

COUNCIL MINUTES

January 3, 2006

The regular Council Meeting was held on Tuesday, January 3, 2006 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, Director Will, CS&ED Director Pietravoia, Police Chief Maine, Fire Chief Cosgriff, Housing Manager Petkovic, Zoning Commissioner Torowski, Sgt.-at-Arms Novosel, Clerk of Council Cahill.

Invocation was given by Father McNulty of Holy Cross Church.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik – I wish you all a very Happy New Year. We have two reports this evening and the first is going to come from our Recreation Director Kathy Will. Kathy, it is great to have you back by the way.

Director Will – Thank you Mayor. Council, Happy New Year, thank you very much. I would like to take this opportunity first to thank the Mayor, the administrative staff, Council and the residents of the City of Euclid for their prayers and cards and everything that they did for my daughter Ashley. She had surgery back in the second week of November and has been doing wonderful. I do expect her to go back to school on Friday. Hopefully she's watching the meeting tonight so I have to say, Hi Ashley. Thank you very, very much for everything that everybody did. Especially to my staff, they were fabulous. It just couldn't have been done without them. They didn't ask for anything in return and thank you guys from the bottom of my heart, I appreciate it. A big special thanks to Dean Grida for filling in for me and I appreciate that.

I would like to announce that we will be starting swimming lessons at Euclid High School on January 10th. You can register here at City Hall on Tuesday or Thursday from 1:00-4:00. We'll also be doing a life guarding training program that will begin on February 23rd. If you are interested in any of the aquatic programs, you can call Kathy DeAngelis at 289-2700 Ext. 3934.

We're also sending out applications for our spring and summer softball season already. That's for the men's, women's and co-ed softball programs. If you are interested on getting on a team, give us a call and we can mail you out the applications.

We still have openings in our ice skating lessons. You can call the arena at 289-8649. Finally I'd like to make one announcement on February 10th, it's a Friday night, at 7 PM at Shore Cultural Centre, we'll be hosting one of the American Idol Top 10 Finalist Scott Savol will be coming to Shore again Friday, February 10th. There will be a band, Night Lights, it is an Acappella duo-op group that will be opening for him. Then he will come and do a performance and then they will join together and do an encore. Friday, February 10th, 7 PM at Shore, American Idol Finalist Scott Saber. Tickets are \$18. They will be on sale in the Recreation Office beginning Tuesday, January 10th. Thank you.

Mayor Cervenik – Kathy, I too, would like to thank your staff for the good job they did while you were gone. We're looking forward to your return on Friday. Director Gulich has a few announcements that are near and dear to our heart, including leaf pick-up.

Director Gulich – First trash pick up real quick Mayor. In this the first week of the year, trash is on its regular schedule. I know we did have a few mix-ups last week when we were on our regular schedule. It looks like everybody has it down pretty good this week. I bring this up mainly to announce that the week of Martin Luther King Day, Monday, January 16th, we'll be business as usual for Waste Management. That week as well, we'll be on our regular schedule. We'll get word out to Channel 23, on the website, on our answering machines and to all the media.

Mayor said I was going to talk about leaves, tomorrow is Wednesday, we will have a leaf crew in Wednesday's area. We'll also have two crews up on the hills, finishing up there. When

our snows hit back in November there were quite a bit of leaves up there, they were frozen under that snow for quite a bit of time. It has been slow going getting them picked up. We hope with some cooperation from the weather and of course a lot of this is weather dependent, we'll be caught up in the next couple of days. We'll have a crew in Wednesday's section on Wednesday. Hopefully Thursday section on Thursday, where there are some pilings cropping up over there, we noticed in the last couple of days. Friday's section still pretty clean, we don't anticipate having to spend a whole lot of time in Friday's section. Right now we will continue to pick up leaves. We are enlisting help from other departments. We may have as many as 4-5 departments helping. This evening we're picking up leaves until 11 PM as long as weather permits. Thank you Mayor.

Mayor Cervenik – That concludes Administration Reports & Communications.

President Gudenas – In case anybody is watching this meeting, two weeks later, Wednesday is January 4th. That's the day you will be on Wednesday's schedule. January 11th, you'll be done with Wednesday's schedule? Or you might be back again?

Director Gulich – We plan on being back President Gudenas. Obviously the neighborhoods where leaves were left behind, it looks ugly. We want to get the streets cleaned up and we hope that as we finish up with the leaves we can get the street sweepers out, weather depending, getting the neighborhoods looking the way they should be looking. Right now we will continue to pick up leaves and at some point in time we'll make the announcement that we'll ask people to, if they have any additional leaves to bag them, we'll be unable to put the leaf box machines out. We still have a couple of machines we want to switch over to spreader capability so that we are fully set for that.

President Gudenas – Wednesday would be the garbage day? Wednesday garbage day is Wednesday leaf day?

Director Gulich – Correct.

President Gudenas – Wednesday the 4th, Thursday the 5th, Friday the 6th, weather permitting will be leaf pick up on your normal garbage day. Very good.

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Executive & Finance Committee Minutes from December 14th and the Board of Control Minutes from December 12, 2005. Councilman Gruber seconded. Yeas: Unanimous.

President Gudenas – Just to clarify the Resolution that we passed two weeks ago, it is regarding the budget. Just to basically confirm that we are spending at 05 levels until the 06 budget is approved, which hopefully will be shortly, but we never know how long it will take and we approved a certain amount of spending, but we never really confirmed that it would be at current levels. We're asking that this be placed on the agenda tonight, waive the 24 hour rule.

Councilman Langman moved to waive the 24 hour notice and place on the agenda Res. (035-06). Councilman Lisy seconded. Roll Call: Yeas: Unanimous.

COMMITTEE OF THE WHOLE

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

Councilman Lisy moved to rise and report. Councilwoman Holzheimer Gail seconded. Yeas: Unanimous.

LEGISLATION

Res. 1-2006 (033-06) Liquor Permit

A resolution granting a variance to Shrinidhi, LLC to use the premises located at 20710 Lakeland Boulevard, Permanent Parcel No. 641-31-032, for the sale of intoxicating liquor, wine or beer. (Sponsored by Planning & Zoning Commission)

Councilwoman Walsh moved for passage, Councilwoman Mancuso seconded.

President Gudenas – Who would like to address this? Where is this located? Why are they doing it?

Director Pietravoia – I will start and then turn it over to Andy Torowski. I just wanted to remind Council this has been before you once before. They came back with new information to Planning & Zoning and Mr. Torowski will explain further why this is before you again this evening.

Commissioner Torowski – This piece of legislation was first presented to Planning & Zoning Commission and City Council this past November. At that time it was denied primarily due to the lack of contact and information presented by the applicant Mr. Chirag Shah of Shrinidhi LLC. Not long after Council denied the variance for the liquor permit, Mr. Shah contacted me inquiring as to why the variance for the liquor permit was denied. I explained that we tried to contact him using the phone numbers that were on the Division of Liquor Control permit application with no success. He explained that he was in the process of moving to Mayfield from New Jersey and the phone numbers provided were invalid. He indicated that he was also in training with corporate Sunoco to purchase the Sunoco station on Lakeland Blvd. and that he could not be reached at the time. I explained that with the information provided by the Ohio Division of Liquor Control and the lack of contact with him, the Commissioners and City Council had no choice but to deny the variance request. Mr. Shah understood and asked what process he could take to get the liquor license and at that time Planning & Zoning process was explained. Mr. Shah also explained that at the time of previous application, corporate Sunoco wanted to keep the sale of the Sunoco property to him confidential. This confidentiality was to remain until the sale of the property, which was to occur on the 15th of December. As to why Sunoco just does not transfer the liquor permit to Mr. Shah, it was explained to me by corporate Sunoco that it is standard company practice to return all licenses at the sale of any of their properties. That is why there was a second application to the Ohio Division of Liquor Control. This past December, the Planning & Zoning Commission heard and approved Mr. Shah's rehearing request and approved the variance with confirmation by resolution of council.

President Gudenas – This is for the Sunoco gas station, south-side of the freeway, which already had this permit and is basically more in the line of a transfer.

Commissioner Torowski – That's correct Mr. Chairman.

President Gudenas – Have we had any problems at that location before?

Commissioner Torowski – Not that we are aware of.

President Gudenas – Chief Maine nothing to report? Okay. Any questions for City Council about this?

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

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

Passed.

Ord. 2-2006 (021-05) Snow Removal Sidewalks

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 and Mancuso) **Tabled 12-19-05**

Councilman Delaney moved for passage, Councilwoman Mancuso seconded.

President Gudenas – This was on the agenda before, asked to be tabled so that the Mayor's Office could contact some of the affected businesses and is there something to report back now.

Mayor Cervenik – We talked to a number of the business owners and operators throughout the City of Euclid and many of them were not even aware of the fact that most of the authority that is in this legislation has been around for quite some time. The city has had the ability and authority to cite and plow if necessary and charge these various business owners. It was suggested to me by some of the major property owners that we enlist the help of the Chamber of Commerce, notify all businesses of the existing legislation, explain to them that we have the ability to hire or contract out with a private firm, someone that can provide this service to them and between now and next wintertime come up with a program where either they do it themselves or use ours. Or, if the case maybe we end up citing them.

Director Gulich contacted through his participation in the Northeast Ohio Service Director's Association, very few cities do actually plow everything on their own. Virtually no city actively cites their businesses to plow their sidewalks for various reasons. A couple of them said if you don't do it now, don't start now. But what we would like to do, what you have here tonight is legislation that can be passed, it gives us the authority. Then we would like to work with the businesses over the next, right now before this winter is over, notify everyone of what their responsibilities are and then sit down sometime before next year and put together a program. Then if they want to use it they can.

To go out and plow everyone as was suggested by some, has a lot of difficulties because many of the store owners and property owners do their own sidewalks. Then you can't charge them again for something they've already done. We've committed to working with the business community and coming to some resolution, not so much this year, but definitely next year.

The only question I really have is we use the word on describing the snow that is on the ground, objectionable. I would like a definition of what Council would consider objectionable snow?

President Gudenas – Non-fluffy.

Mayor Cervenik – We've got 8 inches for grass, residential grass. If you have two inches of snow and it is 35 degrees, or 30 degrees and two days later it is going to be 40, we need a little guideline from you as to what you'd really like to see. Or, you can pass it as this, and when we discuss this with the various business owners, maybe we could come back to you and ask you to amend it at that time to a certain amount? We just don't want to be in a position with this ordinance to have to be forced to go out and cite every single business owner.

President Gudenas – Right.

Mayor Cervenik – You don't want to do it either?

President Gudenas – Yes.

Mayor Cervenik – Okay.

President Gudenas – Perhaps again pass this and go back to the people who actually do the plowing of sidewalks and ask them when is it that they normally go out and plow, after how many inches of snow has accumulated.

Mayor Cervenik – The larger property owners said their first priority is to do their parking lots because 95% of their customers drive their car into their parking lot and they want that cleared first. Then they come back and do the sidewalks once all of that is done. You can pass this as it is tonight, the only thing I would ask is that by next winter I would like a definition after listening to the input of the businesses as to what we consider objectionable. Sometimes three inches of snow is a lot better somebody shoveling and not getting all the ice up and that could be even more detrimental. The five business owners that I talked to plus the Chamber are very interested in trying to do this in a positive way. You are more than welcome to pass this tonight and we'll report back to you.

President Gudenas – We were all going to give you credit for getting rid of all the snow on the sidewalks.

Mayor Cervenik- I did a good job, didn't I? I can't promise it won't come back, but we're going to do everything we can.

President Gudenas – It is a good start. We don't expect everything to be solved in one year and this is a growing process here so everything you are saying is right on line.

Councilwoman Walsh – I think everything that was said by the Mayor is in line. But I think as a city that we have to set the example. Recently I was by a city-owned property and it should have been cleaned and it was not. It is located by a school, so therefore you had the children going by it. As landlords, we need to set the example for other people starting now, not next year and we need to clean those sidewalks as the landlord.

Mayor Cervenik – May I ask, which property was that?

Councilwoman Walsh- Fire Station #4.

President Gudenas – That would be by Thomas Jefferson.

Mayor Cervenik - That property will be solved by itself very shortly because of the actions we are taking there. I do agree with you, we do have to be responsible landlords as well.

President Gudenas – We obviously notice on 250 that was brought up by the golf course, there's a long stretch and other areas. I know we're not in the business of doing that, so perhaps we might want to contact one of these firms, to ask them if they would charge for our property in the meantime.

Mayor Cervenik – The Service Director has contacted a number of firms for the business areas. Part of the process with the businesses themselves will be to contact different firms and see what can be done. It could turn out, especially with the committee of downtown Euclid businesses that we've started up, it could turn out that it maybe more beneficial for all of them to allow one contractor to do everything. They all just asked for the opportunity to let them help make the decision. They don't want to be dictated to, they want to be involved in the process of finding a way to better serve their customers. The bottom line is, it is their customers. That is what all of them said, if I feel I'm not maintaining my property to a point where I'm losing business, then damn, I'm going to get out there and shovel the snow myself. This will be a good awakening process for all the businesses in Euclid and we'll get it done.

Councilman Delaney – To clarify the word objectionable, Law Director this is the existing code in 903.09, which objectionable? The Service Director finds that sidewalks shall be cleaned so as to be free from any objectionable substance. Then down one sentence it says, such as sidewalk, gutter, not cleaned within five days after service, publication, except if the objectionable substance is snow. So which objectionable?

Director Frey – Is your question what's objectionable?

President Gudenas – No, you're saying the second objectionable is the one that we need to define regarding snow as opposed to any substance.

Councilman Delaney – Is that also the existing part of the code?

Director Frey – Yes it is. The only change in that code, you'll note that lined through is the term one-day and replaced with 12 hours. Then after the abatement of snow storm, is inserted in there so that we define how quickly we expected the property owners to remove the snow from the sidewalk. The balance of that section is as it exists right now in the code.

Councilman Delaney – So Mayor your not asking to change objectionable or you are?

Mayor Cervenik – What I'm going to ask is after we have a number of meetings with the businesses in Euclid, we do need to define what objectionable snow is. I don't think we need to plow sidewalks if there's only 1-2 inches of snow. But if we have 12" of snow with a snow storm like we had last, was it December 23rd, you know that's objectionable. But 1-2 inches of snow is not necessarily objectionable and not necessarily difficult to walk through. As I said the businesses that we talked with, just want to have a say and participation in this and be part of the solution because it is good for their business.

Councilwoman Holzheimer Gail – I don't know if its in the existing ordinance and just not on our sheet here, if businesses do get fined and they don't pay it, do we have a special fund that comes out of? Or, does that come out of the same nuisance abatement fund that grass cutting would come out of? Do we need to specify that in this ordinance?

Director Frey – It comes out of the nuisance abatement fund and it would be assessed to the property as a lien on the property.

Councilman Conway – One point of clarification that I'd like to request, especially in the short term. I understand that this will be a long term process and will require cooperation from the business owners, but if something does happen within the next 2-4 months and we have a large snowfall and we do get calls and concerns from residents that on a by case situation that we would be actually able to follow through on this ordinance and go and take the necessary action if there is a business in the short term that is neglecting their responsibility to remove the snow. I appreciate that this is something that may have more of an impact next winter. I think there maybe some short term scenarios over the next couple of months that hopefully we can address and if we need to go out and remove the snow on the sidewalks, we have the flexibility to do so.

Mayor Cervenik – We most certainly will do that. Our first point of business is to notify all of the businesses and property owners that have sidewalks at least in the commercial districts of their responsibility of our existing ordinances that they must remove that snow. If we feel from here on end because we know its important to you, if we feel from here on end that it is our responsibility and duty to cite those property owners, we shall do that.

Councilman Lisy – Looking at the legislation, this looks like something that was originally passed in September, 1959. What we're really doing is updating some of this legislation so that its clear and I agree we need to look at a better definition of objectionable because we could probably go back to the notes and maybe in 1959 they defined objectionable but it is a little old now. It is a good idea to update that.

Second, it is just to encourage the cooperation because we do have the school system that seems to, since they have pedestrian traffic in front of their buildings, work on their property and there seems to be a city-owned property near a school system in most of these areas that we maybe able to take advantage of that. That's my other comment.

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

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

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

Passed.

President Gudenas – So all we'll need to do is get back to everybody on what's objectionable for snow.

Ord. 3-2006 (031-06) Legal Counsel

An emergency ordinance authorizing the payment of Eighteen Thousand Six Hundred Forty Eight and 90/100 Dollars (\$18,648.90) to the law firm of Millisor and Noble, in connection with the defense of the City, the Fire Chief, and former and unnamed members of the Fire Department in a wrongful termination lawsuit brought by former Fire Chief Michael Dworning. (Sponsored by Mayor Cervenik)

Councilman Gruber moved for passage, Councilwoman Mancuso seconded.

Director Frey – There is really nothing to report Mr. Chairman, other than this is the current invoice and because the amount exceeds \$15,000 we need to bring it to Council for authorization to pay.

Councilman Conway – I would assume at this point if you could confirm Director Frey that we'll see a similar invoice for December services rendered?

Director Frey – There is a substantial amount of work being done now in preparation for trial in this case, yes.

Councilman Conway – One suggestion especially since there are obviously some new members on Council, is there any plans at this point to have an executive session meeting to bring this up to speed on the proceedings?

President Gudenas – We actually talked about that today and we're hoping to schedule something soon.

Mayor Cervenik – I talked with the Law Director after the Council President and I had a discussion and we will talk with our outside counsel tomorrow and our plan would be for either Monday maybe at 6:00 before the budget hearings, Monday or Wednesday to have an Executive Session. We want to make sure which day would work best for him. Just to fill you in on what's going on here. A number of you have questioned the amount of outside counsel that's in the self-insurance fund, the bulk of that is for this law suit. We feel we need to give you an explanation as to what's going on and why it is so expensive. We will get with the Council or we'll talk with the Clerk tomorrow and have her notify you. Is Monday or Wednesday better for others than not?

President Gudenas – For next week, Monday or Wednesday? Wednesday would be better.

Mayor Cervenik – Wednesday okay. Unless we notify you, let's have a, I believe the policy is to have an Executive Committee Meeting and at that point go into Executive Session and that has to be on the agenda. I know our Council Clerk is well aware of that and well versed on that. But I think that will be the best strategy to go. It is a considerable amount of money that we're talking about. Unfortunately the legal system allows these things to happen on certain occasions. But you all do deserve an explanation of what is going on so let's plan on that for Wednesday, 6:00.

President Gudenas – You will confirm to make sure it is okay with legal counsel.

Councilwoman Holzheimer Gail moved for passage, 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. 4-2006 (032-06) Commissary Jail

An ordinance authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid, or his designee, to enter into a contract with Keefe Commissary Network, 21848 Commerce Parkway, Suite 100, Strongsville, Ohio 44149, for the purchase of commissary items for the Euclid City Jail. (Sponsored by Councilwoman Mancuso by request of Police Chief)

Councilwoman Mancuso moved for passage, Councilman Delaney seconded.

Chief Maine – Back when the jail was first established in 1989 since that time prisoners, personal items and hygiene items and that sort of thing, they could purchase through the commissary. That whole process has been handled by volunteers as well as the jail's staff. This legislation would allow us to enter into a contract with Keefe Commissary which would essentially provide all those services, which would not only save us space from having to stock those items, as well as the manpower to put all the bags and items together to hand-out to the prisoners as well as save us from having to do all the invoicing. This would all be taken care of by the company. The company as part of their charge is then remit 12% back to the city to the special commissary fund which that fund is only then used to provide certain services for the inmates. This is essentially space, time, money saving proposition for the city.

President Gudenas – Is the 12% mandated by some law or can we get 20%?

Chief Maine – I don't believe it is mandated by law. I don't know if 20% is an option. My understanding, this is the only firm that does this locally. It is the only one in Cuyahoga County. There are certain provisions they provide that makes it extremely attractive to the jail to have to take them on as their customer.

President Gudenas – I was saying, couldn't they increase the price as apparently they have a Monopoly?

Chief Maine – One thing you have to remember, Mr. Chairman, is the people who are residents over there, most of them don't have the greatest financial resources anyway. You maybe trying to get blood from a turnip as they say.

Councilman Lisy – What type of revenues do you anticipate getting from this? How much money have we spent in the past on providing this service?

Chief Maine – That's generally handled by the Warden and the staff. I'm not really familiar with what the specifics are in terms of revenue that's produced. This money is earmarked, I believe by law only to be used for inmate, like their cable television, books, periodicals, that sort of thing. Believe me there are a lot of things that are mandated by law that the general public would wonder why they are afforded that sort of privilege, but it is.

President Gudenas – Anybody else? So, crime does not pay.

Mayor Cervenik – As much as we'd like to feed them bread and water, we're not allowed to do that everyday either. We do have to allow some of the qualities of life even for those.

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

Councilman Gruber 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. 5-2006 (034-06) Railroad Crossings

A resolution urging the creation of a railroad quiet zone for the at-grade crossings in Euclid, Collinwood, and Wickliffe. (Sponsored by Mayor Cervenik and entire Council)

Councilwoman Walsh moved for passage, Councilman Gruber seconded.

President Gudenas – This came to my attention from Congressman Kucinich's office, who has been working on this apparently since 1997 or 1998. The Federal Government with the State Government, the Federal Government finally set rules in June, 2005, which permits cities to create quiet zones so that when the big locomotive goes by as 2:00-4:00 AM, it doesn't have to blow its whistle. The key thing is the city has to put in certain safety measures at the crossings to guaranty that. We are asking for a resolution for our city government to look into it. Congressman Kucinich's office gave me the website for that which has it all spelled out in great detail in what needs to be done to figure out what the investment is. We bring in Cleveland and Wickliffe because there's a crossing at Dille Rd. and one at Lloyd Rd., so it doesn't do us much good to have no whistle at Chardon Rd. but whistles all over the other place. If we could all cooperate together, at least two of the cities, we'd be doing all of our residents a big favor.

Mayor Cervenik – If Council approve this tonight, I will immediately contact the Mayor of Wickliffe and Councilman Mike Polensek and see if we can't get cooperation with them. The investment were talking about is we must make the crossings that are in our city unable for people to go around the gate that comes down. The cheapest way I believe is to put the reflectors or some kind of barrier up to the left of that right hand lane so no one can go through. The most expensive is the double gated crossing. That runs up to \$140,000. If Council passes this tonight, we will see if these other communities are interested and I think they very well maybe.

President Gudenas – So we're not actually doing the work yet, we're going to investigate what the our investment would be and what the other cities investment would be and then report back to everybody. I think we did a study before, there's about 30 some trains maybe even more that go through that area everyday, a lot of whistles.

Councilwoman Mancuso – Do we know if the Senator has access to any grants for all these cities to do this kind of work?

Director Frey – When I was looking at this we had had some resident concerns express some months ago when I first took a look at it the legislation that was enacted by the State of Ohio that permits this. There is money earmarked for railroad crossing upgrades, however the article that I was referencing in this indicates that very little if any of that money will be used to provide safety upgrades. They are earmarking that money to do things like underpasses and overpasses as opposed to signaling improvements. So the report was that was largely left to the individual communities to fund that.

Councilman Gruber – Some time back there was some talk about putting an underpass at Dille Rd., is anything going on with that any more? Is that still in the works? Has that fallen by the wayside? Does anybody know?

Director Gulich – I'd have to reference Dille Rd. at some point in time. Back in the 1990's I attended meetings at the City of Cleveland where they were actually looking into the hiring of an engineer to try to figure out exactly how much that would cost. That was specifically for Dille Rd. There were a number of engineering concerns there and I haven't received any transmissions from them at all within the last couple of years stating that project is going anywhere. We may have been in contact with NOACA at some point in time asking if there were funds available for Chardon Rd., but right now nothing in the works.

President Gudenas – The key will be if roads are wide enough so we could put the little barrier in the middle and then that's the cheapest way to go and we'll find that out shortly. Any other questions?

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

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

Res. 6-2006 (035-06) Spending Levels

A resolution to maintain temporary spending at 2005 levels pending an approved 2006 budget. (Sponsored by Council President Gudenas)

Councilman Langman moved for passage, Councilman Lisy seconded.

President Gudenas – I consider this a house-cleaning thing because we've already approved the spending and we just want to clarify that spending will be at the current levels until the budget process takes place. Of course, excepting the three police officers that the Council has already approved and any raises that may take place in the next 2-3 weeks or so with Council approval on contracts.

Mayor Cervenik – While I don't really feel this legislation is necessary, I have no problem with its passage. I'm glad you brought up the three police officers. Due to the timing of the Police Academy and the training these new recruits must receive, we will have to offer them their jobs I believe around the 15th of January so they can be on the streets by summertime. I appreciate that. Any of the raises in the budget for non-union employees will not take effect normally until July 1st and any contracts you pass are going to retro-active until January 1st anyhow. This clarifies our position, that's fine, as long as it doesn't hold up the hiring of the three police officers.

President Gudenas – Absolutely not. Any other questions?

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

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

Passed.

Mayor Cervenik – I would like to add this is under the hope that the budget will be passed the second meeting in February. If its not, we may need to have some clarification on its affect for hiring fire fighters because the grant period begins I believe March 6th and we would have to make decisions that would very much affect us at that time. I'm confident we can have it passed by then.

President Gudenas – We're hoping to pass our budget first meeting in February, February 6th.

Mayor Cervenik –Fine by me.

President Gudenas – We'll announce all those budget meetings during the Councilmen's Comments. Or we'll just do that now. We have a meeting, Monday, next Monday, January 09, 2006 at 7:00. Although the first thing we're going to do at that meeting will be the city council's goal for the year. So, 7-7:30 we're going to talk about our own goals, so that we can put that on the agenda for the next Council Meeting, 30 minutes. After that we're going to have a presentation from the Finance Dept., Director Johnson. We're going to cover the Courts and the main part for Monday will be covering the revenue side of the budget. Without knowing, being comfortable on how much money is coming in and how much we're going to try to save of that money, then we can't really do the spending part. We're going to focus on that. If there's time left over and we want to not go past 9:30, then we will go into the Law Dept. or Mayor's Dept. and their budget, and that would be the extent of it.

Next meeting is Wednesday, the 11th also at 7:00 although we may have our Executive Session at 6:00. At that point the Administration will give us a list of those budgets. Then after that, we talked about the next meeting would have been the 23rd because of the Martin Luther King Holiday, week after, so we are meeting on the 17th and then Planning & Zoning meet here Wednesday, so that takes care of that week. It would be the week after the 23rd, and the next day, if we need it, the Wednesday after that, which would give us hopefully enough time to be on the Agenda for February.

Mayor Cervenik – A good thing about not being until the 23rd is we would appreciate, as you've got your packets, any questions that you need answered for the departments that weren't covered either Monday or Wednesday of next week, to give them to us at that time and that will give us the opportunity to give you good concrete answers before we meet on the 23rd. This is a very constructive schedule.

President Gudenas – Also, even if you have anything prior to next Monday regarding the revenue-side and anything else about the presentation, the format, the general budget packet, this would be good to present them ahead of time so that we can have those answered also on Monday.

Mayor Cervenik – Any questions or suggestions, comments, or anything you need to know for Monday and Wednesday, if you wait until Monday or Wednesday you may not get the answer until the 23rd. If you let us know now, it is just much easier for us to sit down and prepare that information for you ahead of time because we're here to help you anyway we can.

President Gudenas – Who will be the starting quarterback for the Browns?

Mayor Cervenik – Charlie Frye.

President Gudenas – Anything else? We'll go to the Committee of the Whole.

COMMITTEE OF THE WHOLE

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

Mrs. June Daugherty – 81 Noble Beach Dr. in Euclid. I was going to try to e-mail you folks to the council to be sure to watch the Planning & Zoning when it came around on Channel 23. Well it's already finished its cycle, so anyway I wrote a letter, sent it to the newspaper and here it is. Let's hope that all hope that Planning & Zoning seriously look at this Value Place hotel proposed for Babbitt and Lakeland. I don't know whether that hotel is the answer or not. But I do really feel that the zoning ought to be changed.

This is a long-term hotel, weekly rentals only used by businessmen, repairmen and so on. This hotel has the approval of Chief Maine and Traffic Supt. Carlo, this all came out in the meeting that I just saw on TV accidentally. It is estimated that \$300,000 what we generated in tax money for Euclid every year and this was in the meeting. This is a national chain. They will spend \$5 million on this project. Right now they have 11 long term motels. Chief Maine assured us this is not to be confused with a low-end motel.

Several years ago the Marriot chain proposed a motel with a Bob Evans restaurant for the property across Babbitt that is now the car place. Neighbors objected and the Marriot built their Fairfield in Willoughby. A radio station planned to spend \$300,000 to fix up the Henn. Neighbors objected. That was when our group was formed and the project was abandoned. I've talked to the man several times and he said his business is good will. And it was delayed and delayed and delayed.

Anyway, immediate neighbors of course need every consideration. But what is more important is what is good for the community as a whole. Of course every care should be given to them. There's about 20 homes close by. Buffers can be built, high canopy trees, shrubs planted and so on. Probably less than 100 people live in those houses. I really feel we ought to think in terms of the whole.

The property, a gateway to the City, now houses one older house. They keep talking about the neighborhood. Well along Lakeland there's nothing other than the weeds. The original zoning for homes, right now it's zoned for two-family houses. We're trying to get away from two-family houses, it has not worked as two-family houses. The hotel residents should have a positive impact on the city because these people are going to be going to the movies or the sports events and so on. You should know that a Cracker Barrel has been turned down. A Steak-N-Shake has been turned down.

I don't know whether this is the answer or not. But I do think that it ought to be rezoned. I think we ought to take a good long look at it and their next meeting is Wednesday the 18th. They are all nice people but everyone has a certain background of experience that they bring to the job. I thank you, I guess that's about it. Thank you very much, Happy New Year.

Mr. Ron Emser – 26501 Farrington Ave. Primarily I just wanted to make people aware of what some of the other communities in town are doing especially when it comes down to community access television. For those of you who may have seen the December 27th Plain Dealer. There is a group of school-age kids from 8th grade here in Brunswick that is running a program every other Monday at a Tony Roma's. Tony Roma's is taking 10% off the top of their receipts and sending it back to the school system. It's really quite an interesting formula here. It is really a win/win pretty much across the board. Restaurants win they get customers. Students gain experience in broadcast. The production people doing the work are according to the article 13 & 16 year olds. The school system receives the funds and from the way I look at it, Brunswick as Euclid could gain some respect by doing something like this. You are viewed as innovative, it is just kind of a really cool idea. You are featuring high school and junior high school students, the athletes. You are not interviewing the Browns, they are not interviewing LeBron James, they are interviewing our own students in town.

I really think this is something we have to look at and my whole reason for being here right now is to try to interest enough people to come forward to maybe volunteer and help get this thing off the ground. For those interested, the Cable Commission is meeting once again. The next meeting is January 10th at 7 PM. I'm not sure that's the place you want to come to necessarily talk about this, but if you have interest at all in community access television, that's the place to come to let people know that you do have an interest. It is a matter of putting the, is it the chicken or the egg that came first. We won't have great community access television until people know that they have an option to go ahead and exercise that. It is a right that they have in our city.

So if you have any interest in putting together your own programming, helping in this type of program, I would suggest that you go ahead and show up at one of these meetings and ask some questions. If somebody would like to get this sports thing going on, I'll give a phone number, you can call me, 216-731-5213. I'll be glad to assemble whoever we can to get this thing going. Thank you very much.

President Gudenas – I know it's been suggested we have Council meetings at Panini's but we're not doing that yet.

Mr. Jeffrey Beck – 25540 Chatworth. I wasn't planning on getting up here and talking tonight, but I was a little perturbed by the Service Director's comments about leaf pick up. I live up on Beverly Hills area and that area is a mess. The leaves haven't been picked up there obviously because of the snow, but a lot of the residents already raked the leaves into the streets. By putting trucks into a Wednesday pick-up zone, when the Mondays aren't done yet, I think just gives the impression that you are caught up when in fact you're not. I would really like to see you take a look at that again and put all available trucks up in the Beverly Hills area, Chardon Hill area. I know you said you are going to have a couple up there. Get that area cleaned up and then go out to the next area. It is like putting a band-aid on a gapping wound. I think you'd be much better off just getting everybody together, get one area cleaned up and then go on to the next area, rather than spreading it out like that. Thank you.

Director Gulich – I do appreciate Mr. Beck's comments. There were lots of leaves up in the entire hill section and again we have been working up there until 11:00 at night. We were working up there over the New Year's weekend and fortunately we haven't gotten any complaints on that. But we will be dedicated to getting his section done up there. In the meantime we don't want to feel that we are neglecting any portion of the city.

President Gudenas – We have our assurance that the Beverly Hills area will get done?

Director Gulich – Absolutely.

Mayor Cervenik – Unless it snows tomorrow.

President Gudenas – Well it won't snow for a couple of days at least.

Director Gulich – That is where the majority of leaves were sitting when the snow started to fall and that's where we have been concentrating on and we will continue to. Certainly I don't want to leave any other part of the city ignored as well.

President Gudenas – That's the Monday schedule, Beverly Hills?

Director Gulich – Correct.

President Gudenas – We need to work on Monday's.

Director Gulich – We'll be up there. Thank you.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. Director Gulich, Saturday before Thanksgiving, I was going over to the Hunger Center, your crew was out working. The ice and snow was still there, those guys were working hard. I don't care how many 8 hour days you put in or overtime, that's a lot of work and it's hard work. They were doing their best. With everything that came down, other communities are facing the same problem we are.

Why don't we start a composting? A couple of years ago when we had some branches down, a couple of your crew guys that I knew were to take a branch off my lawn and I was fighting them for it. I put it in my compost pile. Try to get people to compost. Get back to nature. Don't throw the leaves away. Maybe we can bag them up and somebody can come and pick them up as a composting type of thing so businesses can start. Let's look at innovative ideas. My wife told me last time I forgot to say Merry Christmas and Happy New Year from her to everybody. So Merry Christmas, belated, and Happy New Year. Good work guys, thank you.

President Gudenas – Director Gulich, I believe in the past we used to give our leaves for composting. Do we still do that?

Director Gulich – Up until a few years back, historically we used to take them all the way out to Holden Arboretum. We used to take that out physically with our own manpower and our own truck power. We are no longer staffed enough to do that. But we were doing that up until a couple of years ago. We're simply stock piling them at our yard there on Lakeland Blvd., paying Waste Management about \$25,000 a year to haul them to a place outside of the city that was composting. Now there's two locations just outside the city, we are taking them there ourselves and saving that \$25,000. Our leaves are getting composted and I have talked to the people that

have composted, they have offered to sell those back to the city at their cost, not willing to give them back to us composted, but I'm still continuing to work on that on some type of basis.

President Gudenas – Very good. If they just would pick them up on the street, that would be perfect. Any other resident?

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

COUNCILMEN'S COMMENTS

Councilman Gruber – Director Gulich I have seen your crews out there until 10:00-11:00 o'clock and I appreciate the work they are doing, especially with those wet leaves. I know it is very difficult and some of them are still frozen. Thank you to you and your folks for doing such a nice job.

I would also like to thank Unique Landscaping for the work they did to the new mini-station on Euclid Ave. He planted 10 trees, landscaped the front, really did a nice job for this time of year and I believe he donated all the services and material, so that was very nice of him and we appreciate a Euclid business being involved like that.

I would also like to thank Mr. Walter Apanasewicz for the information about the tree that fell down on Grand Blvd. at 5:30 on Sunday morning. It brought some wires down with it. The Fire Dept. did respond and there was a crew that came out to remove the tree and I believe First Energy has been notified about the wires. Thank you Walter for the call.

Thank everyone for the wonderful holiday invitations we had and Happy New Year to everyone and that's all I have. Thank you.

Councilwoman Holzheimer Gail – Just a reminder, our next Council meeting will be on Tuesday, January 17th because of Martin Luther King Day and there will be a Martin Luther King celebration program at Noon on Monday the 16th at East Shore Methodist Church, put on by Reverend Henderson. All the public is welcome to join for that.
Happy New Year.

Councilman Langman – First I'd like to wish everyone a Happy New Year, hope it was safe and enjoyable. We have very important budget meetings coming up, obviously, like they are every year. I had a chance to go through the book and Director Johnson, thank you for answering that first question regarding our annual report that was in our budget book. There's a couple of other items, I will e-mail you about, the methodology in determining how we come up with our increases/decreases in spending from year-to-year and especially the Tax Dept. It looks like what was projected from what we passed in September has changed a little bit on the salary-side and some of the legal filing-side. Just to give you a heads up, I'll follow with some e-mails. But it should be very interesting as we set the budget for the coming year. With that, I'll wish everyone a good evening.

Councilman Lisy – Mayor we received an e-mail today regarding an upcoming broadcast on Channel 21 and I thought let's head-off some of the complaints that maybe coming in by addressing it now. If you have any comments that you could share about this meeting that you had with Mr. Israel.

Mayor Cervenik – There will be the playing of Mr. Israel's, Rev. Israel's tapes over the next few weeks. To some it maybe objectionable. As you heard the previous resident speak about the qualities and the ability and the wonderfulness of public access TV, you've got to take the good with the bad. What's objectionable to some, may not be objectionable to others. Because it is public access, we have very little criteria which we can turn those away.

As we said during the summertime when this came on, if you don't like what you see on Channel 21, turn it off and wait a half-hour, look at the schedule. We really do not have unless it is obscene, inciting violence and a few other things that are in the FCC code, we have to allow it to play. These tapes I believe and the message in these tapes are somewhat less objectionable than what was broadcast before we met Mr. Israel. To some, this is still going to be offensive. All I can tell you again is turn it off.

Councilman Lisy – This is his right to broadcast because it is on public access television. I think the last part of the e-mail said that just because it is on there, it is not an endorsement from the city. That's what I wanted to get across. Public access just means that, public access and he's

allowed to put this type of information on. So, I think it is his right and that's the good/bad that comes with freedom of speech. That was my only comment.

Mayor Cervenik – We will have a much stronger disclaimer than before. Much more obvious to the people who are watching television. In a couple of movies they talked about free speech and they said if you really understand free speech, you won't forbid somebody for burning a flag, you're allowed to burn a flag because that's what it is all about whether you like it or not. Free speech is free speech and at least with Channel 21, you can just go to 22, 23 or watch a sitcom during that time. As you said councilman, there's no endorsement, there's no support by the city and our disclaimer will make that very clear.

Councilman Lisy – Thank you and Happy New Year to all.

Councilwoman Mancuso – I would just like to follow up on a comment that one of our residents made about showing our different meetings on our TV. If we could, I know for Council meetings they are shown for a week and then off. If we could maybe prolong those. This isn't the first time I've heard either Planning & Zoning or a Committee Meeting is shown for a week and then they're just off the air. If they could be shown for the full two week cycle until the next cycle starts. I don't know if there is anything that prohibits that, but I think that might help the residents. This is not the first time it has come up, it just hasn't risen to the top.

President Gudenas – Who actually makes those decisions anyway?

Mayor Cervenik – It is a scheduling decision and I will sit with Lisa Mayernik as well as Fred, tomorrow about we do that. Some of the problem is for scheduling Council Meetings normally, although it doesn't look like it is going to be tonight, normally they are much longer. If we go that whole two weeks and it really crimps the schedule, some of the other meetings that need to go on. We'll take that into consideration and talk about how to get it done. Normally the meetings are shown, 10:00 on day, 11:00, they switch by the hour and rotate for the week. I'll see if we can't get the Council meetings on longer, especially when they are done in a reasonable hour like this Council President, this is good.

President Gudenas – Look forward to the Best Of series.

Councilwoman Walsh – Those of you who have complained at home that they can't hear my yeses or no's, I'm trying my best. I do have a couple complaints. One is there are a lots of leaves on 260th and I would like to mention that street so it can be cleaned in Ward 3, which Ward 3 is now known as the Jewel of Euclid.

There's also some signs on telephone poles and I thought that was illegal. One for vinyl windows on S. Lakeland & Babbitt and one for insurance on Mavec and Babbitt. I think those should be removed.

I need some clarification, I thought when you passed the legislation for the RV place on Lakeland Blvd., I thought those RV's should be in the back of the parking lot. Am I incorrect, is my memory short? Because right now they are practically on Lakeland Blvd. and I feel that they are an eyesore.

Director Pietravoia – I don't recall exactly where we said they could locate on the premise so I will check what was approved and get back with you. I believe we were allowing them to display both in the front and to store the majority of the vehicles in the back. But to have some display in the front. But they maybe doing more than what we allowed. I will double check it and I'll report back to you.

Councilwoman Walsh – Their idea of some is not my idea of some. I think that whole strip needs attention because that's a gateway of Euclid in a way too. I don't like how they look. The other thing, I want to promote the January 27th Jazz Night at the Library with the Euclid Jazz Band. As the Chairman of the Youth Committee and I certainly don't know why you picked the oldest Council member to be the Youth person, but here I am and I'm all for these kids and wait until he hears my long-range goal them. I hope the city approves of my long-range goal for them. But there's a little book called Life's Little Book of Instructions. One of the instructions in it is to go to something like this when you don't even know somebody. I want to see the whole City of Euclid at this Jazz Event so that Library is really crowded. Happy New Year. God

Bless each and everyone of you. I've been everywhere in the past two weeks. You never know where I'm going to pop up tomorrow. Thank you.

President Gudenas – Thank you for being everywhere.

Mayor Cervenik – Number one, Councilwoman Walsh, I wasn't aware you were the oldest person on Council, no offense to anyone else. Number two, the signs that you are talking about on the telephone poles we do instruct our inspectors when they see them, just take them off, it is considered litter, as far as we're concerned and there's no place for that. I've actually taken a few off myself in my drives around the city. We'll work on it.

President Gudenas – Speaking of that, are we allowed to bill the person who left the sign for our pick-up? Call them up and say there is an administrative fee. That will get their attention.

Mayor Cervenik – I just throw it in the dumpster in the back.

President Gudenas – That's worth \$20. My turn. First I'll go over the old stuff just to give a recap. The Mayor and I had our first meeting in November and we made some good progress on a variety of things. We talked about the PMX development plan and Director Pietravoia and I are starting discussions with the owner on their specific plans and what they are hoping to do and not to do, etc., so we're moving along on that.

We talked about the Privacy Policy for the Income Tax Collection. That's been approved and that's in the works, hopefully we'll have something shortly on that. We talked about a yearly plan from the Economic Development Dept. and that's on its way. They did have a three year plan its being tailored down to a one year plan also to be very specific. A list of all vacant homes and homes in foreclosure, I believe we're pretty close to finishing on that also. That's good.

We talked also about the settlement agreement and plans for Hillandale for the benefit of the new Council members. Still waiting on that. Monthly General Fund budget forecasting, in the works, waiting on that, but hopefully we can even start with the income tax collection part first because that's a very important part to see how we progress throughout the year.

Very important we talked about the Golf Course Clubhouse, the actual expenses since it has been open and a budget for the winter-time because this is something new. We do have the budget hearings and we want to make sure we make good decisions on how much we invest in that property. I'm hoping this month we can have that. Also the monthly budget for the Income Tax Collection Dept. we have seen that it has changed since September and we'd just like to confirm including the software expense and the likes so we have an entire picture on that. So we have made good progress and moving along and hopefully by the end of the month we'll be done with November's issues and we'll move onto February's issues.

The other thing we talked about our TV channel. We do have the schedule on our website but we used to also e-mail the schedule out. I was talking to one of the officials there and we can hopefully continue or re-start e-mailing the schedule for our public access channel. If you are interested in getting an e-mail with what is on our lovely channel, please e-mail ECTV@ci.euclid.oh.us. Or call our City Council Office 289-8123. If you are one of the first 10 callers you will get your own spot on the show.

The other thing to mention is we did actually it will be on our next Council Meeting, we delayed the Briardale Greens Golf Course Commission until Director Will is back but that will hopefully be approved next time. But in the meantime the applications will be ready this week, Councilman Conway helped put them together. Also for our Citizens Evaluation Committee of City Services. Anybody interested should contact our Council Office, they'll be available as of Thursday of this week. We're asking that they be returned roughly in three weeks from today, no later than January 24th. These are unpaid positions, but very important positions. Anybody interested, 5 members, Euclid residents, not city employees, to serve on the Golf Course Commission. Three Euclid residents on the Citizens Evaluation Committee on City Services. Hopefully people will be interested. City Council, 289-8123. Or come to the lobby and the application will be there and they can be returned right back to the City Council Office.

The Budget Hearings we went over starting next week. I think that schedule is pretty firm although we don't have all the various departments, we'll know better after Monday's meeting, the schedule of that.

One thing I saw in the Sun Journal, the Service Department had 17 members listed, but the budget showed they had 23. Low and behold it is 17, but three are being hired as part of the 6, so it is actually going to be up to 20. We don't have the 23 that's listed and we are going to have to ponder that part.

Also, remind City Council members at our next Executive & Finance Committee Meeting Monday that we're going to talk about our goals for the year. Anything very small to very big, but things that we can start on or work on this year would be very important so we can also budget our time and efforts throughout the year and let all the residents know. If any resident wants to have input on what we should be working on which of course you do, contact us, or it is a work in progress we'll be working on these things all year.

Lastly I'd like to thank my niece Lina and nephew Erik for this lovely tie I got for Christmas and it is something I can use and I'm very happy with that, so Happy New Year.

Mayor Cervenik – If I may make a comment on a few of those items. The agreements for the PMX, we do have those. Does each member of Council need a copy of that Memorandum of Understanding?

President Gudenas – I'm not sure who has had them before. Do the old members remember? Just the new ones. The new members would need that.

Mayor Cervenik – Okay. On the Settlement Plan and Agreement for Hillandale, we have two official packages that are fairly large, how about if I leave one in the Council Office. I don't know if you want to make copies for all. If you want that we can do that.

President Gudenas – Let's just leave the one there for now.

Mayor Cervenik – The monthly general fund forecasting, that will be done once we approve the budget. Especially if your plans are to do it in the next three weeks, then we can start providing that to you when we have solid budget numbers.

Actual expenses for the golf course clubhouse for November, we're going to provide them to you this week for November and December and then the monthly budget for the Clubhouse rather than for December through March, it will be from January through March on a quarterly basis. Those will be to you this week.

Privacy Policy from the Income Tax Collection, the monthly budget will be I believe the legislation we agreed around the 19th of January. That will be there for your approval before we make it final. Whether that's done in a Committee Meeting or a Council Meeting will be completely up to you.

Mr. Pietravoia will be providing the yearly plan. The list of vacant homes, although we're pretty close to having it done, we just have a few to make sure they are varied. Once this is released it is public record and it could be very touchy or detrimental to certain property owners if in fact one home really is not vacant or in foreclosure. Sometimes it is very difficult to see. We are very close on that.

The other two items we talked about was a Building Official for CT Consultants, I believe Council approved that as well as CT Engineering. The other item was to hire a Building & Zoning Commissioner rather than contract out, which council has approved. But because the legislation tonight we will not hire that position until budget hearings are done.

President Gudenas – We did ask prior to hiring that we just make sure we're in agreement on the qualifications and job description, make sure it fits in with the overall goals.

Mayor Cervenik – We're well on our way. Some of the larger budget items, until we have our final budget it wouldn't make sense to do the spreadsheet, so we're there.

President Gudenas – Very good, as good as we could hope.

Councilman Conway – I would like to wish everyone a Happy New Year. I think it is going to be a very prosperous and productive New Year so I do once again wish everyone a Happy New Year. Director Will, welcome back. Your staff did you very proud in your absence but it is certainly nice to have you back.

Director Pietravoia, I think we have a quite a few eager residents who have happened to call me over last 7-10 days wanting a status on when the Dunkin Donuts may open.

Director Pietravoia – They are still looking at what they call a soft opening or a practice opening toward the end of January with official opening in the first part of February. We've had a little bit of a delay, they are using some materials that aren't approved by the Architectural Review Board. We called a Special Meeting this Thursday of the Architectural Review Board to determine if they will accept that change in materials and if not, then they'll have to progress with the original approvals.

Just for council's information, we are also working with the shopping center owner regarding the rest of the parking lot. We had an approved site plan, he has also come back and asked for some changes in that site plan. We're reviewing that request with both the administration and the Architectural Review Board. I've talked to several members of Council, including the Council President, the two ward council reps where the shopping center is located, and everyone feels strongly that we need to hold this center and all of downtown Euclid for that matter to a high design standard. We intend to do that and I'll report back as soon as those meetings are completed.

Councilman Conway – Director Will, one thing not that you're back and I know that you have a busy agenda. Somebody had brought to my attention on Channel 21, is there any type of either slides or promotions that could be run regarding the new clubhouse as to what the activities are going, what the current hours are. I haven't noticed anything running throughout the loops right now, but it might be a good idea to start promoting the hours of operation and the activities going on Channel 21.

Director Will – They did start putting things on Channel 21 with some specials that we had over the holidays. They are on there and we'll work to get more on there, appreciate that. We definitely want to advertise it and get people in there.

Councilman Conway – Just encouraging the residents to try to attend many of the meetings that we talked about that are scheduled for January, especially the Finance meetings. I think you'll find that there's a lot of things going on and your participation is necessary to make recommendations and understand the budget process because it impacts all of us and your participation would be encouraged. Good night.

Councilman Delaney – I too had a chance to look over the budget book with some detail and I have just a couple of questions before we begin the budget process and probably a few more that I will e-mail ahead of time. Conspicuous by their absence were the recycling that I would like to see put back in there. We did pass a Resolution, I think it was in early November with the previous Council on recycling. It was my hope to see it in there.

Mayor I know you were agreeable on a community festival and we held off the legislation until Director Will is back and look forward to getting it started right away on that. But we will need some seed money for the Festival and have that included in the budget to start off on Monday. I think we had a, I don't know if it was a high watermark, or low watermark of \$20,000, but it something to get it started, maybe looking back I think I saw it at \$15,000. Hopefully that would become a little more profitable.

It was interesting reading the e-mail about the questionable cable program and it is ironic that Ron Emser had come to the microphone to talk about more programming and better programming. That maybe a Resolution to all of it. I know we have the cable truck that can go off-site and get interested people involved as soon as possible to do an off-site program and submit more viewing to our cable station. I think that would be a great thing to see.

Director Pietravoia, now that you had brought up the Shore Center shopping center and higher standards for design and it was going to be more work to do, I know that when a lot of that process had started is it possible to, we have looked at ideas to open up the back of Shore Center with Lake Shore Blvd. and connecting it through. I think some of that might have involved a little bit of demolition to Shore Center to create more wider pedestrian walkways. Is that still in the mix for Shore Center?

Director Pietravoia – The Downtown Planning Study that is underway will start with those plans that were prepared by KA Architecture. We will revisit those ideas. The owner is represented on the Committee that is working on that plan. As it stands they have not committed to do any demolition to the Center, but we are going to use those plans as a starting point and re-visit those ideas.

Councilman Delaney – Because I think it is a very important focus is to try and reconnect up those main thoroughfares together. I know that with a lot of the new work involved, hopefully there's a little bit of negotiation left open to try to put money into that project to make it better for everyone that will want to come and shop in Euclid. With that, if there are answers to my questions from the administration, I look forward to the budget process and Happy New Year.

Mayor Cervenik – Director Will is here tonight, she really won't be back until Friday full-time. It is my expectations to meet with her Monday or Tuesday. If you could let me know if your schedule would permit to come in and sit with us as well. In the budget we do have \$15,000 earmarked to begin with. Director Will told me today that if it is a 4 day festival, you are going to need a lot more than that. At one time our discussions were that it was going to be a one day festival, since you and I talked later, I believe we're talking about a Thursday through Sunday. Those are the things that we need to work out. We can make further adjustments in the budget as needed. Maybe the way to go would be a revolving fund so that even though we are spending some to begin with, we will be putting income back in there. That's what you and I and the Committee need to sit down and talk about. We are committed to that Festival. I think our agreement was we would sit down and talk and then put together a citizens committee along with some members of Council to put together a good festival on that weekend. I'm all in favor of that.

As far as recycling goes, no I did not put a line item for recycling. Curb-side recycling, as you know we stopped that to save over \$100,000. We believe we will have some proposals that will save even more than that for the year 2005. As always if it is Council's wish to start up curb-side recycling again, that is your prerogative and the administration will honor those wishes. It is just our opinion right now especially when you look at what's happening in Lake County and other communities is that we've opted to spend that \$100,000 or more in hiring a couple of safety forces either policemen or firemen rather than the curb-side. We're also looking at an option for residents that want a curb-side, there are some private companies now that for "x" of dollars a month will come by and pick up your recyclables once a week. That's a contract between you and that contractor. We're looking up that information for you as well. That would be very similar to our senior snow plowing where it is not the city doing it, although we provide the price for you, your contract is with a private developer. I believe the cost for a program like that is somewhere around \$4 a month, much more than we would pay for all residents with Waste Management and yet it might be an alternative for those that really do want to recycle curb-side.

Those are the things with this budget hearing, as I talk with the Council President, we presented a budget that we feel is workable, we want your input, we want your changes, we want your comments, we want your cooperation to make this City run smoother. That is what we hope these budget hearings accomplish over the next 2-3 weeks.

President Gudenas – Will we have from the Service Director estimates on the recycling curb-side what that will cost based on current conditions?

Director Gulich – When we negotiated Waste Management's contract extension two years ago for a two year period, we did negotiate those costs. The second year of the extension would start on March 1, 2006. I'll be glad to pass the information along to Council who may not have it, what those dollar amounts are. We have dollar amounts for both recycling every week and recycling every other week.

Mayor Cervenik – It is over \$150,000 per year, twice a month. We feel that we will be able to greatly reduce cost of hauling the drop off recycling as considerably less than in 2005. We will present those figures to you and that's a decision we, together, as the legislative body and the administration need to make.

President Gudenas – We'll go over that privately too prior to that to get some better ideas on the various options so we can make a good proposal to do recycling here again.

ADJOURNMENT

Councilman Gruber moved to adjourn. Councilman Delaney seconded. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council

