for passage, Councilman Langman seconded.

President Gudenas – This legislation is regarding our income tax collection department. We know there are, obviously, State and Federal laws regarding privacy and disclosure of information, but it is the belief of some members of City Council that we also need that in-house. The City of Euclid needs to have a privacy policy for the Income Tax Collection Department to determine who has access to individual’s tax returns and business tax returns and under what condition they have access, how that is monitored and who’s going to oversee the privacy policy.

Normally, you’d have this in place prior to starting the department and that’s why I’ve asked that we have something back within 30 days because I think this is very important. There’s a lot of confidential information and I think it would be to everyone’s advantage that this be put in place so that no misunderstanding or unauthorized disclosure of information takes place. Is there any question on this? Director Johnson.

Director Johnson – First, I’d like to thank Councilwoman Mancuso for providing her suggestions for policy guidelines. Knowing that this legislature was on the agenda, we had started to formulate, you know, what we thought was going to be an acceptable policy and with, with incorporating your guidelines it’s very helpful and I appreciate your input here. And we will try to write a policy that will incorporate that generally.

President Gudenas – And I would ask that this would come to City Council as a draft form so that we could look over it because this is, you know, a brand new department and we probably, we might need a committee meeting on this one to go over all the details of that ‘cause, you know, it affects literally everybody in the City of Euclid.

Director Johnson – Part of the problem that we've had is that our Tax Administrator, Ms. Lovelace, polled all the members of the, her organization the Ohio Tax Administrators Association and there was not a community that could respond that they had a formal policy such as this so we would be sort of cutting edge. But we're glad to do that and will provide a draft to you.

President Gudenas – Well hopefully, Cleveland Heights some day will call us.

Director Johnson – Yes.

President Gudenas – We know we're doing good then. The other then, is this department more of a tax collection department or does it also do tax audits, too? In other words, that's one thing we're trying to figure out is exactly who decides which returns, is it basically because you didn't file or is there somebody going to go over and look at every return and say that, you know, I would think, you know, you should not have taken this deduction or added that there or whatever?

Director Johnson – We have one person in the office who's job title is an auditor and they will audit unusual returns. What's considered an unusual return, I guess, is really dependent upon if there's some deduction that's claimed or something in the return that, that appears to be out of the norm. That auditor would perform that function of auditing that tax return before it's finalized. But they also do that, but a lot of what they've done in the past year is the pursuing of the collection of delinquencies and it is very time consuming and we have been very successful. As we approach yearend and as we begin year 2006, the big concentration will be getting annual returns out and awaiting the filing of all those annual returns and processing those annual returns. Once those annual returns are filed and processed through the spring of the year, hopefully, later in the second half of the year we will begin to go to work again on delinquencies and more timely attempting to contact the folks that have not filed a return.

President Gudenas – But, when you're working on this policy, you know, I'd like to make sure I understood how specifically, the best we can in writing, put how we decide to do audits because, obviously, some residents or businesses here might be concerned that if they do or oppose some candidate or do something wrong, they might be singled out or audits and we need to have everybody know that there is a specific format in place or rules, regulations, what have you on how that's done.

Mayor Cervenik – A city tax return is different from a federal return as the income that's taxed by a city is normally, virtually all earned income, lottery winnings, some odds and ends that, that for corporate purposes, corporate return, federal corporate return is required to be filed right along with the tax return so that they can compare and do their testing to that right away. So unless they see some anomalies between prior years and that you pretty much know right away if a return's going to be audited. With personal returns it's normally a Schedule C but more often than not it's W-2s and those numbers are right on the W-2s and they're compared to that. So unless there's errors that are apparently normally city returns are probably the least audited returns of any of the three, federal or state because it's pretty, per the definitions are pretty narrow as to what's taxable. But we, that will be included in the process as well.

President Gudenas – All right, very good.

Councilman Conway – I'd just like to make a quick comment. I'm certainly not surprised by Ms. Lovelace's finding that other communities who have moved towards bringing their tax collections in house does not currently have a privacy policy in place, but I think it's terribly important that this is one of those examples where we are pro-active and not reactive. I assure you, as many of you know, spending 16 years in the banking industry and seeing the changes in privacy policies over the last several years the day is coming where somebody's going to ask for a privacy policy and I think it's a very good idea that the City of Euclid will get out in front of that and be pro-active so any assistance I can lend in this area I'd be happy to help out.

Mayor Cervenik – Once this policy's formulated and, obviously, the returns have already been mailed for this year; but just as you get with your credit cards and everything else, we will probably be able to condense that policy to a point that with next year's general mailing for tax returns we can include the privacy notice in there just like you do with other financial institutions

so that all the residents are aware. They don't have to look it up it'd be mailed to them and they will have it in their hand.

Director Johnson – Right.

President Gudenas – That's very good.

Councilwoman Mancuso – Part of what I had written were some of the bullet points that, yes, we are being I think very pro-active. There is nobody else that's doing this right now, which I think is a perfect reason why we should do it so we don't end up being the, the community that somebody goes after, at least, even tries to address and we have no recourse then we have to be reactive. It's, it's, I don't think they're difficult policies to put together and I think the residents will actually better understand what the roles are within that Tax Department. What they are allowed, not allowed to do, who they report to, what provisions those employees have if they don't feel comfortable with a situation within their own department, who do they go to. If a resident doesn't feel comfortable with what's happening with an audit or a return or feels they're being singled out. If we spell them out now, we're not going to have to react to them with a legal case 5 years from now. So again, it's a good business practice. We are the first people to do it and I think other communities will follow suit, which is why I put in not just the bullet points, but asking for the organizational chart, the job descriptions and in their roles actually stating what they are and are not allowed to access. What parts of their job allows them to look at what records and how they do that amongst each other. All the way down to the very basic is this a public or very privately held department where people can't just walk through and look at a computer screen and gather information, which I know you're addressing, but I think if we put it in writing, we have really protected all of us from having to deal with this once our tax collection business becomes routine. It's not routine yet. We're still working on trying to make it work. So if we do this now, it's out of the way and as the mayor said, putting it out there for every citizen a year from now to know this is how we do business in the City of Euclid. This is how we're keeping your information safe is, makes us that much farther ahead.

Director Johnson – Because we have such a small staff, virtually everyone in that division sees some portion of personal taxpayer information and they've all signed a Confidentiality Statement; however, we're going to revise that to reflect the policy that we're going to develop here and have them re-sign that, but they all virtually see some or all parts of taxpayer information and they understand the importance of it. We've not had a problem to this point and I don't expect that we will, but I think that it is a good idea to have a policy in place so that everybody understands...

Councilwoman Mancuso – Just protects us. It also protects them.

Director Johnson – Exactly.

Councilwoman Mancuso – Because sometimes just having a password that you know, your screen shuts off after a minute and a half if there's no activity allows that person to go have lunch and not worrying about somebody looking at their screen. Not an intention error, but still a breach of confidentiality to a consumer.

Director Johnson – They all have individual sign-ons; they all, you know, log off when they're away from their work stations and the server and all of those work stations are behind a firewall so that even if anyone else on our network attempted to, they could not get to that server. But we'll document all that so it's clear.

Councilwoman Mancuso – Thank you.

President Gudenas – Again, part of this is so that all the residents and businesses here have 100% confidence in how we're handling this department so they know that nothing special consideration one way or another will be given for or against anybody here in the City of Euclid. Any other questions?

Councilman Delaney – I just had another thought as far as an organizational chart of the Tax Department that would outline who had contact for that information and Director Johnson, you

were saying they have the, the software setup. Do you yourself have access to the individual tax information?

Director Johnson – No, sir, I do not.

Councilman Delaney – Okay, that’s good to know as far as keeping it objective and out of the hands of everybody and just with the department.

Director Johnson – Councilman Delaney, I didn’t mean to cut you off; but I intentionally stay out of that. I get calls from residents that get a letter from the Tax Department and they’re people that I know and they want to assure me that they’re going to take care of the obligation and, you know, my immediate response to them is that I don’t even want to talk to you about it. You know, call Ms. Lovelace or call the department. So I intentionally stay out of it and I think that’s the best way to be.

Councilman Delaney – Well, that’s good and the other thing I would have said is that as we go through this and we talk about compliance that we should have a system set up that’s objective; that’s outside the City of Euclid that could investigate complaints, just some sort of compliance entity or officer that would be objective and outside the workings of City Hall.

Director Johnson – I was also going to suggest that in your survey of satisfaction that we be eliminated with Police and Fire because a lot of people that come through our department aren’t very happy when we call them in either, but as it is we will participate.

President Gudenas – But we do have Mr. Kniceley working there and Mrs. Lovelace so...

Mayor Cervenik – Yes and he’s nice.

Director Johnson – He’s very nice. They’re both very nice.

Mayor Cervenik – If I might, I know on occasion since we started our delinquency program a number of Council people have also received phone calls from constituents and as I’ve suggested to you personally, you need to just refer them to Ms. Lovelace or the auditor who is on that letter. That it’s really inappropriate for any of us to have any conversation concerning the tax problems of other individuals and residents.

President Gudenas – Exactly.

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas
Passed.

Ord. 198-2005 (024-05) Create Disaster Plan

An Ordinance authorizing and directing the mayor of the city of Euclid, or his designee, to create a disaster preparedness plan within one hundred twenty (120) days that outlines the City’s response to construction and infrastructure loss, and interruption of utilities and City services in the wake of a natural or other disaster. (Sponsored by Councilpersons Gudenas, Conway, Mancuso)

Councilwoman Mancuso moved for passage; seconded by Councilman Conway.

President Gudenas – And we understand this is a big responsibility, the 120 days we wanted a specific deadline it could be more, it could be less or as suggested in the e-mails since this came in it could be done in phases too. With the idea that Phase 1 could be gathering the information, first to let the citizens know which City buildings are open if there’s a loss of power, which City services would be supplied, such as, which phones would be answered for instance. Which private businesses may be able to stay open, such as a gas station or supermarket or smaller store? Where could residents go in case of an emergency? Would it be this building? Would it be Shore? Would it be some school and the like? And just basic information and possibly some

business would help sponsor this, you know, putting their name on a magnet that's mailed out to everybody so everyone has this basic information. That's Phase 1; Phase 2 would be then what do we need to do more? In other words, do we have enough generators here to, you know, do our minimum? Do we have enough phone lines that would stay open and other basic services that we'd have to adjust to and increase budget for or whatever it might be? So that's the way I envision it. Not that we're going to solve everything in 120 days, but some of this information shouldn't be that difficult but would be very valuable for people to have because we know we're going to have the power out here again. It happens about every other time I'm in office so we're probably do for something.

Councilwoman Mancuso – I had my last e-mail discussion with the Chief today. We have not had the opportunity to sit down and talk yet and it was very obvious to me that the Chief was feeling very pressured about this. It is not just the Fire Department's responsibility to put this plan in place and you need to hear that. It is the entire Administration and City Council's responsibility to get a plan into place.

My offer to you was that we get a group together to start on, at least, the initial phase of gathering what information we have. I mean, I read the 1999 draft. It has the backbones, but I don't know how many people here actually went through an incident command and did it in 1999. We have obligations now to get federal funding of everybody going through the incident command, at least, on-line website course so that all of you fine gentlemen over there can run an incident command system if it should happen here in Euclid. This plan is not something that's going to make us all encompassing. We do have to fall into line with the city and the county and the state however good or ill prepared they are; but we have some basic things we can do here in the City and, quite honestly, I think after the last couple disasters that have gone on our residents are not feeling real comfortable with well, what'll we do if it happens here? We need to, at least, walk through educationally here in the City this is what we can do. This is where incident command is. Here are the facilities and the resources we have. We right now don't even know as citizens how they would take care of grandma and grandpa who are in a nursing home and how are they going to be taken care of. Those are pretty simple answers and they can be done. And we can do that and create some comfort level and education and it doesn't need to be just the Fire Chief. It really doesn't and I know a lot of Fire Departments lay that at their Chiefs or Assistance Chiefs' lap. I'm saying we don't need to do that. A group of individuals professionals from different departments that have the expertise, you are our Administration, need to come together with us and sit down and go through, with some of us who have expertise, and at least get Phase 1 and 2 done. I don't even think that'll take 6 months, quite honestly.

Mayor Cervenik – I agree with you wholeheartedly, although, the responsibility does not lie just with the people in this room. We have to go farther than that. We need to get our hospital involved, our schools involved, nursing homes and businesses. Last Thursday I attended a Mayors and Managers Association out at Beachwood's City Hall. We had quite a discussion on this formulating the community emergency response teams. That uses professionals as well as community volunteers. So we are going to work hard within this 120 days to come up with the basic places and safe havens that residents can use in case of a natural disaster or, God forbid, something else was to happen. And in the meantime, work very hard with these organizations to form a community emergency response team in the community using all, using volunteers, using organizations such as the, the auxiliary police and things like that. So yes, we're well in tune with what needs to be done.

We also have to work very closely with Cuyahoga County and we have to work very closely as we discussed Thursday with the other cities surrounding us. It should be noted that through the Mayors and Managers Association we jointly own, I think, 25 or so pieces, various pieces of equipment that can be used in emergencies and we need to expound on that. So we will have the help from that organization, the Ohio Municipal League as well as our own expertise as well and we are committed to doing this.

President Gudenas – That's a very good point. Perhaps our Chamber of Commerce should be involved to contact the businesses to make sure that they have a plan and that the residents know, you know, which, what they're planning and doing, which businesses have backup generators if they could stay open for limited hours, etc. The more of that people know ahead of time the easier it will be to handle any problem.

Mayor Cervenik – Exactly, it has to be a whole coordinated effort throughout the community and neighboring communities as well.

President Gudenas – Right because, again, with the school system I'd say we wouldn't have any ideas which of their buildings would be open or if any.

Mayor Cervenik – Probably if any, yes.

President Gudenas – This is, basically, gathering the information is Phase 1.

Mayor Cervenik – Yeah, the school building would be a great, a great place to have emergency generators and in case of a natural disaster.

Councilman Gruber – This is almost a throwback to the old Civil Defense days and we had many shelters and other facilities here in Euclid and maybe a page from the past could help us with the future. Look at some of the buildings now TRW used to be a fallout shelter. Many of the schools and I believe our auxiliary was kind of, it grew out of the Civil Defense structure in the past. So that might be something to just take a quick look back at some of the facilities. We used Shore, I know, as...

President Gudenas – Shore's still got the logo on it.

Councilman Gruber – Yeah, yeah, there are several throughout the City so maybe it wouldn't hurt to look around. Ask some of our historians.

President Gudenas – All right, with that.

Councilman Gruber moved to close debate; seconded by Councilman Lisy. Yeas: Unanimous.

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas
Passed.

Res. 199-2005 (019-05) Family to Family Grant

A resolution authorizing the Mayor as Ex-officio Director of Public Safety of the City of Euclid, or his designee, to apply for a grant from the Cuyahoga County Department of child and Family Services that would provide the necessary funds to serve as the lead agency for the Euclid Collaborative, which will deliver the Family to Family Neighborhood system of Care. (Sponsored by Councilwoman Mancuso by request of Police Chief)
Councilwoman Mancuso moved for passage; seconded by Councilwoman Walsh.

President Gudenas – Who would like to address this? Chief Maine.

Chief Maine – Probably Councilwoman Holzheimer Gail could talk about this better than I could and she, feel free to step in when my comments are done to add anything I may have left out.

The Euclid Collaborative is one of many, about 1 of 12 collaboratives in the Cuyahoga County area. It's been, it's run by the Children Family Services as a part of Cuyahoga County Services. The Euclid Collaborative is made up of not only Euclid but also a number of other communities including Highland Heights, Richmond Heights, South Euclid. We've been a part of the Euclid Collaborative for 4 years. What they're looking for is a lead agency to serve as the fiscal agent. Another organization that is part of the Collaborative has done that job up to this point, there's a feeling that a better system of care could be provided and we've been invited to, to serve as that lead fiscal agency.

This grant, while it doesn't require resolution from Council, I thought it would be a good idea to bring it so that you could be aware, Council could be aware, the community could be aware what the Euclid Collaborative does provide for our community. There is some fiscal advantage for us to do this because it does pay for one of our, one of our employees a good percentage of the salary. There will be a couple of other positions created as a result of this grant; however, there will be no direct cost to the City. In fact the City will receive monies to help administrate this grant. So I would like to ask for your support, it's a great thing for the City and I'll be glad to answer any questions or field any comments.

Councilwoman Holzheimer Gail – The Collaborative was formed several years ago and Kristal Skovira has really done a great job through the Mini Station of coordinating the effort. She sends out the monthly newsletter; she sends out, she keeps the contact. She actually stays in touch with the Steering Committee and Advisory Committee so I think it's pretty natural that Euclid would become the lead agency.

Euclid Collaborative is just what it says. It's, it's the social service and youth and family service oriented agencies coming together to collaborate on better serving the residents here in Euclid. It's great to sit around their tables at their monthly meetings and if they have an issue that they may not know how to address, just the many different groups and the many different perspectives in the room help bring a solution to the problem. And many people who have, it's some, you know, some type of social issue they're not always isolated. There's lots of other issues that go with it. So bringing the agencies together in a collaborative effort really helps the people get the services and get what they need. So it's been, I think it's been a great help to not only the agencies but definitely the residents who utilize the services and I fully support Euclid becoming the lead agency.

President Gudenas – Very good.

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas
Passed.

Ord. 200-2005 (016-05) Waive Fee – Hunger Center

An emergency ordinance authorizing the Director of Parks and Recreation of the City of Euclid to enter into a lease agreement for the year 2006, at a continued waived rental fee, with the Euclid Hunger Task Force for space located at Shore Cultural Centre, subject to the City's continued operation of the building. (Sponsored by Mayor Cervenik)

Councilman Delaney moved for passage; seconded by Councilman Conway.

President Gudenas – Anything further to add? We had it all pretty well covered at the beginning of the meeting.

Councilman Conway – As a member of the Board for the Hunger Center, I assume that it would be appropriate that I abstain from voting on this piece of legislation, but I just wanted to add, echo some of the comments that the residents made how much the Euclid Hunger Center truly is an asset to the City and something we can all be very proud of. Spending so much time at the Hunger Center, volunteering, seeing the results of all the hard work that goes on by the volunteers to really make life a little bit easier for those who have come with some challenges and it's always great to help out at the Hunger Center. I know we've talked about before that there's drop-off location here at City Hall. I know another drop-off location that we can take advantage of is also at the Library and I know there's some other drop-off areas across the City, but it's something is made available and it really, really benefits the community as an asset that we can all be proud of.

President Gudenas – So would that correct that he should, Law Director Frey, can Councilman Conway vote on this or does it matter?

Director Frey – He should abstain as long as he serves on the Board of the organization.

President Gudenas – All right, thank you.

Councilwoman Mancuso – I think the entire Council should add their name to this legislation.

President Gudenas – How about Conway? Can he be on?

Director Frey – We'll list it as the entire Council.

President Gudenas – Very good.

Councilwoman Mancuso moved to add everyone's name on the ordinance and so moved to close debate; seconded by Councilman Langman. Yeas: Unanimous.

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

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas
Abstain: Conway
Passed.

Ord. 201-2005 (015-05) KNM Consultants, Inc.

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a professional services contract with KNM Consultants, Inc. to provide construction related services for the East 222nd Street Ohio Public Works Commission State Issue II Project No. CA-041. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage; seconded by Councilman Conway.

Director Gulich – The 222 Project, I think as everyone is aware, we have a \$1.2 million Issue II loan to perform this work. We have a balance of State and County monies to bring it up to a total of \$1.7 million for this project. We did get 3 proposals. KNM was the lowest of 3 proposals to perform the services for the City, which would basically be complete construction, supervision, field inspection so on and so forth, quantification for the purposes of detailed estimates. At some time in the past we had a fairly large Engineering Department and these services for a temporary time would have been performed in-house. It just makes more sense with the Issue II jobs, since they're picking up their fair share, that we go with an outside firm and we can only, we would only use them for the duration of this project under this contract.

President Gudenas – For everyone's benefit, exactly what is the work being done? Exactly where on 222? When will it start and when will it finish?

Director Gulich – All right, yeah, that's the good part. We plan on having finished construction drawings in January. We will start at the north terminus at the freeway, right at the north, south Marginal. We'll reconstruct the entire area back to the intersection, improving the radiuses, improving the clearances. We've done some studying underneath there. I think we upset a few people we had it closed for a day or two to perform some studies underneath there.

President Gudenas – The bridge, you're talking about.

Director Gulich – Yeah, the bridge, to see just how much we could lower under there, we're confident we're going to be able to really improve the clearance there. And then south of there we will widen all the way back to the Tungsten Road intersection. We have the widened section there already. We hope to improve with resurfacing all the way back to Euclid Avenue. If Director Pietravoia wants to step in, he's in the process of his department trying to secure some additional State funds where we can further enhance this project. Mr. Pietravoia, if you care to comment?

President Gudenas – Director Pietravoia.

Director Pietravoia – Just briefly, we are tabulating the number of companies and jobs that benefit from using 222 as an entrance into the industrial corridor and armed with that ammunition I intend to go to the State and try to get more dollars to upgrade this project to do more than just street resurfacing.

President Gudenas – Which would be beautification things? Lighting things?

Director Pietravoia – Yes, lighting, signage and working with the individual property owners to upgrade the appearance of the fronts of their businesses as well. So we can really, in essence, have 222 serve as a modern industrial corridor similar to a newer industrial park to help compete.

President Gudenas – Very good, anything we can do to help? Resolution? Anything? We do a lot of them here.

Director Pietravoia – We will likely be coming back for Council action as we go to the State seeking more funding.

President Gudenas – Okay, very good.

Councilman Lisy – Director Gulich, how are the projects selected on which one is first on the list to use the Issue II funds for?

Director Gulich – If I understand your question correctly, this particular job did not make the initial grade in last year's selection. We did put in for a combination grant and loan for Issue II. Obviously, money from Issue II is always coming in. There's projects that are completed with monies they can turn back in. What Issue II did offer us rather than a combination grant/loan was 100% 0% loan and, of course, that time we came to Council and asked for permission to proceed. So that's how this particular job came to be.

Councilman Lisy – Let me rephrase my question. There's other projects that we're working on or we have in the pipeline that we want to submit. How do we prioritize which one of those projects we're working on because as Director Pietravoia was talking about how many people are going to be impacted by the study. I think that's putting the cart before the horse. We should have done the study to find out which projects we're working on and then submitted that one to get the Issue II funds. I think we'd have a better chance of getting the Issue II funds if we had some of that information about how many businesses, residents will be able to take advantage of these projects ahead of time. So it's just, it's trying to get better proposals together so that we don't have to go for a second submission and that we get the 0% interest rate on the other ones with the grants so.

Director Gulich – When we turn these applications into Issue II, some of the primary information they're looking for and we do provide for them is how many people will be impacted and from a community development standpoint how many jobs will be impacted. So these numbers are initially turned in as part of the application, part of the reason why we have been successful; but you're right that's a very important component of the whole Issue II process.

Councilman Lisy – And the other, do we have a list of other pending Issue II projects?

Director Gulich – Currently, we have submitted a couple of projects. I expect to hear shortly after the first of the year how we fared. We have a project we submitted prior East 210 south of the Boulevard. It did make a contingency list the previous year and we sat down at the workshop. They encouraged us to submit it again. We do have projects that do surface many a second or third year that we submit them. Another project we submitted was Tungsten Road, the area where we have all the water main break problems over there. Eventually, if we don't get Issue II funding from that, we can take care of that as part of the Benza Waterline Program. But we felt because of the nature of the problems in the industry and the houses that are affected over there and the community development aspect of it that that would be a prime candidate for submittal.

Councilman Lisy – And one last comment and this probably directed more towards the Mayor, what I'm trying to avoid is having random, not randomly selected and that's why I think there's a process that's involved with it, but I don't want to see all the Issue II funds being given to one Ward and not to another Ward so as part of the review criteria, are we dividing these evenly between the Wards or how are they chosen for which projects move forward?

Mayor Cervenik – As much as we try and keep the Wards as equal as possible on our normal capital expenditures, we try and prioritize because we are put in competition with many other cities. We have to prioritize our Issue II projects based upon what we feel and from past experience has the greatest opportunity to pass the Issue II, which will now be the Issue I Board. But when, saying that was 214 not 210, so I don't want the people on 214 to think we're tearing them up again, okay? It's 214.

Director Gulich – Thank you, Mayor.

Mayor Cervenik – My mother-in-law lives on 210 so I wanted to clear that up. So if we were to get 214 then that would probably, then we would look at alternative ways to fund other projects in Ward 2, 3 and 4 to try and keep it equal and going; but our priority for Issue I funding in the future is what projects can be done that we feel will score the highest and we're, we've been very successful. We, outside the City of Cleveland, the City of Euclid has received more Issue II funding than any other suburb.

Councilman Lisy – I recall that as being part of the information. That's why it's a great program and I just want to make sure that the residents know that all this work that they see going on is not always coming out of our City funds but it's coming out of funds that we receive from the Federal government as well as the State. Thank you.

Mayor Cervenik – And those funds are paid for by our Euclid residents and we're just trying to bring that money back into our neighborhoods..

President Gudenas – Aware of that. Anything else?

Councilwoman Walsh moved to close debate; seconded by Councilman Lisy. Yeas: Unanimous.

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas
Passed.

Ord. 202-2005 (018-05) Purchase Parts for Vactor

An ordinance authorizing the Director of Public Service of the City of Euclid to purchase parts for the Streets and Sewers Department Vactor (#218) from Jack Doheny Supplies Ohio, Inc., 777 Doheny Court, Northville, Michigan 48167, for an amount not to exceed Twenty-two Thousand Three Hundred Eighteen and 20/100 Dollars (\$22,318.20). (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage; seconded by Councilwoman Mancuso.

President Gudenas – Who would like to talk about #24 the last item on the agenda?

Director Gulich – One of my favorite pieces of equipment, our Vactor over in our Streets and Sewers Department, it's a multi-use machine. It cleans sewers; it sucks out catch basins; it sucks up leaves; it performs a number of functions helpful to our department over there. Back in 1988 this was our most expensive purchase we've ever made at about 235,000. These repairs are absolutely necessary to the machine. We do have to buy these pieces parts from Jack Doheny. They are the regional supplier. We will do all the installation and all the repairs in-house with our own people. We have the expertise to do that. I have about a 3-page list with the various parts it needs. It's going to be a major reconstruction, but again, we can do it in-house. Hopefully, we'll have this piece of equipment back out on the road within 2 months and just maybe then the snow will melt enough so we can get the leaves.

President Gudenas – And it spreads salt?

Director Gulich – No. Actually, Councilman Gudenas, since you brought that up, we do have our older vac-all type machine. We've retrofitted that for salt brine and we've been able to utilize our salt brine for pre-treatment when the conditions are, are good.

President Gudenas – We need more information on this, Mayor Cervenik.

Mayor Cervenik – If you would be so kind as to, I would ask that this be amended to be an emergency ordinance as we would really like to get this piece back out in the field as quickly as possible.

President Gudenas – Isn't it automatic if you suspend the rules and approve it?

Mayor Cervenik – No, no.

Councilman Lisy moved to make the legislation an emergency ordinance; seconded by Councilwoman Holzheimer Gail.

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas
Legislation amended to be an emergency ordinance.

Councilwoman Walsh moved to end debate; seconded by Councilman Gruber. Yeas: Unanimous.

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

Roll Call: Yeas: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso, Walsh, Gudenas
Passed.

President Gudenas – That ends 24 pieces of legislation. Now we're on to the Committee of the Whole which is for anybody here to talk about the general well being, welfare and ideas for the City of Euclid. This is your last chance for this year.

COMMITTEE OF THE WHOLE

Councilwoman Mancuso moved to go into the Committee of the Whole; seconded by Councilwoman Walsh. Yeas: Unanimous.

Mr. Tod Guntner – 390 E. 257th. First of I'd like to remind everybody that we're still selling the Our Town All Around books, which Pet Pals gets almost a third or gets a little more than a third of the \$20 on that sale price and you can start earning the savings with as little as 3 uses. So I urge you all to buy one. You can even, using it once a month you can save around \$50 and that's a great extra present for your wife or husband, son or daughter so please consider it. We'd appreciate all the support.

Holiday hours for the Shelter are Tuesday, Wednesday and Thursday this week from 12 until 4 also Thursday evening from 6 until 8. We will be closed Friday and Saturday, which we're normally open so that our staff and volunteers can enjoy the holidays with their families. Also next week, we will be closed on Saturday the 31st, but we will be open after Christmas Tuesday through Friday from 12 to 4 and Thursday evening, again, from 6 until 8.

Something I wanted to bring up today. There was actually a commercial that I saw that had some disheartening news on it and I wanted to share that even though I have not done a whole lots of research on it because it just happened an hour before I got here and it was a commercial for a microchip company for your dog. They stated that 1 in 3 dogs in the United States will be lost in their lifetime. And of those 1 in 3 dogs that are lost 90% will never get back to their owners. So I urge all residents that have a dog to purchase a Cuyahoga County dog license. If your dog is lost and it comes to the Shelter and they have a license, by 9 o'clock the next day we will be contacting you via telephone that we have your animal. So I urge everybody to get a license. Renewals have already been in the mail. You should have them; please renew them. I would greatly appreciate it and the reason I wanted to bring this up is lost dogs in the City of Euclid are right at the number 500. That's a lot of dogs that are lost. So please I urge everybody to take care of your animals. Get them licensed. If they do get out of your yard, get out of your house, we can help you get your dog back. Thank you. See you all next year.

President Gudenas – And where do you get the dog license?

Mr. Guntner – You can get dog licenses at tons of places. First of all the Euclid Animal Shelter at 25100 Lakeland Boulevard, they're \$16.75. There are several places including downtown at the Cuyahoga County offices. There's a satellite office on 185th and several businesses and shelters do that and they charge 75-cent processing fee, which of course helps whatever shelter you're going to.

President Gudenas – And I'm sure you'll sell one for cats, too?

Mr. Guntner – Cat licenses is a little bit different story. They are \$6 for 3 years and that's for City of Euclid residents only, whereas, the dog licenses for Cuyahoga County and if I'm not mistaken, all 88 counties require their own dog license and we can take care of that if someone comes from out of our county, which we have gotten dogs back to their owners from Hamilton County and other places because they did have a license.

President Gudenas – Very good.

Mrs. Audrey Kaplan Goodman – 20201 Glen Russ Lane. Tonight, I wanted to take a few moments to share some very important information to the senior citizens of Euclid who are on Medicare. The information is about the new prescription drug coverage that is now available to all people on Medicare and how they will be able to receive outpatient prescription drug benefit by being on Medicare.

I recently attended a meeting at the Senior Center where a representative of OSHIIP and that's an acronym for Ohio Senior Health Insurance Program. They came to the Senior Center to give an overview of this new important program. Beginning January 1st of 2006 all people covered by Medicare will be able to obtain outpatient prescription drug coverage as a Medicare benefit. The benefit is being marketed by private insurance companies not by Medicare directly. Folks will be able to receive the benefit in one of two ways. One, they have an original, they have original Medicare and apply for an approved stand-only prescription drug plan or two, they join a Medicare Advantage plan that offers the new drug coverage.

There are several important dates that all folks on Medicare need to be aware of. As of October 1st, 2005 companies began marketing plans by mail and by phone. No door-to-door sales of the drug program are allowed. As of November the 15th, the open enrollment period for the drug benefit began. January 1st, 2006 the coverage will begin. More importantly, May 15th, 2006 the open enrollment period ends. People covered by Medicare who choose not to sign up for coverage by May 15th may face an extra premium charge of 1% per month for each month they delay; however, those with current drug coverage, such as, retiree benefits that are as least as good as Medicare's drug coverage will not incur the extra charge.

I came away from the meeting with the feeling that those in attendance were confused about what to do. Although there is a very informative internet site dedicated to this new program, many seniors are intimidated by the internet and are afraid to seek the help via the net options available. For those interested the web address is www.ohioinsurance.gov. OSHIIP, again, that's Ohio Senior Health Insurance Information Program has a toll free number that is available for you to get help and further information. That toll free number is 1-800-686-1578. They have just added 9,000 additional people to handle the hundreds of calls they are receiving on a daily basis. OSHIIP is helping folks to navigate the sea of insurance choices that are now available.

I would also like to offer my assistance to anyone who would like it. I have been a licensed life and health insurance agent in the State of Ohio since 1987. I would welcome anyone to call me for help. Again, I can be reached at 486-1326.

I just want to end this evening by wishing all of you the happiest of holiday seasons. On behalf of Victor and myself whether you celebrate Christmas, Hanukkah, Kwanzaa or whatever, please remember this is the time for giving. Give of yourself; spend time with family, friends and loved ones and have a very happy, healthy and safe New Year. We will see you in 2006. Thank you.

Mr. Dennis Berzinskas – 20890 S. Lakeshore Blvd. First, I was remiss last time, last Council meeting. Thank you for the heads up that's little information that's written on every ordinance. We really appreciate it.

Last Council meeting Chief Maine and Dr. Fred Lisy echoed it how the people that work for the City can treat people who live in the City like family. Well, last Monday we lost our sign from the Henn Mansion. I made a police report. I talked to Dennis Valencic when he was there, mentioned it to him and I ran into Hank Gulich on the way into City Council. You can see, as you saw tonight, how busy Mr. Gulich is. So I wanted to publicly thank him, again, for going out of his way calling me and helping us right the situation. The other thing while I was walking the park that day, I was looking at dumpsters, asking the people that ask for the different apartments there to keep their eyes open for it.

In the City we have business people that allow us to use their shopping carts. I've pulled shopping carts out of the dumpsters at the Henn or when I see them on the streets I try to bring them back. I'll tell you if you ever tried to take a dump, a full-size shopping cart out of a

dumpster, it's an effort. But behind Cultural Gardens I was walking back there up towards the lake where the last apartment building is and there's a house. I mentioned it to the manager of Marc's today. There's 9 of their carts back there plus a 10th one plus Tops and everything else. These people really give us a service to the City. I really think to make responsible citizens and that's what you've been trying to do all night today and all the things you enacted, you want City responsibility and citizen responsibility. We've really got to do something about these people losing their carts. They're provided there for people, not provided to take it home and leave it. You know how many carts are back there? There must have been 30 carts back there. So I hope we can enact some legislation or try to get people to be more responsible. If they're more responsible in these kind of ways, they'll have more responsible citizens and we have less problems. Thank you. And thank you for getting the nonpayment of rent for the Hunger Center. It'll really go a long way. Thank you.

Mr. Joseph Jennings – 423 E. 274th. I just wanted to comment on something that was said at the last Council meeting specifically about the pick up of leaves and the snow removal. I work in the Service Department. We can't control how fast the leaves fall. They fell late this year so it was an abundance of leaves at one time. We're working 13 hours a day, 5 days a week, 8 hours on Saturday to get these leaves picked up as quickly as we can. We're doing the best that we can. Snow fell on top of those leaves, makes it twice as hard to pick them up quicker. I know everyone wants their leaves picked up, but you know, we're doing the best that we possibly can to get these leaves picked up and we just didn't appreciate people were, I guess, criticizing what it took to get the leaves picked up and whether or not it was fast enough for them.

We just, we're working hard. We're doing the best that we can and we just appreciate a little bit more patience, a little bit more understanding that it's a process and it takes a while. We're understaffed. Equipment's not up to par, I guess. So we'd just appreciate, I don't know, apology as adamantly as you criticized us for doing our job. That's all. Thanks.

Mr. Harvey Mlachak – 23831 Lake Shore Blvd. I think all of you know my views and opinions on politics and politicians. I was unable to attend the last Council meeting; however, I would like to welcome all the newly elected and re-elected Council persons and you Mr. President to the Legislative Branch of our town's government.

Before the last election I said the electorate of the City of Euclid had a chance to elect the most intelligent and the best educated Council this City has ever seen and they did. Do I expect earth-shattering things and events from you? Nope. Do I believe the ongoing power struggle between the Council President Gudenas and Mayor Cervenik is over? Nope. Just waits 'til somebody shoves a burr under their saddle. You ain't seen nothing yet. Politics and politicians is and always will be a struggle for power. Politics and politicians will never change and the citizens and the taxpayers be damned. I'm talking about the flagrant misuse of taxpayers' money and the invasive and dictatorial and unreasonable ordinances you passed.

There's hardly a day goes by that when you pick up your paper and read your newspaper that you don't read about some senator, representative, mayor, Council person, fireman, policeman, lawyer or judge and others in positions of trust and power has been indicted or sentenced to jail for any number of various felonies. Do I trust any politician? Nope.

In my opinion you're all there for whatever political power you can garner and to satisfy your inflated egos. I'm speaking of politicians a whole. I lump all politicians together. Do I apologize for my caustic or perhaps insulting remarks? Nope. I feel very deeply about my political views and convictions. However, let me separate you as individuals from the rest of the political world. I hold all of you, personally, as fine, upstanding, honor, honest and trustworthy individuals.

The other side of my views is this. Would I, if I had it to spare, loan you 20 bucks? In a New York minute I would. I look forward to and hope and expect great things from this Council and Administration. May I leave you with two quotes that are attributed to the buck stops here and give them hell, good old Harry Truman. Harry said, always be sincere even if you don't mean it. And he also said from a lecture at Columbia University on the 28th of April, 1959, whenever you have an efficient government, you have a dictatorship. With that I say good night. God bless you. Have a happy holiday and a healthy and prosperous New Year. Thank you.

Mr. Joe Udovic – 21371 Naumann. I have some observations this evening as well. First, I hope everybody does observe a merry Christmas and a happy and safe New Year. Another observation I do have with a proposed church being located in the vicinity of the Freeway Lanes and Palisades Bowling Alley on East 260th, I visually inspected the area behind the former bowling alley and noticed several vehicles behind there, behind that business and some of them

do not even have any license plates on them. I was wondering if possibly the Ward 3 Councilwoman or the Police Chief would like to address this problem. Are these autos abandoned or being repaired? And if so, when can we expect removal of such vehicles?

Speaking of churches, another observation I have. I notice that Bishop Owens has made some improvements toward his facility or at his church on North Lakeland Boulevard. Two awning structures were added to the building. Have these improvements been in front of either the Planning & Zoning or the Architecture Review Board? I've never seen or noticed any submitted drawings in City Hall plus a couple of Ward 3 residents have made concerns that the one awning closer to the North Lakeland Boulevard street is too close to the roadway. Who gave approval or building permit for these structures

Some residents have even shown concern for some new outdoor lighting that the Pastor has mounted on the church. These new lights are too bright and too powerful and shine directly into the residents homes on the residential street. A recommended solution would be to flash mount point outwardly not downward toward the asphalt parking lot. Are these lights Halogen or Mercury vapor and can someone check on the required wattages of these bulbs?

Another observation, I was under the impression that the City of Euclid was a self-insured community. Former Chief Dworning is seeking damages around \$2 million price tag. The former Mayor Oyaski dismissed this individual. We the citizens are now left holding the remains while the former Mayor has relocated to greener pastures elsewhere. Have we ever considered a shift of a private carrier insurance policy? With a private policy in place the new Law Director would be removed from settlement of lawsuit scenarios and the victims now would have to negotiate directly with a representative company and their legal advisers. Through self-insured community we are 100% responsible if we are found at fault. How will our responsibility be shifted if we go to a carrier to handle this insurance? We, I was informed that other communities have some type of a private carrier. Through being self-insured the victim is free to receive a greater portion of money and greater temptation to continue to sue in the first place. Can we look to get out of the self improvement, or self insurance business? Thank you. Have a good evening.

President Gudenas – Thank you. Would anybody like to address that? Chief Maine, regarding the cars or the insurance, which is it?

Chief Maine – I'll leave the insurance to those insurance experts. As a part, when we had a larger Police Department and a larger Traffic Unit, one of the duties, when we had 6 or 7 people in that Unit, was to look at commercial properties and industrial properties for what appeared to be abandoned autos. We don't have that luxury anymore and so we stepped back on our program. However, we still will do it on a complaint basis so I'll be glad to have one of our traffic officers go over and take a look at that property and see what the status of those cars are.

President Gudenas – Thank you. Any comment on the permits or the insurance? Director Johnson, the insurance.

Director Johnson – With regards to the insurance about 16 years ago because the premiums for liability insurance were so cost prohibitive the decision was made to go self-insured. I'd have to check with Ms. Evangelista to see if she has any current premium, rates on premiums for liability insurance; but I can assure you that the premiums for liability insurance will shock you as compared to what we pay even now even in the settlement of claims. And we do insure our property and buildings but for liability the premiums are going to be very prohibitive and I will try to find out what those current premiums are; but I don't have them right now.

President Gudenas – Did we at one time have a special policy that would kick in after a hundred thousand or a million? I vaguely remembered something like that.

Director Johnson – And we have, it's called an umbrella liability insurance policy that would sort of put a lid on our liability and we have looked at the premiums even for an umbrella liability policy and even those are in the hundred thousand dollar range, couple hundred thousand dollar range.

President Gudenas – So we don't have that right...

Director Johnson – We don't have any umbrella liability policies no.

President Gudenas – All right. Director Pietravoia.

Director Pietravoia – I do know that permits were issued for the two awning structures that were built at the church. I do need to check the records. I believe it went to the Architecture Review Board. I want to verify that and also I'll have our Zoning Commissioner check the questions about the lighting and the proximity of the awning to the street. I am confident that those, at least with the closeness to the street that that was checked during the permitting process. The lighting may not have been part of that project so we'll check that independently.

President Gudenas – That's off an easy fix, you know, just putting different kinds of bulbs or a shield or something.

Director Pietravoia – Redirecting the lights away from the residences.

President Gudenas – Right.

Director Pietravoia – So I'll report directly to Mr. Udovic and back to Council if you'd like.

President Gudenas – Thank you very much and, of course, to the Ward 3 Council person because I'm sure a lot of the residents are asking. Thank you very much. I see no one else.

Councilwoman Walsh moved to rise and report; seconded by Councilman Lisy. Yeas:
Unanimous.

COUNCILMEN'S COMMENTS

Councilman Delaney – I'd just like to say briefly that I've postponed the Committee meeting for the community festival. Had a nice conversation with the Mayor over the weekend and we're going to wait until the Director of Parks and Recs comes back from her leave. We, we are tentatively on the same page as far as trying to schedule something in June between Thursday the 15th and Sunday the 18th, which happens to be Father's Day, at Sims Park. So there's already been several people that have contacted me about working on a committee to make it go forward and I think quite possibly we could probably just introduce new legislation and continue to plan for that festival. So although there's a lot of snow flying and the first day of winter is the 21st, we can still look forward to June. Thank you very much.

Councilman Gruber – First, I'd like to wish everyone a happy holiday season. Next thing, had many calls over the weekend about Chatworth Drive, the new section that was just poured, about ice concerns and if Director Gulich would just take a second to explain to the folks why we're not putting salt on that please.

Director Gulich – That Issue II, which we recently completed the pavement on earlier this fall, is concrete. It did not have enough cure time to allow us to apply the Sinack chemical we've used on other streets. We'll be able to put that on in the spring, but we will not be able to apply salt to that pavement and perhaps we can get that word via handout to those people that that's the case. Perhaps we can put some sand on there. That would be the only alternative I could think of, but we've tried that before and it ends up in people's driveways, garages, carpeting and everywhere else so.

Councilman Gruber – Thank you. I just wanted you to explain to the residents.

Also, I'd like to thank the Braeburn Park Homeowners Association. It's a new homeowners group just formed the last couple of weeks with the input from the neighbors up there. Kristal Skovira was very helpful with the meeting. It went very well. They had an excellent turnout for their first meeting. I look forward to working with them some more.

I'd like to thank the Indian Hills Homeowners Association, who had their annual Christmas dinner on Saturday night. Also, let's see who else did we go to? Went to about 3 or 4 other parties, like to thank everyone for inviting us and in closing I had the opportunity to go to the Westside Market on Saturday and I have to compliment Councilman Delaney on the Sicilian sausage was it? It was one of the finest I've ever had. I recommend it highly and thank you for the sausage. Happy Holidays.

President Gudenas – Traditional Christmas sausage.

Councilman Gruber – Good stuff.

Councilwoman Holzheimer Gail – Just a reminder, our next meeting will be Tuesday, January 3rd instead of Monday. Monday City Hall is closed because of New Year's and I'd like to wish everyone a happy holiday season and happy, healthy, productive New Year.

Councilman Langman – Just a couple of comments from some of the residents that made observations. If you drive around some of the other communities South Euclid, Willowick, you will see that there are some leaves buried under the snow. So it's not just a Euclid problem per se, all of the communities got caught with the late fall and the early snowfall. So yes, our Service Department has done a very fine job under tough circumstances trying to get up all the leaves and plow all the snow.

And the other resident that mentioned shopping carts, yes, that is a problem. I believe Law Director Frey, we do have an ordinance that I think is quite old that attempts to control that. I think the fine for or fee for returning a cart is like \$5 or something like that. We probably need to review that, work with some of the markets to better control that situation. And with that I would like to wish everybody a very happy and meaningful holiday season. Please over the New Year's be safe and we'll see you all in 2006. Thank you.

Councilman Lisy – A few of us attended a Community Holiday Festival at St. Christine's and I didn't know what to expect when I got there because it's a gathering of all the churches and each church sent representatives to do some type of singing event. And it was just outstanding. I was very impressed with it and I, is it Pastor Henderson and Fr. McHenry that put that together or coordinated it? It was just outstanding.

With respect to the grant for the Fire Department for the new hires, when we do get that information can we have some type of financial analysis or some type of pro-forma going out the 5 years of the project so we can see the impact on the budget as those new people are added and how it affects as time goes on? Because it does decrease with time, the amount we get from the grant.

Now we do a lot of complaining on Council and we get a lot of citizens' ears telling us what we should be telling the Administration and, just as that one conscientious City employee came up and, you know, they are trying to do their best. Our job is try to help things out and make things run smoother with our own input just because that's the feedback we're getting from people. And so with that, Director Gulich, are you trying to refill those positions that are now vacant?

Director Gulich – I sat down with the Mayor for 2-1/2 hours this morning pouring over all my various departments and our intentions are to refill those 3 and as soon as possible and 2006 an additional 4.

Councilman Lisy – We're not here to complain we're here to try to find solutions and get things done. And now since we normally are complaining and taking on the Administration over there, some compliments. Director Gulich, Director Pietravoia and somebody from the Recreation Department, I'm trying to figure out who but they were very prompt in their responses to us and the information I've been getting is outstanding. It, all the questions I've been asked or I'm asking I'm getting immediate responses. It's really nice working with an Administration that is so prompt on their responses to us and I'm not, I'm picking them out because those are the ones I've interacted with. I haven't had an opportunity to interact with other departments yet.

The Recreation Department, I'm on the Recreation Committee now and I received this packet of information that was so well organized. I could see the breakout and all the expenditures of all the different functions that are going on in the Recreation Department. It was, well, we're busy people, too, just as you are busy people and it's nice to have information at the tip of our fingers that make sense and we can easily get a big picture of what is going on. So I look forward to that same type of information coming through the budget hearings because it really makes all of our jobs easier. Thank you.

Councilwoman Mancuso- I will make this short and sweet. I just wish everybody a happy, safe holiday. Enjoy your families, your friends and we'll see you all in 2006. Thank you.

Councilwoman Walsh – I will take my full 5 minutes.

Councilwoman Mancuso – Oh.

President Gudenas – Start the clock.

Councilwoman Walsh – First of all, many of the residents have called and asked me straight up, am I enjoying this? I'm having a blast. And it's an honor, a Christmas present to myself that I'm able to help everybody.

Last week, I went to the Provident Baptist Church vesper service. I got to sit next to the Mayor and as part of that we professed our love to each other because that's what Pastor Madden asked us to do and I think it was a genuine love. We also were the recipients of beautiful poinsettias and the Service Department picked them up. I didn't have to cart them down there in my car and they did an excellent job.

I got to go to the Lake, Lakeland Homeowners Association and reluctantly vote on the #1, 2, 3 place and beautiful, beautiful lighting in the F & S homes.

I do want to thank the Mayor from the very bottom of my heart on behalf of all the people that were worried on the Dempsey sign. It's up but there's going to be more on that and great plans.

I also have plans for the newspaper boxes because I figured out a way we can make some money on them and I believe it's all legal.

I do want to wish everybody a very, very blessed holiday season. I got a beautiful card from the Heritage Homeowners Association and it said it all. It had every, every holiday on the front and beautifully done and I'd like to congratulate them on the design.

I do want to tell Mr. Gulich I am off work Wednesday starting at about 2 and I will be riding a snowplow and now I'm going to go see Fire Station #4 so I got plenty of time. I don't have to go back to work 'til January 10th. I take it as an honor to work with this entire team and that's exactly what we are, but the biggest complaint is we need a salt shaker especially in the F & S homes. So we do have to put that salt down we have to figure a solution to that.

And thank you all very much and thank you for electing me. I love it. I'm done.

President Gudenas – You've got 2 minutes.

Councilwoman Walsh – And I made it.

President Gudenas – Just a couple quick questions. First is that today we looked at our Zoning and Building Inspection Department and determined that it was better to hire a fulltime person instead of a part-time person, hopefully, and because we'll probably not spend much more but we'll have fulltime people and get things done more. So I'd like to ask either the Law Director or the Finance Director both, could we come up with how much our part-time prosecutors have cost us over the last 12 months compared to how much a fulltime prosecutor cost us during the last full year? So we could also see, you know, does it make sense to have a fulltime prosecutor here as opposed to the part-timers?

Director Frey – I will get those numbers. I don't have them offhand. It was my recollection that we spend less on the two part-time prosecutors than we did on the fulltime prosecutor. Council needs to be aware that we do not pay benefits for that position so excluding the benefits, I believe, we still spent left than we did on the fulltime. But I think more importantly we get better coverage. I'm able to have two prosecutors here all day Wednesday and all day Thursday, the two days that there are court sessions and so I don't have to augment that with some other assistant from the Law Department. I'm able to have the two prosecutors that are handling those dockets here on those two days. So it's been a more efficient delivery of services, if you will, on both the traffic and criminal docket.

If there is some concern on the part of the resident or a resident or police officers, I'm not aware of that. As far as the two days that there are no prosecutors in the office that's Tuesday and Friday the Law Director is a former Cuyahoga County Assistant Prosecutor and I will tell you I handle on a very regular basis interaction with the Police Department, the Detective Bureau both the Narcotics and the General Detection Bureau and any police officer that has any issue that comes up I will handle those with them. I review cases and sign off on issuing warrants as need be. So there is someone with a fair degree of criminal experience on detail 5 days a week so I think our delivery of service to the Court and to the residents of this City is enhanced by the arrangement we have now and I believe done in a more cost-effective basis; but I will get you those numbers.

President Gudenas – All right, thank you very much. And in case anybody's interested, all these little comments on the agenda, actually, I write those. These are not legal opinions so these are just my opinions on what I think the legislation is about and if I sense there's consensus to send something to committee ahead of time, we'll duly note that so the residents know that that item will not be decided that day and that there will be more time to discuss it.

And one thing we did today and the other meeting, we asked the Administration to do many things. We've given them short deadlines, long deadlines but we've requested them quite a bit to do and I'm also request all of our City Council to work on a project for January and that's for our City Council to come up with our own 12-month plan where we, you know, what is important for us to do this coming year 2006 be it through legislation, working with the Administration, new programs, ideas, etc. And I'd like to have a special Executive meeting early January to go over these ideas. So during the next 2 weeks if everybody can e-mail ideas either to Regina Cahill or to each other, we'll compile a big list and then we'll spread that list around. We'll have a discussion, but my goal is that we can set, you know, our big, you know, some of these can be small things can be big things; but we'd like to put a list up here at City Hall so, hopefully, by this time next year we've checked them off that we've handled whatever we can handle for the year. So these are things that we can do next year. So it's not going to be something, you know, have the marina operational next year. That's impossible, but starting the marina next year that could be one or them or some kind of new program, etc. But I certainly would like to have everyone put some ideas down so that we can discuss them and then the general rule of thumb is if you put it in writing, it's more likely to get done.

So with that I'd like to wish everybody happy holidays, Happy Hanukkah, Merry Christmas and let Councilman Conway close it all up.

Councilman Conway – Thank you for the assignment. Look forward to working on it over the holidays so we can meet your expectations, but I think there is something I used to say quite a bit that in my professional life. You're absolutely right. What gets written down always gets attended to what gets attended to gets done is something I like to repeat and I think it's a very good idea.

There's still quite a bit of buzz throughout the community and I'll address to this question to Director Pietravoia, is there any current update for the residents on the PMX project? I appreciate the packet that you left for the other members of Council, but I still get quite a few questions about any updates.

Director Pietravoia – I have been exchanging voice messages with the broker representing the property. We have not made a connection yet so I will be able to give you an update either between meetings or at the next Council meeting. But they are still pursuing, their intent is to take the building down as soon as possible. They had identified a contractor and the last time I spoke they were negotiating a contract with that contractor.

Councilman Conway – Good, very good. Director Gulich, I'd like to thank you and your department. I know many of my colleagues here received calls about the water problem on Parkwood and I know it's a recurrent problem but I know the resident who probably called all of us is very appreciative of the fact that we were able to take care of that problem so quickly so thank you very much.

I, too, like to congratulate the Administration on the safer grant. That should be something that should be very exciting and I'd like to thank Rev. Madden, as well, at Providence Baptist for the invitation to go to the Vesper Service. It was a nice touch to have it at Shore and it was a very lovely evening and I was glad I was able to attend. And with that I'd like to wish everybody as well a Merry Christmas, Happy Hanukkah, Happy Kwanza, happy holidays all around, a wonderful and exciting New Year should be upon us and with that good night.

ADJOURNMENT

Councilman Conway moved to adjourn; seconded by Councilman Gruber. Yeas: Unanimous.

Attest:

