

COUNCIL MINUTES

January 17, 2006

The regular Council Meeting was held on Tuesday, January 17, 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, Mr. Gliha, Sgt.-at-Arms Novosel, Clerk of Council Cahill.

Invocation was given by Pastor Andrew Rusnacko of Bible Baptist Church.

A moment of silence was held for Mr. William Mabel.

COMMUNICATIONS

Council has received a request for a new C1, C2 liquor permit to JENSR, Inc., 25851 Euclid Ave.

Director Pietravoia – This item will have to be referred to Planning & Zoning because it is in a U4 district and it is required to obtain a variance.

COUNCIL MINUTES

Councilwoman Holzheimer Gail moved to receive the Council Minutes of December 19, 2005 and January 3, 2006. Councilman Lisy seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik – Good evening to all. We have a number of reports tonight. First I would like to call on our Recreation Director Kathy Will. There are a number of presentations to be given tonight.

Director Will – We will be hosting American Idol Finalist Scott Savol at Shore Cultural Centre. The show will be on Friday, February 10th at 7 PM. They will open with the Acappella band Night Flights. At approximately 8 PM Scott Savol will take the stage. Tickets are \$18 a piece and they are available at Euclid City Hall in the Parks & Recreation Dept., Monday through Friday from 9:00-4:00. If you wish to do a phone order, you can do so by calling 216-289-2700 Ext. 3935. That's Friday, February 10th at Shore Cultural Centre.

I would also like to announce for the Euclid Chamber of Commerce and the City of Euclid, the Third Annual Winterfest. It will be held on Saturday, January 28th. There will be golf, softball, disc golf and a chili cook-off. There's still time for you to put a team together. If you are interested, you can call the Chamber Office at 731-9322.

Beginning at 11:00 AM right outside Diamond #3 at Memorial Park, there will be a tent set up and that is where the Chili Cook-Off will take place. For \$5 you can get a ticket and sample all the chili and vote for the best chili here in Euclid. Judging will take place at 2 PM. That's Saturday, January 28th.

The Recreation Department is taking registration now for our men's, women's and co-ed softball for the spring and summer. For more information call the Recreation Office at 289-8114 and we can send you the information.

We will be taking registration for a lifeguard training program which will run February 23rd – April 12th with classes held on Wednesday and Thursday evenings.

Registration for our next learn to swim will begin on Tuesday, February 7th and Thursday, February 9th, in the Rec Office from 1:00-4:00. Lessons are held at the High School pool on Tuesday evenings beginning February 21st. For more information regarding the swimming programs you can contact Kathy DeAngelis at 289-2700 Ext. 3934.

The first meeting of the 2006 Recreation Commission will be held here in Council Chambers on Tuesday, January 24, 2006 24th at 7 PM.

Our next session of skating lessons will begin Tuesday, February 14th. You can register at the ice arena on February 7th and February 9th from 7:00-8:00 pm. Lessons are six weeks long.

This weekend at the Ice Arena, our Euclid Blade & Edge Club will be hosting their annual basic skills competition. Children and adults will come in and show off their skills that they have learned during our Learn-to-Skate program. It is called Celebrate Skating at the Ice Arena, Sat. and Sunday. Both days will begin approximately 8:30 AM. On Saturday night it will go to approximately 9:00 pm. On Sunday it will go to about 5:00 PM. It is \$2 per person to come in. Come and support our Blade & Edge and Figure Skating Club this weekend. If you need any information regarding the ice arena, you can call 289-8649.

Finally I would like to make an announcement about the trees here in the City of Euclid. Last Fall the Parks Dept. hired a contractor to come in and remove various trees throughout the city. I want to make the public aware that prior to any tree coming down, you will be notified by a letter from our Superintendent Dean Grida. When you get the letter, there is a phone number that you can call if you have any questions or concerns. We will also be sending notification to the Councilmen when it is in their ward so they will be notified of it. If you have any questions regarding a tree, you can call our Parks Dept. at 289-2726. Thank you.

Mr. John Mocny and Mr. Ed Carpenter presented Parks Superintendent Dean Grida with the CABA Commissioners Award for the outstanding field conditions during the CABA World Series Tournament last summer.

Program Administrator Mac Stephens and Director Will presented the Sports Illustrated Community Champion Award to Mr. Vaughn Johnson and the Jr. NBA/Jr. WNBA All Region Player to Aaron Griggs.

Service Director Gulich – Yesterday, Martin Luther King Day, January 16th was not a holiday for our waste collectors. Please keep that in mind we are on regular schedule this week, the week of Martin Luther King Day.

Also in the last couple of weeks since I talked to you last, we were able to get through the City multiple times with our leaf collection. We had some tremendous cooperation with the weather, spring-like day today. We can count for sure that's not going to stick around. But from here on end, please if you do feel motivated to go out and clean your yard, if we do catch nice weather, please bag your leaves. Waste Management will take them on your given garbage day. Please we don't want to discourage you from doing yard clean-up if the weather permits, but Waste Management will take all that stuff and we appreciate your cooperation. Thank you.

Chief Maine – I wanted you to become aware of a scam in the community, one that can affect our residents, I'd like to try to pass it along. Evidently the latest scam that's going around is telemarketers who are pretending to be representatives of major credit card companies. They already have your credit card number, obviously they have your phone number and some other personal information, but they are looking to get, because they want to buy things off the internet, they are looking to get the security code that is off the back of your card. They have a pretty elaborate dialogue that they go through to set you up just so they can get those numbers.

A good rule of thumb, if someone is calling you to get some sort of information verified, assume that it is not somebody that is supposed to have that information. A credit card company already has that security number and there is no reason that they should have to ask you for it. They should already know it. If you have any questions, feel free to call our office and if you get a call like that, make sure you let the Police Dept. know and make a police report, we'll try and track it down, although it is very difficult a lot of these times. These are overseas numbers that are being used and certainly let the credit card company know. Thank you.

Director Pietravoia – I wanted to take advantage of tonight's meeting to inform you about the administrative procedures that we put in place related to the foreclosure filing law that Council passed in December. It goes into effect in a couple of days, January 19th. I worked with the staff to come up with the form that we are distributing now. This is the form that will actually be filled out for someone who is actually filing for foreclosure, which is what the new law requires. These are typically filed with the County Court of Common Pleas.

When properly completed, if you take a quick look at the form, you'll see it is going to give us a lot of important information including who is the party actually doing the filing. Typically that's a bank or mortgage holder. The company or person filing the complaint typically that's an attorney. Then the property owner of course. If it is different, probably most importantly for what we're trying to do, who is the person responsible to maintain the property.

This is a little bit of a work in progress. It is ready to go but we'll probably as we get a little experience with it make some modifications. If you have any suggestions feel free to get them to me.

We're doing a couple of other things just to get the word out about the new law. We worked with our Law Director and others to try to determine the best way to get the information out. We found in our research that there are several larger law firms that are typically the ones filing. So we're going to make sure we send letters to those firms with this form explaining the new law. There's a draft letter attached to that affect to what I just distributed.

We're also going to put the form and the information about the new law on the City's website. We're going to, as best of our ability, send letters to area mortgage companies and banks as well. We'll probably have a difficult time getting all of them because many of the companies are national, out of state, but we believe probably the biggest and most effective way to get the word out is through the attorneys because they are the ones actually filing the forms.

We're also working with the County Court Administrator through our Law Director Chris Frey and the Foreclosure Magistrate to determine if they can help us get this information out when someone actually comes to file a complaint. Actually have the form and a form letter that we give them available that they can actually hand to that person and say you need to be aware of this new law in the City of Euclid. If all cities start doing this, it may become cumbersome but since we're the first, we're asking for their cooperation. We should know shortly whether they are going to be able to do that. They also are looking into the possibility at our request of making it part of their procedure just to notify every city when a foreclosure is filed regardless of what city it is, of course including Euclid.

So those are the steps that we have taken so far. I also wanted to comment because it is related to this subject. We have completed the list of potentially vacant or unoccupied properties. I'm being careful how I describe that because we did a visual survey throughout the city and you can't tell absolutely from a visual survey, but we are fairly confident with the list that we've compiled.

We took some time and actually went back a second time just to the ones that we identified to make sure on a second visit that they still appear to be vacant. We also removed from the list those that are in the multiple listing, for sale, but just didn't happen to have a sign up and those that are registered with the City as rental and just didn't happen to have a tenant at the time.

With all of that in place we have approximately 328 units that have been identified as potentially vacant or unoccupied throughout the city. The actual listing will be ready in the next couple of days and we'll get it distributed to City council.

I do want to caution when you receive it again, it is impossible with a visual survey to be absolutely certain. So if you see properties on there that you know for a fact are not unoccupied or vacant, please let us know. We are going through some additional steps to try to narrow down that list even further. Some could be in Probate or the individual could be in, an elderly person in a nursing home for example. We don't really consider those as vacant or abandoned properties. We are trying to remove those from the list as well with your help in terms of those that you're aware of. Or, if there are some that aren't on the list, please notify us and we'll make sure we check them out and get them added to the list.

The next step in the process, a very important one, which is what started this whole attempt to put a list together, the County Treasurer's Office has offered now to research the properties we've identified, determine if they are in foreclosure and if they are, they will expedite the process on those so that those can happen quicker than homes that are in foreclosure that happen to be occupied. We're taking some good steps, there is still a lot to do but we've taken some important first steps and I just wanted to get that information out to City council. Thank you.

President Gudenas – Thank you very much. It is very good to hear that our legislation is becoming reality and all the good work you've done in following up and it is greatly appreciated. It is a real good start. Thank you very much.

Mayor Cervenik – That concludes Administration Reports & Communications.

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Board of Control Minutes of December 19th and December 27th 2005 and Jan. 3rd, 2006. Councilman Conway seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE

Council President Gudenas – The last item, the goals of City Council for 2006, will be considered a first reading today and hopefully we'll vote on it the first meeting in February. If anybody wants any more specific details, they are on the back table listing I believe 64 different goals. The specifics are out there. They were unedited, we presented everything everybody brought up with some combinations.

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

President Gudenas – Welcome back to Nancy Foreman, long-time Executive Director of the Euclid Chamber of Commerce.

Mrs. Nancy Foreman – 650 Hemlock. Thanks Ed, it is nice to see you too. As a representative of Forko Enterprises I am asking you to look at legislative #3, which is authorizing the Mayor to extend our contract as rental agent for the Euclid Lakefront Community Center.

In October we prepared an interim report outlining the status of the rental situation to that point and outline some of the concerns that we had and ways that we felt it might be strengthened and ways that more money might be made from the Center. I know that everyone hoped or expected perhaps that it was going to be a cash-cow and money would just be flowing to the city by virtue of the rental program. But there's only 52 weekends in a year and everyone wants a Saturday night for the most part. Unless you just charged an exorbitant amount per outing, the revenues just aren't there in terms of major bucks.

But, it has been a wonderful experience and the people coming there just really love being there. They love the fact that they can bring in their own food, they have all the space, a lovely setting. So we haven't had to work very hard to promote it, people just call us up and are very eager. They've either been to an event, now they want to rent. We even have people that are renting for the second and third time, so it has been that popular. Most of them have been Euclid residents or who have a Euclid connection that they have used to rent the center. I think all in all it has been a very positive thing for the city.

We have learned a lot this year in serving as the rental agent. We are working continually to tighten up internal procedures so that we can handle it as effectively as possible. Each new outing was kind of a new concern, but we've managed and people have been very gracious and very responsive with very few exceptions, people have been very understanding of the fact that they can't all have the same Saturday night.

I would ask you to try to pass this legislation tonight rather than hold it over. The reason being that we have about 30-40 people penciled in for this year 2006 that we have not already taken money from. We kind of put them on hold when we knew that this meeting was going to be tonight and said could they please wait, there's going to be some changes possibly and we'll get back to you as soon as we can so that you can move forward with your plans. Understandably people that are planning a wedding or a major anniversary or an event that requires a specific date, they are very anxious to have that confirmed for them.

We'd like to be able to move forward with that and give them the new rates if that's to be or any new rules so that we can move that along and get them signed up and not lose them to another site. I would ask your indulgence for our request and please move that along.

I did bring and I don't know whether you got copies of the rentals through the end of 2005 and also the fees collected to date for 2006. These are at the old rates because we felt we had to move forward with some people that were just very anxious to get confirmation. We grandfathered those in at the old rates. But the potential for increased revenues at a new rate should this move forward with the proposals that we've made and with what's been given to you from the Law Department, I think will be helpful. That's my request, thank you very much for your time.

Councilman Lisy moved to rise and report. Councilman Langman seconded. Yeas: Unanimous.

LEGISLATION

Res. 7-2006 (036-06) Rates Shore

A resolution confirming that the square footage rates for the rental of space at the Shore Cultural Centre for the year 2006 will remain at the current rates, and authorizing the lease of space on a month-to-month basis. (Sponsored by Mayor Cervenik)

Councilman Delaney moved for passage, Councilman Conway seconded.

President Gudenas – No change in rates for this year. Is there anything further to add other than no rent increase which is a good thing? Any questions?

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

Passed.

Ord. 8-2006 (040-06) Neighborhood Grant

An ordinance to amend Ordinance 35-2005 and authorizing the Mayor of the City of Euclid to renew the 2005 Neighborhood/Tenant/Condominium Association Grant for the year 2006. (Sponsored by Mayor Cervenik)

Councilwoman Holzheimer Gail moved for passage, Councilman Gruber seconded.

Mayor Cervenik – This is a renewal of a good program and although there was some conversation about having this go to the wayside with some budget changes, I think that would be counterproductive. We're very lucky community to have over 85 homeowners associations and in talking and speaking to many of them, they really, really do appreciate the \$200 and I would ask Council to continue this great program.

President Gudenas – This basically give \$200 to the 85 registered associations that request the funding?

Mayor Cervenik – That request and they must have at least three activities and a general meeting and they must submit a 2005 Financial Statement and a Mission Statement with the grant application so we know that they are more than just a social club.

President Gudenas – More than a big party.

Mayor Cervenik – That's not all bad either, but we're not going to pay \$200 for the party. The applicants we have, it is nice to read over the applications and see the various functions and activities that they do in a neighborhood. It is what makes this community a great community.

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

Ms. Rose M. Allen – 26241 Lake Shore Blvd. First of all the question is, is there any accountability for the monies that are dispersed in the grants? Any required accountability for the funds? The reason for the question as to whether or not there's accountability, even though it's a modest amount of money, it still leaves opportunity for someone who has let's just say other than good scruples with handling funds to channel monies into their own pockets. Instead of the money being spent as requested, it is somehow funneled either to family, friends or whatever. \$200 is not a lot of money but the principle of having someone channel these funds to activities or to persons other than for whom it is intended is not something that should be tolerated. Therefore, if I can state it this way, I'm requesting that there be some accountability for the funds attached to the grant before it can be received.

Chairman Gudenas – Is that the only request or is there more?

Ms. Allen – Particularly for this. I don't want to go into a lot of detail but I have seen that there has been opportunity and actual practice of someone not doing what they're supposed to do with the funds.

Chairman Gudenas – I understand. It is just the way our rules work that if you could just present all your issues at one time.

Ms. Allen – Requesting that there be some accountability attached to the grant.

Mayor Cervenik – There's at least three different items of accountability that we look at. As I mentioned, we do need a financial statement and a submission of at least meet three activities and meetings throughout the year. On that financial statement normally is a line item that says

\$200 grant from the City of Euclid. If we don't see that we may follow and say how come it is not included here. Kristal Skovira from Community Policing has a list of all known homeowners associations and if new one comes in that we haven't given money to in the past, we will find it where it came from. Normally it is new and Kristal is very well aware of it, as well as the Ward council people usually are aware of any item that comes before. Third is we watch, we just make sure that it is listed and used correctly and they are acting as a homeowner's association.

President Gudenas – We don't allow the back and forth at this time. I'm very sorry.

Ms. Allen – It is not a back and forth.

President Gudenas – Yes it is. I'm sorry we have to just keep moving. Thank you.

Mayor Cervenik – I'm quite confident that these funds are being used in accordance.

President Gudenas – We assume a check is never made out to an individual.

Mayor Cervenik – Checks are made out to the homeowner's association.

Councilman Gruber – I think my colleagues won't mind if we put all of our names on this legislation and I would like to say that this is a real help to new homeowner's associations as well as established homeowners associations. It is a very worthwhile program, get a lot of positive feedback from the community. This is an excellent program and we thank you for bringing it forward.

President Gudenas – Law Director if you could add all the names to the legislation we'd appreciate it.

Councilman Conway – I also agree that its an excellent program. One question I did have for some of the new homeowners associations from last year, is there a time frame associated or deadline as to when the applications need to be submitted to receive funds in 2006?

Mayor Cervenik – May 31, 2006 would be the final deadline to apply. Most of the homeowners association are strong and ready to go as soon as the weather breaks, although this year the weather broke pretty early for us, knock on wood. We've had very few incidence where an association does not apply on time.

Councilman Lisy – You talk about trying to encourage homeowners association and this is for established homeowner association. The requirements are that you have to have had three meetings in the previous, I'm sorry that you've had to have a budget and you have to have had some meeting in the previous year. Is there another opportunity or a way that we could encourage homeowners associations to start this year and they may get half the grant this year? I know it is not in this legislation but it is something that could be added or something to consider?

Mayor Cervenik – If the concern is that a new homeowners association formed in 2005 would not be eligible for the grant in 2006, any homeowners association that has been formed in the prior year will almost certainly had at least three meetings and have had a budget and meet these requirements. So I don't see this legislation precluding any newly formed. If you are talking about one newly formed in 2006, that could be a problem. If that comes up, I think we could approach Council to amend this.

Councilman Lisy – I would just like to encourage other homeowners associations because I see the value in it, all the issues that we're talking about around council. When I attend the homeowners associations, these issues are being addressed on how to be good neighbors and getting to know your neighbors. I'd rather encourage the formation of new homeowners association and also take care of the current homeowner association.

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

Councilman Gruber 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. (042-06) Forko Enterprises

An ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a renewal agreement with Forko Enterprises, Inc., 23555 Euclid Avenue, Euclid, Ohio 44117, for the purpose of acting as rental agent for the Euclid Lakefront Community Center for a period of one year, beginning March 1, 2006 and ending February 28, 2007. (Sponsored by Mayor Cervenik)

Councilman Langman moved for passage, Councilman Conway seconded.

President Gudenas – This is the legislation we just heard about regarding the new senior center. We know that Forko has done an excellent job. There's a little concern from some of the council members that this facility be used in its best way because it is a one of a kind gem for the City of Euclid. We want to make sure that we're charging accordingly and it is used accordingly. Councilman Conway would like to add some things.

Councilman Conway – I certainly do respect and appreciate the situation that Forko is in, especially wanting to secure dates for 2006. I do think this is an important piece of legislation this evening. Especially since it is such an important facility, new facility in the City of Euclid that really has the opportunity to set the standard for other types of community centers.

There are certainly quite a few items that are part of this tonight including the increase in the percentage of the fee split between the City and Forko as well as the overall rent increases that are suggested. I would also like to open up to more discussion to understand greater about the overall marketing plan that is associated with the facility to make sure that all the dates are maximized. It is great that with a fairly new facility that so far it doesn't sound like there's been great concern with booking dates at this point, but as time goes on, it certainly can become a greater issue.

I respect the time frames again associated with this issue. I would like to at least entertain a motion that this does go into committee. The Committee that I chair is Commercial and Retail Development. Out of respect of the time frames, this is a committee meeting that could be held on Monday, January 23rd so this would come back to Council on February 6th so there wouldn't be too much delay between reviewing the piece tonight and potentially going through a committee meeting, discussing some of the things that I outline and then make this available for Council consideration on February 6th. I think an excellent job has been done over the last several months, but before we move forward in 2006, I certainly would like the opportunity to discuss this further.

President Gudenas – Councilman Conway has moved for Monday, the 23rd to his Commercial and Retail Development with the idea that we would take care of all the issues that day a week from yesterday, bring it right back to City Council the first meeting in February roughly two and a half weeks. Would that work for Forko?

Mrs. Foreman – Yes, James did tell me that we would be available to sit down in Committee at any time to discuss the operations and provide additional information.

Councilman Delaney – I have no problem of going into Committee, but there is a question that jumps right out at me right now, if I may that I see that a regular user which is a political faction of ours that I'm curious to know why their repeat business is some of the most inexpensive on the rate sheet and they don't have a security deposit?

Mayor Cervenik – It is to do with the fact that at the moment there are non-profit rates included in the present rental contract. Those will be adjusted for exactly reasons such as we have. They will be eliminated. There will be no non-profit rate, considering a lot of non-profits, not regularly, but they do use it. That's one of the major changes that is in this contract that we've presented to you here tonight.

Councilman Lisy – I seconded the motion to put this into Committee for January 23rd.

President Gudenas – Moved and seconded to place Ord. (042-06) into Committee with the understanding it will be on Monday, January 23, 2006.

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

Nay: Gruber

Into Commercial and Retail Development Committee.

President Gudenas – We'll probably do that first that night to make sure we can cover all of that because it is also a budget hearing. We'll try to have about 30 to 45 minutes maximum. 7:00? We'll go over at the end of the meeting, but somewhere around there.

Res. 9-2006 (039-06) Grant Seniors

A resolution authorizing the Mayor of the City of Euclid or his designee to submit a grant application and enter into a contract for funding of Community Social Services for seniors sixty (60) years and older from the Cuyahoga County Department of Senior and Adult Services (DSAS). (Sponsored by Councilwoman Holzheimer Gail)

Councilwoman Holzheimer Gail moved for passage, Councilman Langman seconded.

Director Pietravoia – This legislation tonight is requesting authorization to apply for a grant through the Cuyahoga County Department of Senior and Adult Services. Our Senior Programs Manager Margaret Hastert-Wolf is constantly looking for ways to supplement the funding for our Senior Programs. In this case the County is helping us out because they are actually seeking proposals. They are looking for proposals for the types of services that we're already offering. The County Commissioners have set aside about \$1.7 million over about a three year period. In order to fund activities that help seniors or older citizens to continue to remain independent in their homes.

We believe this funding represents an opportunity to help pay for the services that we already provide and also to expand the services that are already being offered. With Council's support tonight on this resolution, we will work with the County staff from the Department of Senior and Adult Services to determine which services are most likely to get funded particularly given our track record already here with our senior program.

The areas that we have a growing need include transportation particularly with the consolidation of the two centers into one on the lakefront, we're traveling longer and more often with some of our seniors. So we're expecting to apply for funds in that area. We are also looking at two other areas, homemaker and chore services and adult development or senior activities. So those three areas are likely to be the ones we'll be requesting funds for.

We would like Council's support this evening, we'll go forward and hopefully we'll be successful and we'll be able to supplement our funding for the senior programs. Mr. Gliha is here tonight our Assistant Director, and he helps to oversee the senior programs so either of us would be happy to help answer questions tonight.

President Gudenas – If we are successful, does this mean we would be expanding some of these services?

Director Pietravoia – Yes, we expect, the requests for proposals that we receive makes it clear that there needs to be some expansion of the services, they are not just going to cover 100% services that were already providing. So, we believe in part it will cover some of the services, but it will also allow us to expand services.

President Gudenas – When will we hear back from the County regarding the application?

Director Pietravoia – I'll defer to Mr. Gliha on the time frame.

Mr. Gliha – The grant application is due next Tuesday to the County. The awards will be done within the month with program actually starting April 1st. That's why as the Director said it is a 33 month period because of the first quarter that's taking to apply for the grant this year.

President Gudenas – Would the grant cover 100% of the increased services, 50% or what percentage?

Mr. Gliha – The grant is basically a 77% grant with a 23% city match, but the city matches in in-kind service. Therefore since we are already providing the base services, our 23% match would be taken care of. So in reality it would be a 100% increase for the city. As the Director said, we are right now currently looking at three different areas, the first being transportation. What we're considering as an example is a lease of a mini-bus to increase our overall ability to transport our seniors, as well as disabled for medical appointments, shopping and social services.

Secondly the homemaker chore services. Margaret and I were discussing today increasing the current service by expanding a contract with Breckenridge to include an additional homemaker chore person as an example. Under the category adult development, senior activities, we are proposing to enhance the department's ability to provide quality programming to our low income seniors such as health and fitness education, computer training and other continuing education classes.

Margaret and myself have met Friday and we're working all day today and we've been in contact with the County. We feel that we're pretty close to finalizing a good grant application with the County's help. Some rough figures right now, we're looking at a proposed yearly grant request of \$255,100. Broken down by transportation of \$141,000; homemaker chore services \$51,500; adult development senior activity \$62,600. This is in the ballpark of what we're working right now. We will be finalizing the grant application during this week and submitting it on Tuesday with the County's help.

Chairman Gudenas – If we're successful apparently this will have a negligible impact on the budget because most of the expense would be covered by the grant.

Mr. Gliha – that is correct.

Councilman Langman – Mr. Gliha by applying for this grant, will this last for the length of the funding cycle or do we have to do this annually?

Mr. Gliha – The preliminary discussions with the County has told us that it should last, I'm saying should right now because they are still finalizing the rules for the length of the 33 months. We will probably require each year to not only submit a performance report which will be required to do monthly of course. But we might also have to submit a small additional application each year for the fund. But we've been assured that the only cost for not being funded would be of course non-conformance on the city's part and if something tragically happens in the economy where the Commissioners would have to withdraw the next year's funding. But the Commissioners as of now have made the commitment to \$1.7 million for the next three years for municipalities in Cuyahoga county. Which this is a first time opportunity for local governments. In the past the county has strictly funded non-profits and they have seen that various other federal funding sources have been drying up for local governments. So they felt that it is very important to continue to provide an avenue of funding sources so that we can continue our fine services.

Councilman Langman – Do you have an idea of how many other municipalities are applying for this pool of dollars?

Mr. Gliha – The county could not give us an exact number but they do know that there are at least 15 other suburbs that participate in these same type of senior program funding that we currently do. So we would imagine that it would be at least 1 of 15 applying for the \$1.7 annually. We do feel that the request that I just stated of \$255,100 should be a reasonable request given the number of seniors that we serve in relation to the senior population in the County. Due to the fact of our already successful programs that will benefit by a subsidy and an enhancement that this grant will provide.

President Gudenas – Be sure to let them know how much we spent on our senior center.

Mr. Gliha – They are very aware Mr. Chairman and they are very pleased with the complex.

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

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

Passed.

Ord. 10-2006 (10a-06) Golf Course Comm.

An emergency ordinance re-enacting Chapter 191 of the Administration Code, and amending Section 181.03 of the Administration Code of the Codified Ordinances of the City of Euclid. (Sponsored by Council President Gudenas) (Recommended for passage by Executive & Finance Committee)

Councilman Lisy moved for passage, Councilman Langman seconded.

President Gudenas – This is the Golf Course Commission reinstatement that had been started back around 1994 or 1995 or so. It was brought up earlier and we had tabled it temporarily until Director Will was back and now you're back and it's back.

Mayor Cervenik - We would like some clarification or changes in some of the wording in this ordinance, if you'd like to go through them tonight. Would you like to sit down and bring it back to Council at the next meeting?

Chairman Gudenas – Let's go over it. We were planning on having some appointments at the first meeting in February because the year is moving along.

Mayor Cervenik – We could still accept all the applications, it is up to you. If we go to 191.02 under membership, I firmly believe that 5 members should be changed to 7 members. I think if you look at the diversity of the golfers, we have male leagues, female leagues, senior leagues, youth leagues. We need some people with financial wherewithal and operation of the golf course. I think if we expanded that membership to 7 it would help us cover all the various aspects of the golf course and give us a more diverse group and spur greater conversation.

If we were to do that, then we would change 3 appointed by the Mayor and it would become 4 and two appointed by Council would be 3.

I'm also a little concerned about the language if the Mayor does not appoint, which I certainly would intend to, or Council does not approve, that sort of means the Mayor doesn't really appoint. I would like some clarification on that item there.

I also feel that the terms should be 3 years instead of 4. I feel 4 years is quite a long time. But absolutely be able to renew for another 3 year term if the Council and the Mayor so desires.

Then I was concerned, no member shall, and it used to read hold any public office, nor shall any member hold public employment. The definition of public employment, is that public employment for Euclid, does that exclude elected officials; would elected officials fall under holding public employment because an elected official may have a conflict of interest serving on this committee and then acting on it?

President Gudenas – Anybody who gets a check from the City of Euclid which would include elected officials.

Mayor Cervenik – Okay, very good. Those items, I think they are relatively small changes. I would like some clarification on that.

President Gudenas – We clarified the one, obviously a member of the School Board, a member of the County Commissioners or what have you would be okay. Councilman would not be okay. Or city employee would not be okay.

Changing it 4 to 3 years, I don't think that's a big issue, which would mean probably not serve more than 6 years consecutively, so that would be two three year terms.

The biggest issue would be going from 5 members to 7. Is there any discussion on that?
Councilman Delaney – I think 5 should be adequate. I think we can serve our diversity and probably move things quicker, after all the School Board has 5 members and the budget is 50 times the size of this.

Mayor Cervenik – I do agree and Council has 9. I just think it, obviously it is your choice, but I think you're looking at, we want to make sure we bring enough different viewpoints onto this golf course committee so that we can have good lively discussion and come to good solutions. That's the only reason why I'm recommending 7 over 5. I can see us excluding viewpoints of various different people that use that golf course for different reasons with only a number of 5.

Councilman Delaney – Mayor, I hope you're not comparing all the work that has to go out in the city and the representation of the people into one particular faction which is the golf course. I think that we could go on and on about how many could help or hinder, but I think that 5 would probably get more people around the table easier. Five will probably take more work upon themselves. I've been on several boards, several committees and I think that's an appropriate number. I just don't see how the golf course would be any better off with seven; I think five is a very good number.

President Gudenas – I did serve on the first Golf Course Commission which I think had 9 members at that time and I didn't think it was as effective because we had too many people and then other people always expect someone else to do the work or don't show up. This is a volunteer position so I think whoever is on this commission would need to know that their time is important, that their input is important because there are only 5 people. The idea is that we need to get moving on it quicker, we can always add, it is harder to subtract. If you start with 7, you will probably not end up with 5. But you can always start at 5 and end up with 7 if we see that the work load is too high or that certain parts of the city aren't represented. But most of all we have to remember that the golf course is a business and it is expected to return money back to the Recreation Dept. to support other recreational programs. Business comes first because it is a lot of investment on the taxpayers' behalf.

Councilman Lisy – The Mayor brings up some good points though with respect to getting the diversity and in the other viewpoints into this, into the committee, into the golf course commission. Could we include some of that verbiage in the sub-committees, the types of people they would want? Because upon approval of the commission, sub-committees shall be designed; sub-committees shall be responsible for recommendations to the commission. We have a section for sub-committees in there. When committees start getting over 5, I'm on several boards and we try to keep the boards between 3 and 5. Seven I think starts getting to a bigger number. But with the sub-committees here, maybe we can designate the proper sub-committee so that we get the right people in most groups to represent the people that play golf.

Councilwoman Holzheimer Gail – Do you have any idea what kind of interest we've received to date? Are there a lot of people interested in serving on this?

President Gudenas – I have talked to several and my guess is at this date we have probably 3-5. The deadline is a week from today, the 24th, obviously people always wait until the end. But I don't anticipate us having 10 but more likely, it might only be 5 or 7 total.

Councilwoman Holzheimer Gail – Mayor, have you had much interest expressed to you?

Mayor Cervenik – Yes, I have had more than a few and they are all virtually people who are users of the golf course. I just feel they have a lot to offer.

Councilwoman Holzheimer Gail – I don't have any objection to 7. I think if there's people willing to serve, I'd like to give as many people, within reason obviously, the opportunity to contribute. I've worked on boards too that range from 5 to 15. I think it depends on the group and how it is lead and the interest of the volunteers. I don't think that 5-7 will make that great of a difference. If people are willing and want to serve, I'd like to give two more people that opportunity.

Councilman Delaney – If we can pass it today with 5 and then we can make a promise that if we have a problem that there are just some people we can't pass up, I think we can come back quickly and amend it and pass the amount to be 7. As you said, we could always add to it. I would like to see what kind of interest we have first.

President Gudenas – How about the discussion on the three years instead of four years. Any problem with that? That's do that first.

Councilwoman Mancuso moved to amend to change 191.02 from a period of 4 years to a period of 3 years and serve not more than 6 years consecutively. Councilman Gruber seconded.

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

Amendment passes.

Councilwoman Holzheimer Gail moved to amend the number of members from 5 to 7; and then the appointed members from the Mayor would appoint 4 and City council would appoint 3. Councilman Gruber seconded.

Councilman Conway – I just have one quick question here maybe it is verbiage or maybe it is an alternative. Is it appropriate to have this ranging from 5 to 7 based upon the qualification of the people who submit an application; so your committee is a minimum of 5, it can be the maximum of seven, but that gives us the first opportunity to fill it with five and then add applications in waiting if we decide to expand? My only concern here is that I'm sure we'll have more than 7 or more than 5 applications submitted. But I also don't want to be in a position where we end up with 7 and fill them just because those seven applied. But if we gave ourselves some room to expand but know that the Committee had to have a minimum of five.

President Gudenas – Well we first have a motion and second on the original one. We have to deal with that one first.

Councilwoman Holzheimer Gail withdrew the motion. Councilman Gruber withdrew the second.

Councilwoman Holzheimer Gail's new motion would be: The Golf Course Commission shall consist of 5 to 7 members. If 5 members, three shall be appointed by the Mayor and two by the City Council. If 7 members, 4 shall be appointed by the Mayor and three appointed by the City Council.

President Gudenas – Exactly who will decide it it's 7 or 6? How would we work that out?

Councilman Conway – I would say that based upon the applications submitted that it would be the decision, if Council has the approval process, regardless if the Mayor appoints or Council decides, then we would have the opportunity at that point to review the pool of applicants and we would nominate either 5, 6, or 7 people that would come to the floor and we would vote on that number at that time.

President Gudenas – Is that the way everyone understands it?

Mayor Cervenik – I think what we would do is the administration would provide three names and an alternate if Council decided to go the course of 7 and it could be acted on at that time.

President Gudenas – Does that sound reasonable?

Councilwoman Mancuso – I would just caution us that probably should be 5 or 7, not 6; never an even number. It has to be either 5 at the maximum 7.

President Gudenas – We'll restate the amendment: shall consist of 5 or 7 members. Anything else? Roll Call on the amendment so moved by Conway and seconded by Holzheimer Gail regarding the new version of the amendment.

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

Amendment passes.

President Gudenas – The rest of it is for passage of the ordinance, any other discussion on that?

Mayor Cervenik – I've still got the consideration about my ability to appoint. If I really do have the ability to appoint or not. It seems like we have kind of different language there, that I really do not have the ability to appoint. I feel that it is appropriate that the administration really have the ability to appoint three members that the administration feels is qualified.

President Gudenas – Words are very clear here that you can appoint, but sort of like the President of United States can appoint the Supreme Court Justice but has to be approved by the Senate. Of course it is not quite the same league of that, but same thing. You can recommend your 3 or 4

but we want to make sure that Council has a say on all 5 or 7, not just 2 or 3. That's the way it was intentionally written in this case.

Director Frey – As it is written, however, if Council did not act on the Mayor's appointment, essentially Council would be withholding the Mayor's ability to make any appointment as it's written. That is the Mayor's concern is that it not become then Council's appointment for the three or four individuals, but rather reject the Mayor's appointment for the Mayor to appoint someone else.

As it is written here, were Council to decline to confirm the Mayor's appointments, the position would be vacant. Council would then have the ability to make those appointments. I'm not sure that is what was intended.

President Gudenas – Yes it was.

Director Frey – Okay, then by drafting it in such a manner, Council essentially then has the authority to appoint all the members to the Commission.

President Gudenas – We're asking to be partners with the administration in the appointment process.

Director Frey – I understand. My point to you Council President is as this is written, Council could essentially appoint all 5 or 7 members by declining to confirm the Mayor's appointments.

President Gudenas – It is unlikely but that's the way it is written, correct.

Councilman Delaney – I don't see much different in how we formed the Landmark Commission where the appointments are confirmed by council. We did the same thing with the Animal Shelter. I just have a belief that it is as the Council President said, we're in partnership. I'm sure we can find common ground in between Council meetings to approve appointments. If I were to serve on a Board, I would be very pleased that I was approved by both bodies of government, doing a function in the city that both bodies of government have business to do in.

Councilman Lisy – Just to add what Councilman Delaney said. We want this board to work together and we want this to be a partnership and we just want to be confident that the 5 or 7 people that are on this board will be working together. That's why, this is why the Animal Shelter and the other Commission, we choose it that way so we wouldn't have a dissenter amongst the crowd trying to hold back the progress of the different groups. This way you get unity and a partnership between the administration and council.

President Gudenas – Well put.

Director Frey – Due respect to Council's position, thank you Mr. Chairman, the difference is, you can reject the Mayor's appointment and force the Mayor to come up with a candidate for that position that is more acceptable. But, you have under this version the ability to make all the appointments yourself. I would assure you, you would probably not have any dissenters if that were the case, but I'm not sure that's what you intended to do. There's a difference between confirming or rejecting the appointment, sending it back to the Mayor for a more acceptable candidate, versus then removing from the Mayor the ability to make that appointment and make the appointment yourselves.

Mayor Cervenik – To use your example of the President of the United States has to have the Supreme Court nominee affirmed, but the Senate never has the authority to appoint their own. That's all we're asking for here.

Councilwoman Mancuso – My understanding was as exactly as Director Frey was saying that if you propose someone to Council and they did not want that person, that we would expect you to give us someone else. From my point of view, that's how we need to write it. I'm not sure, what I'm hearing is the language is not correct for what we're trying to do. If we are trying to do a partnership and if we have somebody that we agree may not be the person, the right fit, we would come back to you for another person to then come to us to confirm.

President Gudenas – Again the concern is we may have only 5 members and we may only have two or three or four ...

Councilwoman Mancuso – I'm really looking for a landslide of people who want to participate in this, quite honestly. From what we've all heard from people coming to us.

President Gudenas – A time limit I think is important.

Councilwoman Mancuso – Correct.

Mayor Cervenik – Your comment and some of the other members that if we want 5 people that all think the same, if that is the goal of city council, we're set up for failure to begin with. We're not going to achieve what we're trying to achieve setting up this committee. The administration, my Director, Golf Pro and Groundskeeper and all the staff of the golf course are looking forward to working again with a very good active Golf Course Committee. But if we're looking for 5 people that all think exactly the same, I don't think I have 9 people across from me that all think the same either. If I did, we'd be in trouble. That's the point here that we want to, the administration should retain the right to appoint if in fact you reject one of my appointments. The way this is written, we don't have that.

President Gudenas – Certainly we don't want everyone to think the same, that was not what was said.

Councilman Lisy – What I meant was work together and what I also don't want is that if Council appoints two people that we thought were good accountants and the Mayor appoints two people that are good accountants, then we have 4 accountants on staff and that's the last thing we need. Sorry, Mayor, no offense.

Mayor Cervenik – I feel that way about PhD's as well.

Councilman Lisy – Sorry, that's not what I meant. That is what I was thinking of when we put that together also. Was to have people work together and have a mixture of backgrounds that would be advantageous for this organization.

Mayor Cervenik – it would certainly be my intention before any appointments are made public that I sit with the council president as well as the Chairman of the Recreation Committee on Council and go over the various appointments and discuss where we can achieve that balance between your appointments as well as my appointments because that is my goal as well.

Councilman Langman – Law Director Frey, I see you're busy digging in the ordinance book there, can you find the language for the Animal Shelter?

Director Frey – That's what I was looking for Councilman. I did find the Landmark Commission. The Landmark Commission in 1303.02, shall consist of 5 members appointed by the Mayor and approved by the majority of Council. One of which shall be a member of the Euclid Historical Society and then it gives the staggered terms. I hadn't gotten to the Animal Shelter to see how that set up was, but my guess is that it's similar. I don't recall any of our appointments where, unless Council is making the appointment, which they do on a number of boards and commissions, that they have the authority other than to approve or disapprove by a majority the Mayor's appointments. I'll look if there are other questions, I'll find the Animal Shelter here quickly.

President Gudenas – This is probably unique because it was written specifically for the Golf Course that the City has many millions of dollars invested and has to positively return an investment back to the taxpayers because in terms of our budget these days, we cannot afford at any moment to have a loss at the golf course, nor to maximize its potential revenue and economic impact on behalf of the city. There have been many residents that have felt that we have failed at the golf course, wasted millions of dollars, have not brought it to its full potential and we need to correct the wrongs right away.

That's why this is written this way. It can be changed again later. But this is a nonsense piece of legislation that reflects the importance of the business side of the golf course and that we have to take it seriously. It is not a place for political appointees or friends of friends

or what have you, but people who can get down to business and make it happen right away. I believe we'll be able to work it out.

We can adjust that 30 days to two council meetings if you'd like because that certainly gives the administration if someone is not approved time to present somebody else. Of course there would be no reason the City Council would not approve a qualified candidate because our goal here is to run the golf course in a very professional, profitable manner.

I will move to recommend that instead of within 30 days, we amend it within two regular council meetings to provide additional time. Councilman Delaney seconded.

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

President Gudenas – Any other discussion on the ordinance?

Mayor Cervenik – Yes, only that this Commission and the goals of the golf course are not to turn back monies to other recreational programs. It is an enterprise fund and as stated in this ordinance here, all revenues derived from the operation of Briardale Greens Golf Course shall be used exclusively for the operation, repair and maintenance and capital improvements to the Briardale Greens Golf Course. The city can require the debt incurred by the course be paid back.

President Gudenas – That's what we're talking about, the over a million dollars we just put into there which is obviously coming from some borrowed source to be repaid back so that money could be used for other city services. That's the amount, the capital, which has been tradition that when there's been big investments in the golf course, the golf course has then paid that money back. I remember when we had the fencing, the safety nets put up, that money was paid back, \$60,000 a year I believe over several years. The initial golf course was never paid back but we have to at some point stop putting money in there and not expecting the golf course to generate a profit to pay back the investment, the debt. Certainly the operations, that hasn't changed. It is the big money that we're talking about. Any additional questions on the ordinance?

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

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

Roll Call: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Lisy, Mancuso,
Walsh, Gudenas.
Ordinance passed as amended.

Ord. 11-2006 (037-06) Cleaning Police Station

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract after advertising for bids for the cleaning of the Police Station and Jail for the years 2006 and 2007. (Sponsored by Councilman Gruber by request of Police Chief)

Councilman Gruber moved for passage, Councilwoman Mancuso seconded.

Chief Maine – This is a regular piece of legislation that comes before Council every year. This legislation requests a contract for two years. Normally this is something that was done by Director Gulich when he had the City Hall cleaning contract bidded out. But since they do that in-house now, we are going on our own. I can tell you that last year the cost was \$23,400 for both the Police Dept. and the Jail. We anticipate a cost similar to that for this year and I've budgeted for that.

Chairman Gudenas – It seems like a very reasonable amount of money for such a big operation.

Chief Maine – Very reasonable. At some point we may have to look at it but we're still trying to keep our cost down.

Councilman Lisy – Are you happy with the quality of service that they've been providing?

Chief Maine – The company that we have now, we've been very, very happy with the service they bring.

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

Councilman Gruber 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. 12-2006 (038-06) CRIS System

An emergency ordinance authorizing the Mayor, as Ex-Officio Director of Public Safety of the City of Euclid to renew an agreement by and between the Cuyahoga Board of County Commissioners and the City of Euclid for participation in the Cuyahoga Regional Information System (hereafter known as "CRIS") for the year 2006 for use in the Police Department, Prosecutor's Office, and Euclid Municipal Court, in an amount not to exceed Twenty Two Thousand Three Hundred Twenty Dollars (\$22,320.00). (Sponsored by Councilwoman Mancuso by request of Police Chief)

Councilwoman Mancuso moved for passage, Councilman Conway seconded.

Chief Maine – The City of Euclid, particularly the Police Dept. and Prosecutor's Office as well as the Court have been a member of the Cuyahoga Regional Information System since the early 80's. This is the information system that provides computer networking for our Criminal Justice system around Cuyahoga County. There have been a couple of news stories recently on the local channels about the impact that the recent addition of \$5 charge to traffic tickets provided for the CRIS system. The result of that is being shown in this legislation and that the cost for the CRIS services is basically being cut in half from what it has been in years past so this is a very, this is a service that provides untold benefits not only to our Police Department but for the County and for northeast Ohio. It's become even more important in our fight against terrorism and I would urge passage for this, this evening.

Councilman Langman – Chief Maine, for the folks in the audience can you tell some of those untold benefits that CRIS provides?

Chief Maine – The one that I can share is one of the individuals who was involved in the 9/11 participants. One, they were trying to track the movements of those people across the country. And one of those individuals actually got a speeding ticket, it might have been in Euclid, but it was in Cuyahoga County and that ticket, all that ticket information is entered in the CRIS system and that was found by querying the system. That's just one that I can share with you.

Councilman Langman – Does this system share among the various entities listed violators, such as, sexual predators that might be in the community or moving to the community or in the community?

Chief Maine – This, this information system has ties to the County and the State agencies that provide that kind of information and this is one of the ways that we get that, yes.

Councilman Langman – Thank you, Mr. Chairman.

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

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

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

Res. 13-2006 (043-06) Replace Retiring Police Officers

A resolution to provide for the replacement of retiring police officers pending an approved 2006 budget. (Sponsored by Council President Gudenas)

Councilman Gruber moved for passage; seconded by Councilman Langman.

President Gudenas – This came from the result of our Executive/Finance Committee meeting. As you all now, we did swear in 3 police officers in December. This would authorize the Police Chief to hire an additional 3 to account for some retirements taking place and because the resolution we had in place earlier asking that no one spend more than 05's budget unless it was approved by Council that's why this is before us today is to increase the Police Department's budget by the funds necessary for these additional police officers. Chief Maine.

Chief Maine – I don't know if I can say it any better than you did, Mr. Chairman.

President Gudenas – And apparently they're coming right on board quickly to be sworn in February.

Chief Maine – By February 1st.

President Gudenas – So we're moving right along. Councilman Gruber.

Councilman Gruber – I believe that myself and my fellow colleagues would like to have our names put on this as well. Thank you.

President Gudenas – All names will be added to the legislation. I did not write this one, but they added by name to it. All names will added, asking the Law Director. Any further discussion? I see none.

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

Res. (041-06) Council Goals for 2006

A resolution documenting the goals for Euclid City Council in 2006. (Sponsored by Entire Council)

Councilman Langman moved for passage; seconded by Councilman Conway.

President Gudenas – This is, this was discussed at previous meetings. The end result are 64 items. They're in the back of the Council Room right now and we're going to consider this the First Reading so we can digest these 64 items, hopefully, vote on them next year, next year, next month; but with, I just want everyone to know that this is a list that every Councilman helped put together so everyone's goals and plans were included so that's why it's very extensive. We did not edit anything out. We did combine a few that were overlapping so that's why it's so large. We don't, you know, these are things we're all going to try to work on, but we have not voted on each item so it doesn't mean if there's unanimous or majority consensus on all of them. But the residents would get an idea of what one or more members of City Council are interested in doing.

We can still add to that if somebody has a specific thing to recommend. And also, we want to make it clear that this is not meant to be the only things we're working on and to be the exhaustive list. These are mostly new things. Of course, we are going to work with the Safety Forces and the School System and the Mayor and the other staff on various projects and routine things that we have to work on. These are more non-routine things that are new and things that we can put in writing for residents to see what things we're working on and get constant feedback and possibly make adjustments and changes as the year goes on to reflect the reality of our time and efforts and funding sources.

Councilman Langman – I just want to emphasize that these goals are your goals because we work for you. So we want your feedback whether you feel good about it, you want to help achieve these goals. So as the Council President mentioned we're soliciting input on all of these as we go through the Three Readings. Thank you.

President Gudenas – So I was, again, going to consider this a First Reading and not vote on it to give everybody some more time to ponder what it is we've come up with. And that, any other questions on that? Comments? I see none. So that concludes the Legislative Portion of tonight's meeting. Now we come up to the Committee of the Whole again regarding any matters that would be for the general welfare of the City of Euclid.

COMMITTEE OF THE WHOLE

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

Ms. Rose M. Allen – 26241 Lake Shore Blvd. First concern, I know that the City is considering going back to the tree lawn pickup for recyclables. In any considerations that you take regarding this matter I am asking Council and the Mayor to please keep in mind that there are people who do not have tree lawns who would like to recycle. Whatever we do to planet Earth, however well we treat planet Earth will come back to us. So I think it is very important that if the City decides to go back to curbside pickup of recyclables that there be at least one location where persons can drop off recyclables.

I have been a resident of the City of Euclid for nearly 30 years. I have remained in the same place almost 30 years. So for those people who have concepts that people who rent are transients, derelicts and undesirables I think that should put to rest that consideration that preconceived concept of people. I care about the City of Euclid and I care about many things about the City. Whatever my reasons for not becoming a homeowner are my reasons, but I don't think anybody should have the thought that they should treat a person who rents as anything but a full citizen of Euclid. I do not intend to be treated or thought of as a second class citizen of Euclid simply because I rent. And some of the rhetoric I've heard about renters is offensive. Yes, there are undesirables who rent, but there are some embarrassing homeowners who have caused problems in the City of Euclid. So I think you need to keep your minds open and treat people according to how they behave in the City of Euclid and their concerns for the City of Euclid and put behind you any preconceived notions of anybody.

Second issue, I am a person who'd like to see the City do as much as possible to not spend unnecessary money. I just happened to notice tonight that we have the agenda printed on two pieces of paper where it could very well have been printed on one sheet of paper with the second part on the back. This is just one small thing that can be done to save money for the City of Euclid. And I'm one of the persons who knows how to survive on extreme budgets so I'd like to see that the City take the same approach and spend no penny unnecessarily.

Third issue going back to earlier, my reason for asking that the funds that are allocated to the tenants and homeowners associations is mostly to have it put in place that the City can request receipts for how the money was spent. It's just based on something that happened previously where the monies were not going to the purpose they were intended. So I'm asking that, not necessarily that anybody has to provide them at all times, but that if the City chooses to request to see how the money was spent, there has to be some documentation of how that money was spent in the forms of receipts or whatever invoices that can document how the money was spent.

My last item is I still would like for the City in terms of the Mayor's Office, the Council people and any other employees of the City work for the benefit of the City of Euclid. Euclid has an extreme potential that is underutilized right now and I think working together may make it happen. Keep in mind Euclid will never be the way it was 40, 50 years ago and anybody who wants to live in that timeframe ought to step out and move some place else. Euclid is as it is today and I think that's the way we have to deal with the issues, the problems and the concerns of the City of Euclid and look forward not behind. Thank you.

President Gudenas – Thank you and just to clarify, you must have gotten the original for the agenda because they are usually printed on two sides except for the original and I know our Council office is very careful about that, in fact, we reuse paper back in the copy machine. Minutes are electronically sent instead of printed so I know Regina Cahill has been working very hard with the other people in the Council Office on that, but all of ours are on two sides.

Mayor Cervenik – If I may address the issues on recycling, we, the Administration myself and the Law Director and Service Director, have had two vendors in this past week investigating the reinstitution of curbside recycling and how that can be done. Both vendors mentioned the fact that we do have a new set of recyclers since we've gone to drop off and that's those people that live in apartments that were not able to do curbside before and the recommendation with whatever we do will to keep at least some form of drop off available in the community for our

apartment hunters, I'm sorry, apartment dwellers, who are very good citizens by the way, Ms. Allen.

President Gudenas – I think we all agree on the drop off locations being very valuable and now an important fundraising tool so regardless of what happens they would remain. So I think we all agree with that.

Mrs. Madeline Scarniench – 1511 E. 221. Couple things, Councilman Delaney questioned about the Euclid Democratic Club at the Clubhouse. If most of you, and you were here, at the time I spoke very many times about the cost that it was, that it was going to be charged because the Euclid Democrats used to be at the Clubhouse and there was a certain price that they paid and that is what we were promised by the current Council at that time that it would stay that way because we'd been there for so long and we were a non-profit. And yes, they did pay the deposit, the security deposit because I'm the one who handed him the check. It was \$150 and it was agreed at that time that because they were going there month after month instead of writing a new check every month that they would just keep that original check. So yes, they did pay the security deposit.

The Animal Shelter, the original Commission, Council members were instrumental who was going to be on that but after that it was strictly the Mayor appoints and Council confirms. So I think what you're doing with the Golf Course is not the same as anything else. I think you're handicapping the Mayor in doing the job that's put forth.

Let's see, a couple other things, I have to read. As far as the Golf Course, and please answer this answer, it is an Enterprise Fund so exactly would you explain what that means because I think the way you've got this set up as far as the revenue is concerned, you're setting a precedence on where money goes instead of in the General Fund. I know the paramedics would like to have all of the money that they do for ambulances going only into their fund. There's a lot of different groups that work in the City who would like all their money go to their fund. And if we do that, there will be no General Fund. So I think if you look at that and reexamine this you might change your mind on the way that goes.

And lastly, your goals, some of them are still in here that co-mingle that this list could actually be brought down. First one you've got on here about the recreation and wellness center. Back again, that same Council you worked very hard in working with the Y at that time trying to put together this plan and it didn't go through because the Y didn't have the money to do it. I don't know where that would make it any different right now and with the budget constraints the way they are I don't think that's something we should be looking at.

The same thing with the Memorial Park, again, that same Council put together a very extensive plan and many, many residents came up here and stood and fought against that proposal. They did not want the change. Okay, there was a recreation sub-committee that worked on this very hard and they did not want the changes you were making in Memorial Park.

Most of these are very good. I love them and I hope we can get a lot of them, but going on. Again, we'll go back to the Golf Course. You're saying that 7 members is too many well, okay, you're going to put, you're talking about putting a proposed Charter Review Amendment on as far as zoning, well, I hope you'll start looking at the size of Council because, again, this City is not the same as it's been for many, many years and I think Council is too large.

And I think I had one more, last but not least. The youth volunteer force, great idea, but you know what, I had a lot of people call me up and say why are we going to reward kids who are doing right things? What happened to the values we're supposed to instill in our children? If everything that we do has a price attached to it, why should they ever do anything right unless there's money or some reward for it? We need to be looking at the kids who are walking in the street who are causing the problem and get out there and ticket them and make them responsible for doing bad things. We don't need to be rewarding the kids for doing what's morally and ethically right. Thank you.

President Gudenas – And responding to the Enterprise Fund on the Golf Course, who would like to answer how that is working? Director Johnson.

Director Johnson – The definition of an enterprise fund is that a separate fund is set up to account for the operations of a particular operation. What distinguishes an enterprise fund from some of the other operating funds is that the, a user fee is charged to sustain the operations of the fund and in theory the user fees are supposed to completely cover the total operation, the cost of that operation. And another example of an enterprise fund is the Waste Water Treatment Fund. We charge user fees to our residents to sustain the operation of our Waste Water Treatment Fund and

the Golf Course is similar with the exception of the bonded debt that was issued with the initial building of the golf course and with the debt that was issued for this new clubhouse, except for those operations, except for those costs the Golf Course has been self sustaining.

President Gudenas – Thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. There are a couple of items I'd like to discuss. One, of course, because of the newspaper article of Lake County and the editorial in the Plain Dealer also. So I would like to know, especially since 2004 up, are we protected on our abatements? Because we do not want to get into the situation of some of these other communities in Lake County that give away everything and then get nothing back if they renege. So I would like, if you can't answer that today, but that everything that has been abated is protecting the City of Euclid and anything that goes forth will be protected. And the reason I say this is mainly having a lot to do with schools is that I doubt very much that Euclid will pass another school levy. People are out of money. So if we give away the store, let us guarantee that we get something back for it. So my question is, are we protected? And if we're not, which ones are we not protected in?

I also have a question about meetings. Is there any reason why all meetings, like this one, cannot be live fed at the time that they are generated, such as the Executive meeting or Board of Control or any of the other meetings that take place I don't understand why that can't be done live and then repeated on a cycle because people are sometimes more apt at that 7 o'clock hour to be able to watch something where at 2 in the morning or 3 in the afternoon they are not. So if we might consider putting all stuff live, I think it would benefit the City in giving them a better, the people, for giving them a much better understanding of what's going on. So we'll never have a problem again.

The last item and I did speak to the Mayor on this and he was nice enough to call me back, but I would still like to understand why the pole and the wires on Grand Boulevard are still not been corrected. Councilman Gruber had mentioned that somebody had talked about a tree that had gone down. I assume that also took some what of the pole away. It's still hanging. I realize they're cable wires and not electrical wires as the Mayor told me, but first of all, it's a problem looking for a problem. I don't understand why the telephone company hasn't been out to reset the pole and why can't the wires be put on a hook or something, you know, one of the those little hook things and get it off. I just feel, especially with the snow we recently had, that could really drag that down and it, it's just a problem waiting to happen.

And the one question I had based on the lady who came up here about recycling in apartments. There are dumpsters in all those apartments, am I correct that there's a communal dumpster?

President Gudenas – Usually.

Mr. Goodman – Okay, why can't, that's picked up by Waste Management or whoever, okay. Why can't there be a setup place in the area, the same basic area where only recyclables can be placed by members of an apartment complex so that they don't have to go to a special place they only have to, like I do, walk out in front. So thank you very much.

Mayor Cervenik – I can answer a couple of those. Number 1, I'm probably not be able to get that pole straightened tomorrow, but I assure you I will get the wires taken care of to eliminate that problem and I will call about the pole and see when that's slated to go.

As far as meetings being live, I'll talk it over with the staff. If Council has no objection, we probably can do that with little, if any, disruption.

Director Pietravoia could augment, but it's my understanding we are protected on each and every one of our tax abatements. That there are call back provisions that would require documentation each and every year, you know, that's always been a very important thing for City Council to pass.

And as far as the recycling goes, there are a number of apartment complexes that have the Abitibi canisters right there because that is no cost to the apartment owner. If you are to bring in a, all right what do you call it, Mr. Gulich, what do you call the big sleds, the big containers?

Director Gulich – Recycling container.

Mayor Cervenik – All right, you're as good as I am. There's a definite, whatever it is. If you bring in the recycling container when it's hauled away, somebody has to pay the \$150 or the

\$175 cost to haul it away and I think that's why an apartment owner's reluctant to do that part of the recycling there's some expense there. But as far as an Abitibi container goes, if your apartment has a, and I'm not trying to take money away from those that already have a bin, but if they would like to do that, they can call Abitibi. Certainly would need the permission from the apartment owner, but if you have a tenants association, that might be something you want to approach to the apartment owner. Have him get an Abitibi bin or two in there so that apartment owners or apartment dwellers can recycle.

President Gudenas – And the apartment owner might save money because that'll be that much less that they haul to the landfill.

So the live meetings are a good idea. I'm hoping we can do it because as we've seen before we're not that big of a city, people are running down here during the meeting to offer their opinion before it's over. So that'd be more fun for Euclid.

Mr. Tod Guntner – 390 E. 257. I wasn't home. I was at the Animal Shelter working. That's why's I'm late. I apologize.

First of all since I wasn't able to be here last week because a prior commitment at the Animal Shelter, I want to take this opportunity to thank all of our volunteers for all their dedication and hard work during the past year. During the past year I would probably say we had in the neighborhood of former and current volunteers, 60 or 70, and they worked for nothing a total of 6,934 hours. So my hat's off to them, thank you very much. Euclid Pet Pals and Animal Shelter Commission greatly appreciate all of your hard work.

Next, we still have a few Our Town All Around Town books left. They're \$20 if you haven't gotten yours yet. We'll be selling them through the end of the month. Again, you can come to the Animal Shelter Tuesday through Saturday 12 to 4 and Thursday evening 6 to 8 through the 31st of January at 25100 Lakeland Boulevard.

Recycling, I have final tonnage for the year for Euclid Pet Pals and I didn't bring it with me so I'm going from memory here, correct me if I'm wrong, 646 tons.

Mayor Cervenik – You're pretty close.

Director Gulich – Close.

Mr. Guntner – Pretty close? That equates out to a total dollar amount, and this is going to be, you know, within a couple of dollars just over \$5,400 for the year. That is directly due to the citizens of Euclid bringing their papers to the Euclid Animal Shelter. Again, I'd like to thank the citizens for all of their hard work and taking time out of their day to bring papers to the Animal Shelter. Again, we greatly, greatly appreciate it.

In February we'll be holding our annual membership drive. This will include new members and renewals. So if you have not gotten renewed on 2005, you got a free year and we'll be starting a new membership idea with going with once a year instead of going with an anniversary date so you started in July go to July go to July. We're going to go March 1st this time and it's going to be everybody March 1st.

Newsletters are out to those of you that get newsletters. There will be a membership application in there and you just mark it new or renewal and send it back in. Again, it's only \$20 a year. We do have them at the Animal Shelter now. You can pick one up; you can print one off of our website www.euclidpetpals.org and we'll be putting them in a few places, such as Shore, here at City Hall and the Library. Thank you very much, you all have a great evening.

President Gudenas – Thank you. We have roughly 3 minutes left before the tape changes so if you're going to talk for less than 3 minutes go ahead.

Mr. Ron Emser - I'm good for 1 minute tops.

President Gudenas – Okay.

Mr. Ron Emser – 26501 Farrington Ave. I'm glad to see here that there are plans here to implement a plan for a new cable TV studio perhaps being based over at Shore. The challenge being, since the one is in the basement of City Hall and no time soon are they going to open up the basement of City Hall to be accessible to folks after 5 p.m., I think it's a pretty good idea. There's been several plans mentioned, several different models that I had spoken about where you could make this project somewhat self-sustainable and it would be a matter of putting

together a video club or a group for ECTV where, let's say groups like the Chamber of Commerce would be buy in and spend \$1,000 to buy a membership and then they would be debited back when they brought people in their organization forward that would want to learn how to use equipment, learn how to edit and they would be charged rent against this \$1,000 units that they would contribute up front and you could create programming for local businesses as we had in the past. A program we once ran called Strictly Business, which was done on Hose Masters. The very people that are paying taxes in this community how great would it be to have these organizations or these businesses to get a little recognition and you can understand what these folks are doing down 222nd Street for the last 30 years or whatever. So there's, there's groups like this. Perhaps you'd be able to get more of the Pony League or whatever get some of the folks, the fathers, different brothers, sisters, whatever involved as volunteers. And again, we would have a wealth of programming available instead of right now we're running 8 or 9-year-old DCR decks in the basement that are breaking with good regularity. I think what we'd be able to do is move into the 21st century get some hard drive servers and take care of it from there. One minute?

President Gudenas – One minute on the tape and 2 minutes 55 on the clock.

Mr. Emser – Okay, well, I'll wrap this up then. Anyhow, I think it's a great idea. It's totally a liability. There may be some seed money available. When you start writing grants and you put students and seniors in the same organization here, I think those grants could bring some money back to Cle, to Euclid and we could get this paid for. Thank you, good night.

President Gudenas – Thank you. I see no one else.

Councilman Langman moved to rise and report; seconded by Councilwoman Holzheimer Gail. Yeas: Unanimous.

President Gudenas – And we will take our break and resume with the Council comments to close our meeting in a few minutes.

COUNCILMEN'S COMMENTS

President Gudenas – Back in business here at the City Council meeting and we are back to Councilmen's comments starting with Councilwoman Holzheimer Gail.

Councilwoman Holzheimer Gail – Thank you, Mr. Chairman.

President Gudenas – Oh, wait, I'm sorry, we have one more to finish up Committee of the Whole

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

Mr. Tom Cooke – 25641 Edgecliff Dr. I'm sorry I didn't know you closed them I was just sitting in the back but if it's okay? Okay, thank you.

Just a few comments, I really wasn't going to say anything tonight; but based on what a few people have said in the audience I just want to clarify there's a big misunderstanding regarding tax abatement. Just to give you an example, the City does not lose on tax abatement. Property I bought when I, when I, before I built the house on, property that I purchased the property tax that was produced from that property was roughly \$500 a year, well, about \$600 a year. When I built the house on that property, I have a 7-year tax abatement. I do not get, my property is abated on the improvement on the property not the land value of the property; but the improvement on the property raise the land value on the property, which better than increased my taxes on the property alone by 10 times. So even though a homeowner or a business is not paying or is receiving an abatement on the improvement on the property, the improvement raises the real estate value that it is built on. So the City, for the City it's a win-win situation no matter what happens.

Regarding the goals, they're all great. They're good; they sound really good; but most of them if not all of them, they all cost money. So the focus should be more on bringing the money into the community as opposed to looking for ways to spend it.

There was also a statement brought up on school levies and I just received this article that was printed in the Cleveland Plain Dealer January 10th of this year. A new tax reform package in Ohio will eliminate the tangible personal property tax on inventory, machinery and furniture, a

move that will cost the schools about \$1 billion. The Center for Community Solution estimates it would take a state-wide increase of 3 mills in property tax to make up for this loss. So as soon as this tax reform package is enacted, which for all intents it already is, this city along with every other city in the state of Ohio is behind the 8 ball by the sum of 3 mills. Thank you.

President Gudenas – Thank you and now we'll go back to Councilwoman Holzheimer Gail.

Councilwoman Holzheimer Gail – Several people have mentioned the Abitibi recycling bins and I just wanted to ask whether there's any guidelines in place as to where those bins can be located? I don't if anyone.

President Gudenas – Who would like to answer that?

Mayor Cervenik – It would, it would be my belief and we will look into it a little closer that that would be considered a garbage bin as anything else and it would be required to follow those regulations for a regular garbage bin on commercial or private property.

Councilwoman Holzheimer Gail – Do the schools or businesses that they're located in inform the City that they will be putting them there or do they have to get a permit for that?

Mayor Cervenik – I'm not aware of any permitting process for a, for a garbage bin, no.

Director Gulich – I'll just mentioned that Abitibi informs us as to where those locations are.

Councilwoman Holzheimer Gail – Okay.

Director Gulich – And the activity.

Councilwoman Holzheimer Gail – I just, you know, if, it certainly serves a wonderful purpose and I don't want to limit that; but I think there are some visual, I don't know what the right word is, I don't, you know, if they don't, I know of one particular place where there's 3 in a row on Lake Shore Boulevard and to me that isn't that attractive. It certainly serving a good purpose and perhaps there's some, you know, I don't want to create too much bureaucracy but perhaps there's some guidelines of where they can be placed so that they're not quite as visible. Certainly we don't want to limit visibility where kids are walking back and forth. I know of one situation where they actually took their bin out because there were some difficult situations. So I just perhaps something we can look at as we also look at the other recycling issues.

I wanted to acknowledge Sheila Gibbons is here. She's the Program Director or Executive Director of the Shore Cultural Centre Board of Trustees and I wanted to compliment you and the volunteers and Board. The most program book that was put out that I believe most residents have received or they're also available at the library and here at City Hall offers some wonderful community programs. Music, art, exercise and fitness, computers, accounting, many, many different and there's many new classes, which is why I wanted to mention it. And I think you're really working hard and I wanted to compliment you on that and also make sure that residents are aware. Take the time to look through the book because they're constantly adding new classes, new program offerings and there's really some wonderful things happening there and you can call Sheila or somebody at the Board at 289-8578 to find out how you can register for programs or to make sure you're on the mailing list to get the new brochures but they are also at the library and City Hall and Shore so stop in and get one if you can.

And lastly, I wanted to extend my condolences to the Mabel family. Bill Mabel, who served as a Councilman and lived in the City I think most of his life, really had a great influence on me. He helped found Euclid Community Concerns. He served as their Board President and probably every other position for many, many years and Bill definitely cared about the community. It was apparent in everything he did. He was active in many, many community issues both school-related, community focused, church focused, he really, I think, had a great impact on this community. Certainly had an impact on me and he'll definitely be missed so condolences both to his family and many friends and neighbors that he had here in Euclid.

President Gudenas – Thank you and just to clarify on the recycling bins, we do rules regarding screening, are they supposed to be in place also for the bins, Director Pietravoia?

Director Pietravoia – We do have rules that require that dumpsters for trash be enclosed, fully enclosed for commercial purposes. We have not interpreted the recycling bins in the same way so we haven't applied those regulations to the recycling bins, but I understand the concern about the aesthetics and we can work with Councilman, you're a councilman now, with Director Gulich on coming up with some guidelines for the aesthetics of the recycling bins that are going to remain in place.

President Gudenas – Okay, thank you.

Councilman Langman – First, I've been informed that Erin Fialko is the top Girl Scout cookie saleswoman over the last time period so congratulations to her and I'm looking forward to my boxes of cookies any time now.

Yesterday I had the opportunity to attend the Martin Luther King Day service at East Shore United Methodist Church along with Council President Gudenas, Councilwoman Walsh and Councilman Conway. And it was really a very fine event. Well attended, could have been attended better, though, I think. They had room for more people but I want to thank Pastor Henderson for extending the invitation and the other clergy that participated in this very fine ceremony and especially Rev. Boss, who was the keynote speaker and his theme was, obviously, Dr. King's third revolution in American history, the civil rights revolution. And sitting there I came to think, well, you look at the pictures that they had flashing on the screens of film footage from that era and Dr. King would have been 77 on Sunday so, obviously, that era is more and more receding into history. So as I was sitting there listening to the keynote speaker, I thought to myself how is Dr. King relevant today? Well, Dr. King will always be relevant if we make him relevant because his themes weren't simply about civil rights in the American south and in American's northern cities really the themes that were brought up yesterday were about basic humanity and the potential that humanity has for good for acceptance for tolerance and for love. And if you look around our world today, wouldn't it be great if Dr. King's dream where white kids and black kids can play together, if that was true was Israeli and Palestinian children or children in northern Ireland, Catholics and Protestants, or Chinese children and Tibetan children. So the themes that he felt for are as relevant today as they were then and they will be relevant as we go forward in history. So how do we keep the dream alive? Well, it's really ladies and gentlemen up to us each and every day to focus on those themes that he so eloquently talked about. And with that I will say good night.

Councilman Lisy - I've been remiss at the last couple of Finance Committee meetings to thank the Directors that I've dealt with. I have a fulltime job and so I get to the Council stuff afterwards and it's not until 8, 9 10 o'clock at night that I'm sending e-mails to the Directors and by 10 o'clock the next morning I've been getting responses back answering my questions and I really do appreciate that getting the responses back in a timely manner because there's a lot of information to go over and we have a lot of different programs in the City and I'm hearing a lot of comments that we have to be fiscally responsible and we have to know what we're, what projects we want, what projects that are, something that's a luxury and we could put off until later. So getting your feedback has been very helpful and I appreciate your prompt responses. Let's keep it up. We still have 4 more meetings, I think, coming up or 3 more meetings coming up.

Also, I'd like to wrap up with just again pointing out that the Euclid Winterfest is January 28, 2006. That's right around the corner. There's a chili cook off competition at the C. E. Orr Ice Arena. There's a chilly 18-hole golf scramble if you want to play golf in the winter time at Briardale, please sign up. A snowball softball tournament and so your team can play softball if you're really craving to get out and play some softball, you have an opportunity January 28th and snowball disc golf tournament for all those disc golf advocates. And to get information and to sign up you can contact the Euclid Chamber of Commerce 731-9322. Thank you.

Mayor Cervenik – I believe, as I look around there including your clerk, there are 10 people and I think that's what you need, plus your Sergeant-at-Arms that's what you need for softball team. I think you all ought to sign up.

President Gudenas – Well, how many do we need for a good softball team?

Mayor Cervenik – Well, right now, there's only a few teams that have signed up so you're going to look good.

President Gudenas – All right, we'll put that into committee.

Councilwoman Mancuso – Not my committee please. First of all, I'd like to congratulate Director Pietravoia. It was really very nice to see the report we got tonight and the forms that were made to get us moving on the vacant homes. That's no easy task, but it was something we asked and we are moving down the right road and it looks like we're making some progress. And I think all the residents should be happy that we're doing that.

On the other hand and I'm going to pick a little on our Director of Finance. I am concerned that we are not any further along in our policy for our Tax Department than we were 30 days ago and I know you've e-mailed us all with asking for an extension. My concern is that our Tax Department is in full swing and nobody's happy with the Tax Department, not a single resident, whether they're paying their taxes or not. And the confidentiality policy is not something we just asked for 30 days ago. It is something that I've been asking for through my last term as Councilwoman and I really, I really feel that we need to press forward on this and I don't believe that it needs to be you particularly who needs to sit down and write that particular policy. We have some expertise in our Tax Department. I'm sure not everybody there is an expert and we're learning. We still have that learning curve, but that particular confidentiality policy is very important and I think imperative that we get done in a very short period of time. I guess I would ask you where, where are we and how much time do you think we need before we see a draft?

Director Johnson – I understand the importance and I understand and appreciate Council's feeling of the importance of the policy. I asked for a 30-day extension primarily because our budget process, which I didn't envision would incur the additional amount of time in terms of research that's being asked for, particularly in responding to Councilman Lisy's e-mails. As a matter of fact, I got one at about 6:54, which I will respond to you before 10 o'clock in the morning on, is consuming quite a bit of my time.

I haven't had an opportunity to present the Finance Department's budget, but I will tell you and I'm not making excuses is that I did ask for 2 new positions. One is for an assistant or an accounting-type person and a network administrator. We haven't had a network administrator in about 3 or 4 years. My reason, primarily, was in light of the fact that Council has formed a Technology Committee and there seems to be in your priorities an emphasis on a lot of technology issues, I asked for additional staff positions to accommodate that extra workload and I understand and appreciate the Council, particularly yourself, have not been happy with my ability to provide monthly timely reports. That troubles me as much as it troubles you, but I did ask for additional staff persons to try to resolve some of those situations and in light of the fact that we're looking at now reducing the original budget that we presented, those positions were some of the first positions that were eliminated. So I'm not making excuses and I understand the importance of it. I intend to write that and all I asked for is a little time.

Councilwoman Mancuso – I appreciate that and I appreciate your plug for more FTEs also; however, the expertise I think is in your Tax Department. You have Mr. Kniceley and you have Ms. Lovelace, who could at least get a draft started for you. Again, as I said with other Directors, I'm not sure you're the person who needs to sit down and write all this and I'm about to tell you how to do your job. But I really think we need to see a draft in short order because then Council needs to look at it and make sure it meets what we feel the confidentiality policy really says and having given you, I actually thought we gave you a jumpstart by giving you some items that would kind of help, you could work around them.

Mayor Cervenik – Within 30 days you will have the policy and then you can change it as you wish. It would be remiss of us for our residents to think that privacy policy's not being followed. It would be remiss of us to mislead our residents, for our residents to think for 1 minute that since we have moved the Tax Department into the City of Euclid that those employees are not bound with the same privacy and same confidentiality agreements that were signed by CCA employees. Our employees have signed the same thing. They have been made fully aware of their liability they have under the Ohio Revised Code, under the Municipal Code as well as the Federal Tax Statutes. They are following that so when we provide you with this policy we will be the first department, I know a number of Council people visited Cleveland Heights thinking they were going to come back with a privacy policy to use an example and you did not come back with that because they don't have one. They have all the same, the employees are signing the same forms and agreements and being instructed actually being insisting that they sit there and read the various Ohio Revised Code statutes on confidentiality, but you will have that within 30 days. You have my word on that and it will be document we're all happy with.

Councilwoman Mancuso – Thank you.

Councilwoman Walsh – On a somewhat lighter note, I have been asked to do a commercial for Scott Savol and I want to tell you that tonight is the first night of American Idol that Kathy Will and I are missing. And we want you to go to Shore Cultural Centre and meet Scott and applaud him and give up your \$18 and I believe the money is going to Shore Cultural Centre.

On an even nicer note I want to, there were several youth in Euclid this week that were outstanding and if you read the Sun Journal, they're all in there; but I want to point out the Ward 3 resident, Joanne Neugebauer, who was on Academic Challenge and I'm sorry VASJ lost but Joanne's also a member of the Case Western Reserve Youth Philanthropy Committee, which teaches kids to volunteer from Case Western and the Mandel Center and this group is having a convention February 8th and I'm trying to encourage some of the youth going on my expense to attend this so that they can learn how to volunteer.

Perhaps the structure of volunteerism is not understood. It costs the City no money. The sidewalk servers that we're going to have is going to be positive reinforcement. If you cannot applaud a child for volunteering, then you should not applaud an adult because they've already heard the adults. Many times a child just needs to hear hey, you did good. Hey that C is fabulous. That D is wonderful because you've been getting Fs and we're going to go even higher. Volunteering teaches an awful lot. It teaches to be compassionate; it teaches to serve. It is not a reward unless the reward is what you get in your heart, the warm feeling, the fuzziness. That's what volunteering is and all of you that are adults that go to the Animal Shelter or the Hunger Center or even come here to watch the Council meeting understand the goodness that you're feeling so why not project that to a child.

That's what the Youth Volunteer Program will be. Positive reinforcement, it will not cost the City anything but the City will stand up and take the credit when these kids become the beings that I know they can. They are growing to be sunshine in the streets, on the sidewalk and bring the other kids on the sidewalk and I defend a volunteer program. There is one active for 25 years in the City of Lakewood called Lakewood H2O. I talked to them today and there's also a volunteer program in Shaker Heights that succeeded because they got grants.

I say God bless the children and if I go on any further, I'm going to sing a song and you don't want that. I believe the children are the future.

President Gudenas – Thank you very much and I'd like to first go back to what Councilwoman Mancuso said about the Tax Department privacy policy. I happen to have been in the Council Office the day the attorney who works in the Tax Department walked into get a copy of the legislation that we approved and I was under the understanding that this attorney which would make sense, was working on the tax privacy policy and that we were going to get something. Has this attorney provided any information to the Finance Department at all since he picked up that legislation? No, well, you know, obviously, we can't, you know, look at something we don't have; but can we at least in the meantime, get a copy of the form that the employees are supposed to sign in the meantime so we can work, you know, just make sure that we understand how that works and a list of all the City employees that have signed that form and also a list of who has access to the Tax Information computers etc. and how we monitor that access and whom monitors that access. So that's a good start in the meantime, which shouldn't take too much time to put together, that while you're working on the other end of it we can at least see what's going on there. But it is important because this is in full force already and to me this is a common sense thing.

Also, just to remind anyone who's watching the meeting that we are still hoping to have more people turn in an application for the Golf Course Commission and the Citizens Evaluation, City Services Evaluation Commission, three members on that one by Tuesday close of the business day Tuesday, January the 24th in the Council Office. Anyone who needs a form, it can either be e-mailed or you can call 289-8123 for that but the more residents who participate the better. But again, we're looking for residents who have some specific expertise to offer in those two areas, the Citizens Evaluation Commission and the Golf Course Commission.

And also been said many times but one thing that was overlooked, we have the Blade and Edge Celebrate Skating 2006 weekend, which is this weekend January 21st and 22nd at the ice arena and they are also celebrating their 40th year as United States Figure Skating Club. So it's a big year for them 40 years, small fee, again Saturday and Sunday, 21st and 22nd, anybody who's interested should go there for good quality entertainment.

And also to remind all of the Council members and residents that instead of 7 o'clock we'll move the Retail and Commercial Committee for the Senior Center rentals that Councilman

Conway has to 6:30 on Monday, the 23rd, and at 7 o'clock, so it's not going to be a very long meeting, we're going to have a short presentation from the citizens from the Animal Shelter so that'll probably be 15 minutes or so and then around 7:15 we'll get to the budget issues on Monday the 23rd. And in the meantime we have a special meeting on Thursday of this week, Thursday the 19th at 7 o'clock right here regarding budget hearings for the Fire Department and Service Department so that we can keep things moving along in that area. So we might also have a meeting after the 23rd regarding the budget depending on how everything else moves along in the meantime.

So I think that's all I have.

Councilman Conway – I'll add one more date to remind the residents, too, of meetings and a very hectic January. I think it's very important that people remember that on Wednesday the 17th is a Planning and Zoning meeting and I know I have received many phone calls, as well as probably many members of our colleagues and the Administration regarding the Value Place proposal that has certainly been in the media and certainly sparked quite a bit of attention in our community. It certainly is a long process and I would hope that many people either try to attend the meeting or make sure that they make it a priority to review the meeting when it's on tape 'cause there are a lot of questions that residents have. I would expect quite a bit of discussion tomorrow evening that may answer quite a bit of the questions that you do have regarding the Value Place proposal. So I would encourage people to try to attend or to watch on the tape the Planning/Zoning meeting this week.

Director Johnson, a quick question for you, I've also received quite a few phone calls and maybe it's just the fact that a lot of people don't like to talk about their tax responsibility, but can you clarify or make any comment on the quarterly estimates that were sent out that if there was any issue with some of them that were sent out, I'm getting, you always get, probably, lot of calls saying that they're inaccurate but you kind of put the residents minds at ease about their statements that they received.

Director Johnson – Sure, the quarterly estimates that were mailed out normally would show a month end, I believe, would be November and the month end actually showed October 31st. Because this is the first of our mailings for quarterly estimates, we had to rely on the time period and the information that we received from CCA. So in the future quarterly estimates and our notifications for quarterly estimates will be dated properly so hence the amounts that showed were actually a month less than what the taxpayer should have actually owed. And that was because of the fact the information that we received from CCA was at that period of time and we had to get those out.

The issue that we've gotten is there've been bad addresses or taxpayers who the account may have been a joint account and the spouse may have died or they no longer file joint returns and they received an annual return with that old information on it. And I think that residents need to understand that as we're made aware of that of those errors we are correcting them on our system, but that is the information as we received it from Central Collection Agency. Some of the information is outdated and we are making those corrections as we're making, as we're being made aware of it but that's, that's the way we received the information from the agency.

Mayor Cervenik – Yes, Mr. Chairman, if I may add to that, it is extremely important to realize that the date is if you look on the form, payments posted by October 31st. Depending on when CCA sent them out and they were a little sporadic on whether you had to pay by October 31st or September 30th. Some people pay their estimates the same time as the Federal's due September 15th, but it just brings up another point as one of the reasons we decided to change that many of the postings, the checks were mailed the end of September and as of October 31st CCA still hadn't posted that to the individual's account and please don't hold us responsible for that. I assure you that that's going to change considerably.

I had a resident come up to me the other day, hey, Mayor, the Tax Department's pretty good. I said well, you just paid estimates. She said yeah, well, I sent in my estimated payment and 2 days later it was cashed. All right, which is quite a bit of difference from people, I had a man come up to me at and I've said it here before at Perkins and said Mayor, I wrote a check 3 months ago to CCA for \$1800 and it's not cashed yet. So the cash flow, you know, it's going to take us a year to get that out and I've asked residents to be patient. I've asked residents to make the change, appropriate name changes on their tax returns and send them in. Those will be added to and changed on our system and we really hope to have the inaccurate information that we have received from CCA for whatever reason corrected in a year. But this is a normal, this will happen when it changes, but those payments when you file your annual tax return, you will have,

we will have recorded the 4 payments made or 3 payments you made whatever your situation is but we will have that on our records 'cause CCA is required once they make those postings to send them to us and that will be added on to our system.

Councilman Conway – Thank you very much and last thing I'd like to do is echo Councilman Langman's comments and thank Pastor Henderson for the very moving presentation for Martin Luther King Day. It was something I was very happy very proud to attend so thank you Pastor Henderson and with that good evening.

Councilman Delaney – I would like to answer a comment made by Madeline Scarniench about my questions for the Senior Center. This document was given to us tonight and I don't want to belabor a point as the Mayor said the City is going to rectify this. But I look and 6 of the 8 times in 10 months that this was rented by our political non-profit there were no security deposits and what would worry is that the group has been most advantageous and you tend to be concerned about that. You don't want a public facility being taken advantage of by public people. There are some lines to be defined there. I'm not so sure that if you'd of looked at this and saw that the Girl Scouts can afford to pay nearly 3 times as much you might not have asked the same questions. But I look forward to the committee meeting and I'm sure that we can get these things rectified and as I said I didn't want to belabor a point but I did want to clear that up for you.

I, too, would like to say my sympathies to the Bill Mabel family and God speed to them all. Thank you very much, Mr. Chairman.

Councilman Gruber – I'm fortunate enough to work with Judy Carey, who came from the City of Lakewood. I believe she worked with you, Director Pietravoia, and she was, she oversaw the H2O program and I've been speaking to her. It's got some pretty nice benefits and a couple of folks I work with their children were actually in the program. And it is something that would probably work in the City and definitely be worth exploring and the person I work with has offered any assistance that she could give us in that endeavor. So that's good.

Director Johnson, it's your turn to get beat up on tax forms. Several elderly individuals have contacted me and I've gone over and spoke to them and they don't think the retired box is big enough. They can't find it on the form. There's too much information. The lettering is too small; the color of the ink is not appropriate. They don't know where to sign it. There aren't proper instructions on which one you send back if you keep them both, if you send one back. And these are just things that I heard that we can work on, you know, through the form. I know it doesn't seem like much to us but it is confusing and it is aggravating to some of our elderly folk so maybe we could look into a couple of those items, particularly my mother. When I was over there tonight, she showed me the form so be glad I told you instead of her.

And also to the Bill Mabel family, Bill was a friend and a mentor and a confidant and I learned very much from him. He was a trend setter in the community, very forward thinking. He was definitely a man we could all look up to and I know that he served the citizens of Euclid well and he will be missed and my condolences as well to the Bill Mabel family and just, he was a wonderful man and he will be missed, especially by his neighbors. He never hesitated to call. He brought the neighborhood groups together any time there was an issue on the street he was the first one there and I got a lot of wonderful advice from him and he was a wonderful man and he will be missed. Thank you.

President Gudenas – Thank you very much and Councilman Gruber made a good point. If you want to be on that citizens advisory committee that's exactly what you would be doing reviewing those tax forms to make them better and easier for the residents. With that...

ADJOURNMENT

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

Attest:

Clerk of Council

President of Council

