

COUNCIL MINUTES

MAY 1, 2006

The regular Council Meeting was held on Monday, May 1, 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

All Present.

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

Invocation was given by Chaplain Joseph Hilton of the VA Medical Center.

COMMUNICATIONS

Councilwoman Holzheimer Gail moved to receive without objection a request for a Transfer of a D5, D6 liquor permit from MDQFJB Inc., DBA Copper Top Ale Haus & Eatery to DONV Enterprises, Inc., 21910-20 Lake Shore Blvd. Councilwoman Mancuso seconded. Roll Call: Yeas: Unanimous.

Council has received a memo from Finance Director Johnson regarding the status of the Bond Retirement Fund.

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Councilwoman Holzheimer Gail moved to approve the Council Minutes of April 17, 2006. Councilman Gruber seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik and Fire Chief Cosgriff administered the Oath of Office to Frank Prijatel as Asst. Fire Chief.

Mayor Cervenik introduced Mackenzie Kucera, Miss Poppy 2006 of the American Legion Auxiliary 343 Euclid.

Chief Maine presented Officer of the Year Award to P. O. Dave Roose.

Mayor Cervenik – We would like to congratulate Euclid resident Laura Kessel who took 1st Place in the Best Editorial Writer Category by the Associated Press Society of Ohio's Annual Contest. She's an assistant editor at the News Herald and it is quite a prestigious award. The Judges said that her writing was clear, organized and even tempered. That's something we all need around here very much so. So, Laura, being a Euclid resident, congratulations very much.

Tomorrow, May 2nd at Thomas Jefferson School on 260th Street, is our second of the four, City Hall on the Move. You can come and talk with me and all of my administration. We'd like you to come and ask questions. You can register for various programs and just find out what is happening in the community, in the city. The meetings are casual, open house types of meetings. No need to get dressed up. You don't need to be there for three hours. We're not giving political speeches are any kind of other speeches. We just want you to stop in and see what's happening in City Hall. It's from 4:00-7:00.

May 9th, at Upson School is the meeting for Ward 2. May 25th at the Lakefront Community Center will be the fourth and final meeting for Ward 1. Please feel free to stop by. Those that are voting at Thomas Jefferson, please stop up, it will be in the Library. We're looking forward to having you here. It's our way of just trying to get the residents more in touch with what's going on at City Hall, so you can get to know who we are and what we do and how we can help each other out.

Don't forget to vote tomorrow, it's election day. It is primary election but all in all that's still a very important day because a lot of important offices are going to be picked, especially statewide. We need some help down in Columbus, cities like the City of Euclid, so please look very closely at the platforms of the various candidates that you are going to vote for and make sure you vote for the people that can help the City of Euclid.

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Chief Maine – I just want to make mention to the city that I don't think any community goes untouched regarding the issue of graffiti tagging, that whole genre of vandalism. Through the efforts of a number of people involved with the city, including Councilman Conway, we've been able to put together a program that I think pretty effectively will help address our problem of graffiti in this city. We don't have a huge problem, but I think that's partly because of the things, the pro-active approach that we've been able to take. History has shown us that a pro-active approach is very, very important in dealing efficiently with a problem.

In conjunction with Kathy Will's department, the Rec Dept. specifically, Dean Grida and Monte Carlo from the Sign Dept., we've developed a procedure to try and remedy as well as address the problem of graffiti. We would like anybody who comes across graffiti to do is to call the Police Dept. or Dean Grida at the Rec. Dept., but we would probably be the easiest one to get a hold of at 731-1234. We will then send out an officer to make a police report. We'll take some digital photos which we then catalog to be used for investigative purposes so that if we can identify who the people who are responsible, we can hold them accountable.

Kathy's people as well as Monte will then come out and then get rid of the graffiti, hopefully within 24 hours. We think that again history shows that if you take care of it quickly you have less a chance of having repeat offenses and I'd just like to make that aware to the community so that if they see it, they can let us know, we'll take care of it.

Director Will – I'd like to take this opportunity to thank our Blade & Edge Club members, City Council, Administration and all the residents, participants and the parents for this past weekend's ice show. If you had the opportunity to attend it, there was some really good talent on the ice. There was also some kids who were 3 years old, you'll go back in a few years and you'll see how much they've improved. Thank you very, very much to the Blade & Edge Club. The Ice Show was a huge success and I appreciate how good you made the Recreation Dept. look this past weekend.

I would also like to thank the Mabel Family. This past Friday we planted a tree in memory of Bill Mabel, right behind Old City Hall. If you have an opportunity, go out and check out the tree, it's a Red Sunset Maple tree in memory of Bill. It was a great ceremony and thank you again for all of your support.

Silhouette Productions will be doing the production of Annie, not this weekend but the next two weekends. If you want ticket information, you can call 289-8107. Remind you that you can register for the Recreation programs on Tuesdays from 3:00-7:00 PM. Remind you that the Euclid Lakefront Festival will be held at Sims Park, June 15th-18th. Also, if you are interested in being on the Pond and Garden Tour, you should contact 289-2726.

Finally, I'd like to take a moment on behalf of the Parks & Recreation staff to extend our deepest sympathies to the Sankovic family for this weekend for their tragic loss of their son. Anthony had participated in our Swim Team and other programs and I just want to make sure that the family knows that our thoughts and prayers are with them and God Bless them. Thank you.

Mayor Cervenik – Last but not least, tax season is over. It is May 1st, and I am happy to report to City Council and to the residents that for the month of April our projected income was exceeded by \$992,000, just shy of a million. We were within \$8,000 before that, so we're about \$992,000 ahead of projections for the year. We cannot run off and spend that. At least not right away. We're very happy with results. The month of May we have a projected half million dollar increase over 2005's numbers. Normally that would make me a little concerned, but in talking with our Tax Administrator, we're pretty confident that the rest of our projections should be pretty much on schedule. We will stay ahead of where we projected.

A couple of things, when we did pass the general fund budget, we did tell you that we would be coming back with some budget amendments. Most of those are due to some of the contract changes in addition to the 3%. They are not real major items, but when you have 10 bargaining units they are added up and I believe Council has taken a few actions that have increased the budget as well. We are taking the approach as we talked about with the Council President during budget hearings, of being very, very cautious about spending a lot of this money until we make sure it continues to go on, as confident as I am that it will go on.

Which brings me to something that we will need to think about and talk about a little bit on Wednesday. We've got quite a long agenda planned for Wednesday evening. Virtually all of it has to do with our housing problems and situations that we're not alone with, foreclosures and inspections. When our conversation is over on Wednesday, I maybe asking Council to let us dip into a little bit of this overage of our collections to help us deal with the housing problems we're going to be talking about Wednesday immediately. I think we're at a point where we really need

to tackle some of these problems quickly and very aggressively. The only way we're going to do that is to make sure we do have the proper manpower and the right amount of manpower to do that. Other than that the administration sees no increases that we would be presenting to you until 2007. I want to commend Director Johnson and his people as well as Gloria Lovelace and the dedicated workers in the Tax Dept. They really put in their time this past couple of months and I commend them for their work.

I would like to add, we really haven't jumped on the delinquencies again for 2006. Many people who file tax returns haven't filed in 5, 6, 7 years. I think what's happening is they realize that CCA is no longer in charge, the City of Euclid is and they need to start filing tax returns. Those that filed for the first time in 2005, that should have been filing beforehand, they will be receiving a nice little letter sometime in July or August asking where they've been. We are very happy and we appreciate City Council's support for letting us create this department and it is not going to solve all our problems, but it is certainly going to allow us to spend money on some of the tools to take care of our challenges in this community. With that happy note, I will close administration reports and communications.

President Gudenas – Thank you very much for you 992,000 good words.

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Police Report from February 2006; Commercial & Retail Development Com. Min. of April 12, 2006; Board of Control Minutes from April 10th and April 17th, 2006. Councilman Conway seconded. Yeas: Unanimous.

President Gudenas – I should add one thing, the Parks Dept. has a whole bunch of beautiful trees in front of the Shore Cultural Centre in our Triangle Park. They are all blooming right now so take a look because it only lasts a little bit and they are just about at their peak. Those crab apple trees are looking good.

Councilman Gruber moved to waive the 24 hour notice and place on the agenda, Res. (116-06). Councilwoman Holzheimer Gail seconded. Yeas: Unanimous.

President Gudenas – Items 10 & 14 will hopefully go to the Committee Meeting on Wednesday and discussed further at that time.

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

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

Mr. Dallie Vernon – 1497 E. 196 St. I would like to address #10 even though it is going to go into Committee. First my wife and I would like to thank Chief Maine and his men and women in blue for the police patrols for the E. 193rd Dille Road area of Euclid. There have been in the past large groups of youth who congregate on one or the other streets and the patrols have put this to a stop and we appreciate it Chief.

A resolution creating a special residential improvement zone for the housing improvement program. First I'd like to know when we get to that point if this issue is to be retro-active to residents who have already done work or in the process of doing work in their homes and if so, for what period.

I would also like to know at what income level is to be the cut-off point. There are many retirees and senior citizens in Euclid who presently are making it on their own but has significantly lower income than average. We have the same expenses as lower income folks, taking on the costs of renovations are a risky expense. If council intends to make improvement funds available for homeowners, then the same funds should be available to seniors who live on restricted income, even if that income is somewhat higher than poverty level homeowners.

My wife and I don't earn a large income. We've already laid out several thousand dollars for home improvements and expect to spend several thousand more. We pay as we go and have had to budget our improvements. I know there are many senior citizens like us and I think any home improvement program such as #10 needs to take this into consideration. Thank you.

President Gudenas – The legislation is drawn, doesn't have any provision for being retro-active. That certainly can be discussed and as written there is no income requirement, be it high or low, everyone is eligible equally.

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Mrs. Mary Czyzycki – 600 Birch. #1 on the Agenda. The Lakeland Civic Association wishes to thank the Planning & Zoning Commission for their time and effort on this issue. We thank the Council for their time with the special meeting and we especially thank the Mayor for attending our association meeting at a last minute invitation. As you know we are an active property owners association and continually strive to keep our members informed of city concerns and encourage all to maintain properties and be proud of our community. Unfortunately we have ourselves in an uncomfortable situation. Mr. Calabrese was trying to do well for the city. His confidence, I had something else written here and I don't want to say it now. He destroyed our confidence in him when he decided that he could crush on the site without city permission, therefore we are uncertain as to what he will do next. We ask you, the City Council, does he deserve a special consideration? Do we deserve to live in fear of what he will do next or might do next? I'm sure you will consider all the facts, do what is best for the citizens of Euclid and let it be known that the Lakeland Civic Association prefers not to have crushing on that property. Thank you.

Mrs. Dorothy Burkhart – 588 Sycamore Dr. I, too, want to speak on issue 1. I just hope with all my heart and I have confidence in every councilmen and the Mayor and his administration, that they make certain in writing, in legalese that will stand up in Court that Mr. Calabrese if he is awarded this two weeks crushing permit will follow through and not have crushing full time on that site. As the President of our Association stated, we lost confidence in Mr. Calabrese when he started crushing without a permit. I think everyone of you can understand how we feel about that. I know some of you feel that there's not dust and can't be a nuisance, but by the same token, an April 1st issue of the Cleveland Plain Dealer was a case involving concrete crushing at E. 40th Street near the food terminal. That case was in court for 3 years. Finally the judge found that it was a definite nuisance and gave them 4 months to continue to clear out the 90,000 square yards of debris they had but then they had to cease crushing at that site. This is just one incident where they said that it was dirty, and dusty and was a nuisance.

We love our community. We'd like to keep it like it is. Again, thank you for all the time you put into this issue, but also remember to tie it up in good legal knots for us. Thank you.

Mrs. Madeline Scarniench – 1511 E. 221 St. I would like to speak on #10 and #14. As far as #10 is concerned, I would like to know what made you decide to designate this particular area? There is nothing in the ordinance that tells you how many people will qualify for this. When the HIP program first came into being, it was open to everybody in the city. I believe that's exactly what it should be, it should be open to everybody in the city. If you are only going to do this on a small basis, you decide the first 50 or the first 100 people that apply and qualify will be the ones who get this. So that way people all over the city are benefiting, every neighborhood is benefiting. I don't think it's fair that it should be just in one area.

I don't know if you are choosing this for any particular reason. In looking at the census track, yes this is one of the highest mod to low income areas, but it also takes in all of Indian Hills Senior apartments. There is a place in Ward 2 that actually has a higher mod to low income. So I question as to why we're specifically targeting this one area, I think it should be open to everybody.

The original HIP program, some people did not get their money, we had run out of money and they were put on hold. I don't know if anyone can answer. Did those people all eventually get their money?

As far as #14 is concerned. I had a Realtor call me today and say what the hell is the city trying to do now. This is a great idea, we go out and we cut grass for people and we're talking about a little bit of money. Now you're talking about doing major work. Then you are talking about putting a lien on their property. Well what this person is saying to me is that's fine but most of these people already have liens on their property and it is probably one or two or maybe more. Where do you think the city's going to fit in there and where do you think the money is going to come from because it's never going to happen. You will never recoup the money.

Over the years we talked a lot about a Housing Court. Again, I'll bring that up. This is the most ideal time to put a Housing Court into play. We've been told over and over again Housing Courts can move faster, can do things faster. Well maybe we should seriously start talking about that issue now and putting it into play and going after these people. It makes no sense. There's nothing here that tells where this money is going to come from that we plan to do this for. I hope you can answer that because I'm not sure if I can be here Wednesday.

As far as #1 is concerned, I think I brought this up at City Council, I know I brought it up at P&Z. I think you should add a part in there, if he goes over that two weeks, there should be a hefty fine for everyday he's still operating that to help alleviate the problem. Thank you.

President Gudenas – To answer a couple of the questions, the area was not picked out because of any census figures, etc. It was picked out because of two reasons. One is its going to have probably the most investment in the next few months than any other part in the City of Euclid in that there will be a Walgreen's hopefully going up at Dille Road and there's a new owner of Indian Hills apartments on the other side putting in millions of dollars. This is an area with unfortunately many neglected homes. I personally walked many of the streets and I was shocked by the condition of some of these homes. As you mentioned we ran out of money doing the HIP program citywide. So we wanted to concentrate this as part of an overall plan, that's what we're going to be discussing Wednesday. This is not just one thing we're going to do, it is one of many things we're going to do to see how quickly the City of Euclid can have an affect on a neighborhood to improve it significantly quickly. We want to see what we can do based on what works there, we will then roll out to the rest of the city. That's how that all came to be.

Mrs. Sandra Brochak – 570 Walnut Dr. I'm speaking about #1. I would like to give you the word, manipulate: to change by artful or unfair means, so as to serve one's purpose.

In my opinion this is how it goes. First step, I want to buy property where I can crush concrete, but it is not legal according to the code for the location I'm interested in and the community doesn't want it. Okay let's try something else.

Second step. I attend a meeting of homeowners letting them know that I still want to buy this property, smaller and at a reduced rate, but not to worry, I won't crush concrete there, I will never mention it again. Everyone is happy.

Third step. I buy the property, sign an agreement that I won't crush concrete at this location. It will be used for headquarters, new buildings, supplies and vehicles.

Fourth. I start to bring in used concrete and stack it on my no crushing allowed property.

Fifth step. The stack of used concrete is now a small mountain. Arrangements are made to have a portable, 50,000 pound crusher, sent to the property that is zoned no crushing. Crushing starts and stops the same day after complaints are received at City Hall.

Sixth step. Okay now I'll apply for a variance so I can crush concrete for two weeks. That won't seem like to much time to start with. And I already have all this concrete here, what can I do? What can they do? I think they will see it my way.

That's manipulation. Please don't let this happen. You have to set the standards and uphold them as we all strive to improve the standards and appearance of our city. We do not want concrete crushing here. Before it became a mountain of concrete, it could have been taken to DeMilta or Osborne for crushing and saved all of us time, money and mental anguish. Please continue to protect my rights as a property owner to enjoy the full use and quiet enjoyment of my property and neighborhood. I sincerely thank you.

Mrs. Phyllis Alaburda – 541 Walnut Dr. I wanted to speak on #1. All I want to say is, you originally sold it for no crushing. Please continue as no crushing. Thank you.

Mr. Tom Cooke – 25641 Edgecliff. Regarding #11 the long-term lease agreement with Shore Cultural Centre Corporation. This is the first time I have publicly taken a position regarding Shore. I have privately held the belief that Shore should be raised and the space open for new development. I had planned on stating that position here at this Council Meeting. However, before doing so I thought it might be wise to visit Shore considering I hadn't been there for 10-15 years. I did this last Saturday morning.

Without question, I went direct to the auditorium, was the first place I started. Without question the auditorium has significant architecture and history. To me it is stunning in its beauty because I know what it can look like when it is finished. It reminds me a lot of Severance Center when it was remodeled several years ago. I know it is replaceable and it can be renovated. It would not be inexpensive, as a matter of fact, as I'm sure you are all aware would be extremely expensive but it would be something that no other community would have.

After viewing the auditorium I noticed two ladies in one of the rooms on the lower level painting and washing windows. I believe their names were Dolly and Evelyn. Dolly was using a ladder to gain access to a window sill that was 4-5 feet off the ground to stand on to wash the windows. Evelyn had one foot on her ladder and the other foot on a windowsill while painting one of the walls. I don't know how old these two ladies are, but both of these ladies I'm guessing are a few years older than I am and I'm 51.

The way they were painting and washing one would think that they had thought they were in their 20's and 30's. I struck up a conversation with them as they continue to wash and paint. The conversation evolved around cost involved in renovation and various barriers that

were imposed by the city that either prevented or hindered their efforts to move forward with the plans for Shore.

I left that conversation with three distinct observations. These two ladies were very aware of the cost associated with renovating and how it differs from new construction. Most people do not know the monetary or logistical costs of renovation. It is clear that when a city government gets involved with anything it usually means it will take 10 times longer to accomplish the same task that can be accomplished by the private sector. That being said, it would be real nice if the City of Euclid could just remove itself completely from any type of association or minimize it with the Shore Cultural Centre.

Number three. The enthusiasm, energy and determination that these two ladies displayed was nothing short of amazing. That being said, if these ladies are indicative of what can be expected by the rest of the Shore Cultural Centre group, it would be a crime to suppress that kind of energy and enthusiasm. One could only hope that it is contagious. This kind of progress should be encouraged, supported and allowed to flourish.

With that being said, I believe the Shore Cultural Centre can follow a similar path that took the Henn Mansion to where it is today. A beautiful vibrant piece of the past that serves the needs of the residents of Euclid today that is financially self-supporting. Notice I said financially self-supporting.

#5, I'm in strong support of #5, the purchase of mobile radios for the police, fire and other city departments. Communications is the single most important entity that all businesses and government strive to improve on. Nothing else matters if you have poor communications or cannot communicate. There is really nothing to discuss here. Let's just get a unanimous affirmative vote for this ordinance and move on.

I am in favor of #19, an ordinance authorizing the expenditure of \$35,000 for fireworks for July 4th. For the City of Euclid this event is about as American as apple pie. This item also needs very little discussion. Let's get a unanimous vote in the affirmative on this also and move on. Items #14, 16, 17 & 18, should all not require much discussion also in my opinion and should pass with a unanimous affirmative vote. Thank you.

Mrs. Pearlitha Taylor – 1495 E. 193. I would like to first speak about #10. I am very excited and very happy that Council has put this on the agenda because this is something very well needed in this area. This area started with 191st, Indian Hills apartment, Euclid, Ohio. It is the worst looking area in Euclid. We have very bad housing in that area. It is because we have had a big turnover. Some people have purchased homes and they have paid too much for these homes and they wasn't in the best shape. They can't afford to fix them up. I think this project is really needed, it will help assist some young people that just purchase home to bring their home up to the codes of Euclid, to beautify this city and bring better people to our neighborhood.

Not only that, the people talking about giving back the 10%, I was a victim of not receiving that 10%, but it didn't bother me because at least I'm pleased with what I have done to my home. I may not benefit from it, but I know quite a few other people will benefit. People in that area want to beautify their home. They want to bring it up to code. But, because of financial reason and because the houses were sold over price and they were sold where people had come in, our city official had come in and was supposed to be going through the codes. I know many people, especially on 195, they got cheated. They had to put a lot of work into their home. Flooded basement, roof leaking, I can go on. But this is the opportunity to help these people. Help these citizens. We are trying to keep Euclid alive. We are trying to bring better people to this neighborhood. We cannot do it with the neighborhood looking the way it is.

Not only that, I was looking at #19, about the fireworks. I think that's beautiful. I think we should keep that because there are very little activities in Euclid. We got to bring something back to the city. Give the people something back.

Not only that, #14, I was looking at that, yes, I think you should do something about the abandoned houses. If the landlord or if the owner are not keeping it up, put a lien on it. That way they can never sell it and maybe the city can get it and renovate it and be able to sell it at a decent price. I think that's an excellent idea.

#14, #10, I'm asking all of you to vote in favor of #10 and #14. Also I would like for you to vote for #19. Thank you.

Also before I leave I would like to compliment the police for coming out last Thursday to 196 when it was a very, very violent situation. I understand the police department did an excellent job. But, that was then. We need that mini-station open. There's no way in the world that mini-station should have been sitting there from October until May and no activities for these children. The children in that neighborhood has no where to go. So they hang on the

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corner and quite natural fights going to start. When you get to many kids together you are going to create something that is not nice.

I don't know what the reason we keep hearing excuses if Weed & Seed has been in effect for 5 years or 7 years, they should have some type of program or some type of ruling that they can carry on without a coordinator in there. You have policemen. Why can't they be in there and supervise the kids with games? Something has to be done. I keep hearing May 1st, this is May 1st. No activity. Then I hear June 1st. We are tired, do something. What are you doing with the money you have to pay for that period of time with that coordinator that is no longer there, what happened to that money? What are you doing? The city cannot keep doing this. You are hurting the children, our future. Get busy, whoever you are. Thank you.

President Gudenas – A couple of points to add here, I know at today's Board of Control we approved the contract to hire the person for the mini-station there. Chief Maine do you have anything to add about when that person will start their position?

Chief Maine – They started today.

President Gudenas – Okay, they started today May 1st and will you have regular hours at the mini-station?

Chief Maine – Once the person gets trained, and I assume that will probably take a couple of weeks. The intent is to have that open from 4:00-9:00 on Monday and Wednesday through Friday. Tuesday she is not available so we are going to try to staff it another way and then she'll be there for a half a day on Saturday. That is the plan right now.

President Gudenas – So perhaps another grand-opening when she's ready to go and invite everybody over there to say hello.

Chief Maine – That probably would be appropriate.

President Gudenas – So that will be open this month which is very good. The contract has been approved. Also Law Director Frey I forgot to mention the question came up before regarding the lien on the property from #14, the way the legislation is written or at least the way I understood it to be written is that this would be a lien that would be the equivalent of a tax lien if the City of Euclid did have repairs made to the property and if the property was sold a tax lien is a priority lien over other liens?

Director Frey – The improvement that we're talking about on a lien that would be placed if one was placed on the property, would be second to the property taxes but prior to any outstanding mortgage.

President Gudenas – It would be ahead of all the mortgages so the city is fairly certain assuming it sells for more than the taxes that we would get our funds back. That's one way it works and again we're going to discuss this further to put to explain exactly when this would be used and under what circumstances.

Mr. Harvey Mlachak – 23831 Lake Shore Blvd. Euclid, Ohio. Items #11, 12 & 13. I see you're getting read to turn the Shore Cultural building over to a bunch of people after years of dismal failure and a millstone around the taxpayers neck, who tell you they can do something with this building. I wish them all the luck in the world, but I have grave doubts.

I see your getting ready to dump another \$131,000 into the Shore Cultural Centre provided you can negotiate a satisfactory lease for a culinary school. Despite projected operating loss of \$160,000 for the year 2006. You can't blame a tenant for trying to negotiate the best possible lease. However it is incumbent upon you to get the best possible lease you can for the city. Which means you better study the financial aspects of the lease for the culinary school thoroughly so you don't fall into the same trap that you did with the two people who are leasing the old city hall.

I have a copy of the lease for the Polka Hall of Fame and I understand this lease was drawn up by their attorney, mistake number one, a huge one. In their lease it says rent for the lease premises the sum of \$266 a month. You can't get a one bedroom apartment for that kind of money. As a consideration for the tenant's agreement to install a central air conditioning system at a cost of not less than \$15,000 to serve the leased premises, landlord agrees to waive the rent

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due for the primary term of this lease, which is 5 years. Once installed, the landlord shall be responsible for the maintenance of the central air conditioning.

During the primary terms of the lease, the landlord shall obtain and pay for all utilities except telephone furnished or consumed on the leased premises. Tenant is to pay the landlord \$100 a month for utilities. Mr. President at one time you told me that they're paying us to lease the building. Let's go a little further.

Primary term of the lease, tenant shall pay the landlord \$4,000 towards capital improvements to be made by the landlord on the lease premises and that reflects the terms in 3.1. It also says the landlord shall be responsible during all terms of the lease for maintenance of all common areas including the restroom facilities. We're furnishing them a janitor.

To get back to part of this lease where they are giving us \$100 a month for utilities.

President Gudenas – Mr. Mlachak, normally again we're not discussing that lease tonight, it's the Shore Cultural lease so.

Mr. Mlachak – This has to do, I'm cautioning you on the lease that you are going to have at the Cultural Centre.

So with \$100 a month for utilities, the figures I have here and they are the city's own figures, a total utilities for 2005 natural gas: \$9,408; electric \$4,492; water bill was \$465. Which comes to a total of \$14,365. At \$100 a month, I believe the Baseball Hall of Fame has probably got the same obligation for the utilities. That comes to \$2400. So we have a net loss on utilities alone for the year 2005 of \$11,965.65. That's only for the lease of 2005, that doesn't include 2001, 2002, 2003 or 2004. Mr. President you tell me how much they're paying us for that building there.

President Gudenas – I have no idea and I don't like it either.

Mr. Mlachak – Another political answer. At any rate, my words to you are go over this lease very, very carefully and perhaps these people maybe able to turn this around. Again, I say why should the taxpayers pay for the interest of purely private entities. It is not fair. Thank you.

Mayor Cervenik - Mr. Chairman.

President Gudenas – Mayor Cervenik, is this your lease?

Mayor Cervenik – This is not my lease. I may have been on Council and voted for it, I would like to say a few things. Great portions of the utilities, unless we were to tear the building down and then we're talking about Old City Hall here, would have to be paid for anyhow whether someone's occupying it or not. I think the last speaker also did not recognize the extensive and I do mean extensive renovations that both the Softball Hall of Fame and the Polka Hall of Fame made to that building. We had cracked ceilings, we had leaks, it was another embarrassing property holdings for the city and through their volunteer efforts went out and turned both of those floors into something that the citizens, the taxpayers are very proud of. That just is not reflected in the lease from dollars and cents. I am happy that I voted for that lease years ago when I served on Council and as Mayor I'm very proud of what's going on in the building. With the relationship and the goals of the Shore Board I think the same thing can happen at Shore as well.

President Gudenas – That means if he voted for it, I wasn't around at the time, so I have nothing to do with it. When it originally started, but I didn't like the deal in 1994 or 93, whatever it was.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd., not Lower Lake Shore Dr., now that sings, it still does. Item #1, no. What does no mean? Oh we'll go around the back door and try to do something? No means no. When are we as a city, as parents going to say no and mean it? No is no. We have ordinances. We were the birthplace of ordinances and codes. Until you change that code, live up to the code, that's why we voted for all you people. You in your jobs are to enforce the codes, reasonably. If it is changed, that rock crushing, concrete crushing is different now than it was then, change the law. But until that time, you have to live within the law.

Computers. You buy a computer within a month they've got something new or shorter time. I can understand that. But until you change the code, you have to live up to what the code says. The History Channel last week said, concrete is a form of artificial rock. The owner of that property bought the property for less money, quite a bit with the understanding. To me that

should be a fine involved right now because he's not doing what he was given the right to buy the land without rock crushing or concrete crushing.

Do the job and do it right. Change the ordinances and then you can do it. But until that time, don't go above our ordinances and go around them. Why do we have them then? We have laws. We have police that enforce the laws. We have lawyers though that try to make everybody not responsible. Well to me responsibility means a lot. It is your job to be responsible, it is my job to be responsible, it is all our jobs, so let's be responsible. Responsible to the citizens that are involved.

#11, 12 & 13. We're going to give the future a chance. It is not for today, tomorrow. Shore can go on for years and years and years into the future helping the citizens. That's who goes there, citizens, children. It is a good money investment, believe me. Thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. I was absolutely astonished and thrilled to watch Councilman, my mind went blank, Conway. My mind, that's what happens when you get old, your mind goes. His recent committee that was on TV, I sat there, I was actually glued. I don't know and I want to commend the Mayor, I remember that name. And I want to commend many of the council members and even those who agree with the crushing, I just want to say the first time you get fooled, it is your fault. The second time, it really says something. This man did not live up to one promise. He should not be allowed to hit us in the back of the head twice.

As for the Shore Cultural Centre, I think the Shore Cultural Centre of the future could be the jewel for Harbor Town. We could bring in theater and culture that would be unbelievable and be a community of all the communities around us to come here and do their thing. I would love to see an ice sculpture. I went to one a few years ago in Medina and it was fantastic and certainly it freezes here pretty good in the winter. I urge you definitely to slowly but surely bring Shore back up and I'm glad to see that the Mayor has moved over on our side. Thank you.

President Gudenas – But no ice sculptors for quite awhile, I hope. Councilman Langman was going to add about the monies remaining, I forgot about that.

Councilman Langman - To address Mrs. Scarniench's question, there were 9 homeowners that went entirely through the HIP process. They had done the work, it was certified. When the monies ran out, it took about a year or so but we finally came up with a solution. We funded those improvements through one of the tax increment finance accounts. I don't recall, Director Pietravoia, whether it was a Clay Matthews or Bennington Hamlet one, but we did reimburse those folks.

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

LEGISLATION

Res. (086-06) Calabrese Crushing - Failed

A resolution granting a Prohibited Use Exception, pursuant to Chapter 1375 of the Codified Ordinances of the City of Euclid, to allow Calabrese Enterprises, Inc. to operate a temporary concrete crushing use for a two week period at 27700 Lakeland Boulevard, Permanent Parcel No. 648-16-001. (Sponsored by Planning & Zoning Commission) (From Commercial & Retail Development Committee with no recommendation for passage)

Councilwoman Walsh moved for passage, Councilman Delaney seconded.

President Gudenas – Who would like to attack this first?

Director Pietravoia – We can give our standard report that we gave at the Committee from Planning & Zoning. I think it would be appropriate at some point to provide that information.

President Gudenas – Is that any different than what was told at the Committee meeting?

Director Pietravoia – No.

President Gudenas – Well we may or may not need that.

Councilwoman Walsh – I've sat here and I've listened to it from Planning & Zoning. I've listened to it at the homeowner's association. I've listened to it at the Council meeting. I can

appreciate some of my colleague's position, but in my opinion after reading it line for line three times, we should not even be having this discussion tonight. As the person at the podium said, no is no.

If you're going to go ahead and give him two weeks, then he owes us money. I'm sure he's not going to give you the \$200,000 difference. You say you want to give him two weeks, he said at the Planning & Zoning two weeks for each building, that's 6 weeks. That's six weeks at the start and you've started a precedent. You cannot go back because then I would say to you, I want to crush concrete and you let him do it. The Law Director said it was a no. The people said that they didn't want it, it was a no. And for the record, to this date, Mr. Calabrese has not come to me, he has not called me, he has not even said hi to me. So I've not had any conversation with him. He has had no respect for me as the ward person. And he has had no respect for the people that he talked to at the homeowner's association.

No is no. Facts might be different in his favor with all of the things that came up from my colleague Dr. Lisy. But you know what, he agreed, he got it cheaper. He went there, if it was so wonderful and so good, as I always told my daughters; if it is so wonderful and so good, don't bring the boyfriend in the back door, bring him in the front and say I love him. He never came in the front door. He came in the back door. He'd still be crushing now. If all those other cities think its so wonderful, take that pile of rock and crush it out there and bring it back to Euclid. I agree with the man at the podium, no is no and I ask my fellow colleagues to vote no on this because the people don't want it and we need to listen to the people. That's it.

Councilman Langman – Unfortunately I couldn't attend the committee meeting, but in reviewing some of the historical document, what jumps out are the minutes from the Council Meeting of December 6, 2004. Director Pietravoia you were quite clear that concrete crushing was not a part of the sales agreement. Do you recall making those statements?

Director Pietravoia – Absolutely, it was very clear in our minds that that was not part of the deal.

Councilman Langman – I know we are both getting older and that was awhile ago, but I don't recall any objection from any representative of Mr. Calabrese at that time to how you described the proposal. Is that what you recall also?

Director Pietravoia – Correct.

Councilman Langman – There's another item here that Mr. Calabrese or his attorney provided to us. In his narrative on page 4 he talks about obtaining the various permits from the regulatory agencies. Director Pietravoia, when were you or your department informed that he secured regulatory permits from the various agencies? Were you informed that Mr. Calabrese secured these permits to crush concrete?

Director Pietravoia – We became aware of that after we stopped the crushing and he submitted documentation to show us that he had permission through the permits that he obtained.

Councilman Langman – So that was after the crushing had begun.

Director Pietravoia – Correct.

Councilman Langman – Just as a personal anecdote, I've driven by the property several months prior to that and I saw this big mound of concrete slab. I thought that was going to be used for the break water, but what do I know, obviously. The point is, the onerous for where we are at today rests with Mr. Calabrese and the representation. He could have taken a different course and come to the city to discuss what he wanted to build and what he needed to build, that is crushing the concrete. He didn't do that. So therefore the level of trust is extremely low. Based on that, even though we did get a letter from Mr. Calabrese saying that if we did grant permission, we would go ahead and build a building, you need a far tighter agreement before we can either consider that. Since we don't have that document in front of us tonight, I'll be voting no. Thank you.

Councilman Conway – I think overall one of the greatest challenges that we face at times especially on a topic that has had so much debate as concrete recycling or crushing on this facility has done, is we do have typically an obligation to balance the city's goals of economic development versus the wishes and the voices of the residents that have concerns and that can be

impacted by the particular project that we're voting on. But I think what has been made very, very clear by the residents who live specifically in Ward 3, is that this is a project that for years they have lived in fear that their wishes and their voices would not be heard. I think it is very clear based upon comments that Mr. Calabrese has made to the residents. I think it has been made very clear to the intent of the agreement that the accountability for that agreement must continue to be with Mr. Calabrese to honor the commitment that he has. Based upon what he has said and what he has signed, I am very comfortable that in this time that the scales definitely sway into the favor of the residents who have the concerns and I will not be supporting this this evening. Thank you.

President Gudenas – Director Frey, this whole issue brought to attention the original agreement that was signed by Mr. Calabrese on behalf of his firm regarding what will happen with the property and in the agreement it specifically says that he will use his best efforts to market the other parcels. That's a legal term requiring action. At Councilman Conway's committee meeting, he replied when asked about the best efforts that in fact he used no efforts over the past year. What exactly is the city's option at this point to enforce that part of the agreement, to put additional tenants and buildings up on that property?

Director Frey – I had a brief discussion with the Development Director. Obviously the agreement is more than just a purchase agreement, it is a purchase and project agreement that required steps by Mr. Calabrese to develop the property including best effort to secure other tenants. I know that he had indicated at the meeting that his plan was to get his building up and then to attempt to market to other associated or related types of businesses that might be interested in that property.

Based on the decision tonight and ultimately what Mr. Calabrese decides as far as the development of that project, we maybe looking at an agreement that we consider him to be in breach and we would have to take action to protect our rights at that point and it would likely involve filing some type of action in court. I think its going to be protracted but it maybe what we have as our remedy.

President Gudenas – I would obviously bring it to his attention the agreement that he signed and promised and actions that he made because perhaps he didn't pay any attention to what he was agreeing to. See what his response is to that.

Director Frey – All I can say Council President is he was represented by counsel when that agreement was drafted and executed.

President Gudenas – Mrs. Burkhart said it perfectly here tonight that you can't proceed because there are a lot legal knots here and that's exactly it. There are a lot of open ended things that puts the city at risk for this very valuable important gateway to the entire city of Euclid from one of the most visible spots that we have. Clearly with the agreement being, in my opinion, in default, and additional agreements not in place that would protect the residents, in no way can, in my opinion, the city proceed to support Item 1.

Councilwoman Holzheimer Gail – I think at the Committee Meeting it was pretty clear that the city and council and administration want Mr. Calabrese to succeed. Sort of the clincher to me was when he said he didn't believe that he ever committed to not coming back for temporary crushing or permanent crushing. I think that was insulting to us who sat through the process several years in a row where it was very clear that we were not allowing crushing. For him not to acknowledge that he agreed to that was sort of the deciding factor to me. If he wants to move forward with his plans on the building, I'm sure the Development Department would work very closely with him to make that happen. I think in order and there were probably several of us who maybe would have given that two week window in order to get that building built, but without the acknowledgement that that's the only time he was going to do it and without acknowledging that he was not, didn't believe we meant no temporary crushing, that was frankly an insult and I will be supporting my Ward 3 colleague on her desires.

Councilman Lisy – This has been one of my most difficult decisions here because I'm trying to look at the facts that are involved with this. There are some facts that it does seem that there may have been a lot of miscommunication going on. It is a gateway to our city. Except it is not a very desirable property being a former incinerator plant and transfer station and next to a

sewage refuge building, I don't know what exactly goes on there and I don't really want to know either, but, I'll take a tour later.

But, we're the legislative branch and we create the ordinances and when there is a variance required of those ordinances they go to Planning & Zoning to help interpret if that variance should be allowed. Planning & Zoning passed that this should be allowed 3-2. Then it comes back to us who also represents the voters. That's where I have difficulty in the decision process here because the variance he's looking for is a two week variance so he could put the foundation into his building. There's fears that this is going to be an ongoing, see I told you so, there was no dust, there wasn't a nuisance here and we don't have anything in writing. So it would make my decision a lot easier if I had a document in hand and as the resident put it with all the loopholes tied up and everything crisp and clean and we knew he was not going to be crushing concrete in the future.

What's presented before me is he is asking for a two week variance to put in the base to his building and he maybe coming back if I recall correctly based on the meeting we had, that he'd be coming back maybe to do the second building.

I was elected at-large to represent the entire city and I believe having two new buildings nicely landscaped yards in front would be a benefit to the entire city. That's why I don't even know how I'm going to vote coming down the line here. I really appreciate all the residents input into this. You've really put together a great case for this. Thanks.

Councilman Langman – Law Director Frey, let's assume for a moment that the vote is a negative one. What are Mr. Calabrese's options going forward?

Director Frey – He can take his petition to Common Pleas Court that the denial of the variance deprives him, or this case the exception, would deprive him of meaningful use of the property. That's the remedy is an Appeal to Common Pleas, an appeal from the decision of the City Council. I think our agreement is pretty clear that his use of the property is subject to the zoning code. This is part of the zoning review process. As Councilman Lisy pointed out, Planning & Zoning approved with conditions the temporary crushing on that property its subject to. This body making a determination whether they are going to confirm that decision or reject it. That would be his option.

The other option is to come back to Planning & Zoning a year later and ask for an exception once again unless our code is changed or unless there is an interpretation of the code that holds contrary to the prohibition. Even in that case we have tonight another item that would clarify that definition.

I think we're in good solid position in this case. My guess is he is either going to look to sell the property, ask the city to participate in finding a buyer that is more amenable to the use of the property. Or he will take the decision of council, if it is negative tonight, to Common Pleas.

President Gudenas – Or he could tie up the legal knots, put it all in writing and rest all the concerns we have by his signature on a legal document.

Councilman Delaney – I voted for this on Council the first time around and I believe that it was a business that could go on. All business and negotiations that come before the City are bargained in good faith. My experience on Council, I realize that I've been lied to a lot. So even the lies so much don't really dictate, I almost come to expect it.

The residents' points they are making here about the anxiety and it living over their head and their distrust, they are all very, very important things. Not only is this analogous to the hotel that was also put forward, I think the administration needs to work harder to bring facts to the table for our residents. I don't think we've done the job to bring the facts to these cases. If we are truly a business friendly community, we have to make sure that going into these votes, going into these projects, that the residents don't have this duress.

When I look at the two weeks to allow this to happen, we see that the company already voluntarily said they would not crush concrete and took it upon themselves to do so anyway. I think the propensity to abuse the two weeks is probably very, very, very likely and pretty much outweighs the benefits of dealing with them in the future.

It was in the record, just as we shut them down this time, we would have been able to shut them down and half of my vote the first time was that I wanted to see the facts. If it was truly the only way was to let this go and to see if it truly was a nuisance, I felt that it was probably the city should have let it go to see if that could have happened. But because we have actual process that has taken place with the company, I have lost faith. Its going to take a lot of reorganization and a lot of real changes to this proposal to make it fly in my opinion.

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

Roll Call: Yeas:

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

Failed.

66-2006 (107-06) Antennas Harbor Crest

A resolution to approve the installation of nine (9) 6' high antennas (three sets of three) on the roof of the Harbor Crest Apartments, located at 24451 Lake Shore Boulevard (Permanent Parcel #s 644-06-002, 003, and 005. (Sponsored by the Planning & Zoning Commission)

Councilman Langman moved for passage, Councilwoman Holzheimer Gail seconded.

President Gudenas – We might as well address two and three at the same time because they both have antennas on high rises along the lake. Is there anything of importance we need to know about this? I said important.

Director Pietravoia – For the record, I know you may not agree with this, but it is important that we get the Planning & Zoning report on these items. I would ask that Mr. Torowski give his report from Planning & Zoning.

President Gudenas – We look forward to that report as long as it is concise.

Director Pietravoia – Very concise.

Commissioner Torowski – It will be brief. Doug Price of Harbor Crest Ltd. and Cleveland Unlimited request the installation of the 9 new antennas to fill in a telecommunications coverage void. As indicated in the Resolution, the 6 ft. high antennas will be in three groups of three and to be located on the south side of the building. P&Z approved the request at April's meeting unanimously for council confirmation. Mr. Koski of the carrier's rep is here if Council has any questions.

President Gudenas – Also the Bonneville the same thing?

Commissioner Torowski – Yes, but different owners.

Councilwoman Mancuso – I would only ask since both of these Resolutions are for towers on private property

President Gudenas – Antennas.

Councilwoman Mancuso – Antennas, I'm sorry, they are not towers. Was there no place on city property that we could have done this along Lake Shore Blvd.?

Commissioner Torowski – I would defer that question to Mr. Koski and possibly Mr. Russo since he's next.

President Gudenas – Please state your name for the record.

Mr. Douglas Koski – I'm here on behalf of Revol Wireless. In fact that was an item that we had addressed with the Planning Commission. In this specific area, based on the need of the carrier, there weren't any suitable city-owned properties. This roof top is a roof top that is currently being utilized by another carrier. So we were able to at least limit the use to a building that currently has a carrier. As a side note in the past Revol Wireless has co-located on the city owned tower behind the police station. It is something we like to do when given the opportunity, but unfortunately this was the suitable candidate and there wasn't city owned candidate available.

Councilwoman Mancuso – So both of these are co-locations? Both buildings are co-locations?

Mr. Ron Russo – I'm a real estate attorney for T-Mobile, 4834 Wood Street, Willoughby, OH, 44094. It's a roof top installation. We have six antennas, 5 ft. tall facing east and southwest. We would have loved to actually build a tower in the area but because you have such high buildings there and a good variety of high buildings there, it actually worked very well for us to actually place antennas on the roof top. I brought some photos along if you need them, but it is almost aesthetically invisible installation.

We tried to build a tower about 3-4 years ago on 200th Street and give that to the School, I think it is an elementary school, I can't remember the name. The residents didn't really like that idea too much and we backed away. We put the antennas on the city tower back here, but it created somewhat of a hole on Lake Shore Blvd. and we've been getting complaints from the FCC that people as they drive on Lake Shore Blvd. they are dropping the calls constantly for T-Mobile Service. We needed this, a nice way to solve that problem and not actually bother the residents of Euclid to have to look at a tower.

Councilwoman Mancuso – Thank you.

Mr. Russo – Thank you.

President Gudenas – All right, anybody else? I see no one, we'll go to #2, obviously.

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

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

Res. 68-2006 (108-06) Antennas on Bonneville Tower

A resolution to approve the installation of six (6) new 5' high antennas (two sets of three) on the roof of the Bonneville Tower Condominiums, located at 25801 Lake Shore Boulevard (Permanent Parcel #s 644-09-801C through 920C. (Sponsored by Planning & Zoning Commission)

Councilman Langman moved for passage; seconded by Councilman Delaney.

President Gudenas – We've covered this one already. Anything further to add? I see no one.

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

Res. 69-2006 (082-06) Amend Code Concrete Crushing

An ordinance amending the Planning and Zoning code, part Thirteen of the Codified Ordinances of the city of Euclid, amending Section 1373.01(2) of the prohibited Uses Chapter to include concrete crushing. (Sponsored by Councilpersons Gudenas and Walsh) (From Planning & Zoning Commission with recommendation for passage)

Councilwoman Walsh moved for passage; seconded by Councilman Conway.

President Gudenas – This came back from Planning & Zoning with the approval. This clarifies our zoning possible loophole clarifying that rock crushing and cement crushing is one in the same thing and is a prohibited use subject to getting a separate variance and this applies to all property throughout the City under that specific Zoning Classification. Is this, anything else to add to it?

Director Pietravoia – We did have a request from Planning & Zoning after they took their vote and approved this item back to Council that they would like the Law Department to investigate some additional language to be added to the Code that would clarify situations where temporary crushing may be appropriate and if that is the case, how you would go about getting that approved.

President Gudenas – But that would be separate from this?

Director Pietravoia – Correct, it would be a completely separate item.

President Gudenas – So what we're doing today is strictly the permanent use, temporary is different.

Director Pietravoia – Correct.

President Gudenas – I see no other debate.

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

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

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

Ord. 70-2006 (112-06) Mobile Radios

An ordinance authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid, or his designee, to enter into a contract with B & C Communications for the purchase of mobile radios for the Police, Fire and other City Departments, for an amount not to exceed One Hundred Seventy-Four Thousand Twenty-Five Dollars (\$174,025.00) (Sponsored by Mayor Cervenik by request of Police Chief)

Councilman Lisy moved for passage; seconded by Councilwoman Holzheimer Gail.

President Gudenas – This was part of our budget hearings etc. etc.

Chief Maine – Back when we came to Council a couple of months ago requesting permission to go out for bids, Council charged us with coming back after having the Safety Committee meeting with a final proposal and the bids. I'm pleased to report that our Committee comprised of the Fire Department and Service Department members along with our consultant from L-Tronics looked at the bids and it's a recommendation along with mine that the bid be awarded to B & C Communications for mobile radios and all the necessary accouterments for the \$174,000 plus. Be glad to answer any questions.

President Gudenas – What was the original budget?

Chief Maine – We originally budgeted back when the plan was put together somewhere in the area of \$250,000. This is considerably under that, but we feel that we'll be covering the needs that need to be covered.

President Gudenas – And in our current capital budget we still have the 250?

Mayor Cervenik – Yes, Mr. Chairman, we do have the 250 and my comments concerning the income tax money, we really want to protect as much as possible the savings of \$74,000. Some items in that budget are probably going to come in a little higher. But this is good, I commend the Police Department and Captain Repicky in particular, I believe he headed up the Committee to accomplish what we needed to at about \$74,000 less.

President Gudenas – All right, we'll savor the moment, something under budget. Anybody else? I see no one else.

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

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

Ord. 71-2006 (110-06) Medical/Health Care Insurance

An ordinance authorizing the Director of finance of the City of Euclid to enter into agreements for medical, stop loss, dental, vision, life and pharmacy health care insurance for eligible employees for up to a twelve-month (12) period, commencing June 1, 2006 and expiring May 31, 2007, with an option to continue same coverage through December, 2007 should Administration and Council deem appropriate. (Sponsored by Councilpersons Mancuso and Langman)

Councilwoman Mancuso moved for passage; seconded by Councilman Langman.

President Gudenas – Who would like to start us off?

Councilwoman Mancuso – I will. I would like to, with your indulgence, to speak about #6, 7 and 8 together as each of them is a component of an entire project that we would like to embark on with Council's approval.

First of all, I would speak to Resolution 7, which talks about the extension of our current consultant's contract, through December of 2006. And please just follow with me as I walk through a timeline for you. What we would like to do is an overview of our entire health care benefit package and consulting services for the City of Euclid. In order to do that we need to safeguard what we currently have going on for the employees and the consulting services that we now enjoy for the City of Euclid.

So #7, Resolution 7 would allow us to extend the contract for our health care consultant, who's contract expired at the end of December and, Jack, correct me if I get these wrong. We would like to extend that for 7 months through the end of 2006 so that we, as the Administration, can still obtain and retain the services that we have now to the City of Euclid in coordinating and administering the health care benefit package that we have. So I'd ask my colleagues to please approve a continuation through December, 2006 for our current consultant.

Resolution #6 that is on tonight that we are going to ask, have to have permission to waive the 24-hour rule, actually talks about then developing a comprehensive request for proposal, which is actually the information that we need from future consulting firms so that we can actually put together, 8? Sorry, oh #8, thank you, #8.

The next step would be put together the request for proposal so that we could look at both our current consulting services and other consulting services who have been interested in the City in the past and who may be interested in serving us in the future. That particular resolution asks for the City Administration in conjunction with some Council members to put together a request for proposal, an RFP as we call it, within the next 30 days. So if my colleagues would join me in passing that, we would put together that RFP without going outside to get it because I do believe the Administration has the expertise to put together an RFP and we will certainly assist them in doing that by the end of May if we decide to pass this.

And then the last component would be the ability, and that's #6 I take it, yes, to continue with the current benefit package that we have right now that will started June 1st and go through May of 2007. So it will give us a full 12 months to (1) look at new consultants to see if we love what we have or we can find something better and more cost effective in services; (2) have those consultants in place by the end of year to help us then write a request for proposal to go out and look at what other health care products are available to us that would not diminish the benefits that our employees have as now but help us as taxpayers save some dollars in providing those benefits. And I hope I haven't lost anybody.

So we're asking for three separate things here tonight all part of one major project which we are hoping that we will write the RFP, we will put it out in June for at least 30 days. Come back review it with the Administration and then we will hold meetings with those interested parties, who really do want to work with us. Select somebody by the end of the year so they're in place by January 1st knowing we still have 6 months with our current benefit contract so that we can go out and work for us to do what's best for the City and the taxpayers. And I hope my colleagues understood all that and will agree with me that we need to do this. And I will defer to Mr. Johnson if I've left anything out.

Director Johnson – I couldn't have articulated that any better. You did a very good job. The only other thing that I would add is the renewal of the existing health care contracts for the health care services that we have now will cost \$1.15 per employee per month, which amounts of \$3,389 per year for the period 2006-2007.

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Councilwoman Mancuso – The only other thing I would ask is under 6 to change the word, we have expiring May 31, 2007 with an option to continue, it should be same not some. In the one I have it says some.

Director Johnson – I believe the legislation was changed.

Councilwoman Mancuso – Was it changed?

President Gudenas – All right and so, we can, any other questions on 6, 7 and 8 with the understanding #8, which is 114, we have the amended version. We don't need to waive the 24-hour rule because it's just a slight amendment 114b, which basically speeds up the process, clarifies the 30-day proposal time period.

Councilman Langman – My colleague, Councilwoman Mancuso, summed it up very well, but why go through the process? Well, we spend approximately \$4 million a year aggregate budget-wise on health care so it is a significant expenditure and one that we really need to evaluate constantly because health care costs continue to rise no matter if we, in the past we've cut employees and it still has had relatively limited impact on the continual rise in health care so we, myself and Councilwoman Mancuso have spent many hours on this. And I know she has spoken with the Administrative staff through her Health Care Committee so we're looking forward with working with the administration to develop the RFP and getting it out as soon as possible.

President Gudenas – All right, very good. Councilman Lisy.

Councilman Lisy – Just to add to that, we have very limited areas to influence the budget with 53% of our budget being set by salaries and so when you look at the Administrative cost of being roughly 4.5 million, which is 12-1/2%, this is a significant area that we could really make a dent in our becoming more fiscally responsible so I appreciate the work my colleagues and the Administration are doing on this and I vote for passage.

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

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

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

Ord. 72-2006 (111-06) Health Care Consultants

An ordinance authorizing the Director of Finance of the City of Euclid to renew the contract with Group Health Care Consultants, 1616 East Wooster, Box 20, Bowling Green, Ohio 43402, in an amount not to exceed Fourteen Thousand Seven Hundred Dollars (\$14,700.00), to provide health care cost reduction services to the City in conjunction with the City's health care self-insurance program for eligible employees for a period of seven (7) months, commencing June 1, 2006 and expiring December 31, 2006. (Sponsored by Councilpersons Mancuso and Langman)

Councilman Delaney moved for passage; seconded by Councilman Conway.

President Gudenas – We've covered everything on this also.

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

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

Res. 73-2006 (114-06) Proposals for Health Care

A resolution authorizing the Mayor of the City of Euclid, or his designee, in conjunction with City Council, to seek proposals for a Health Care Consultant within the next thirty (30) business days. (Sponsored by Councilpersons Langman and Mancuso)

Councilman Langman moved for passage; seconded by Councilwoman Mancuso.

President Gudenas – So moved by Councilman Langman, he wants to do something different, substitute 11...

Councilman Langman – 114b-06 for what...

Councilman Langman moved to amend 114 with 114b; seconded by Councilwoman Mancuso.

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

Resolution amended.

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

Amended resolution passed.

Res. 74-2006 (106-06) Cable Franchise Funds

A resolution directing that the funds recovered through the negotiated settlement of the Cable Franchise Agreement be directed to the equipment and programming needs of the community Television. (Sponsored by Mayor Cervenik and Council President Gudenas)

Councilman Lisy moved for passage; seconded by Councilman Delaney.

President Gudenas – We're not exactly sure on the total amount. That'll take a little bit of time. We're just basically, hopefully, going to collect that money and put it into a little special account pending further discussion on what happens.

Mayor Cervenik – Yes, Mr. Chairman, I met with the Cable Community Television Commission about 2 weeks ago and informally committed them our intention to use this money to upgrade dramatically the equipment we have and to, hopefully, expand public access and availability of such and other such things that would make our Channel 23 and 21 even better than it is now.

President Gudenas – Great and I noticed out of the blue our truck reappeared in the parking lot here. Is there anything special with that?

Mayor Cervenik – I believe...

President Gudenas – Side lot by the Police Station.

Mayor Cervenik – I believe it's been there because they've been working on a number of different projects so they brought it over there. It'll be removed when they're done. They've had the ice show and all that, took a lot of equipment to be hauled over there so when that happens they bring the truck over.

President Gudenas – All right, I forgot all about that until...

Mayor Cervenik – Oh, it's there, yeah, it's there.

President Gudenas – All right.

Councilman Gruber – This'll be nice to help bringing digital to our local TV because that is Federal mandate in the near future and we'll need some funds to do that so this is a good use for those monies.

President Gudenas – Thank you and actually that’s a good point ‘cause part of this will be, hopefully, to go to digital technology as opposed to the tape, which would then permit us to do more of our meetings live. Right now it’s the Council meeting and I think Planning & Zoning and many of the other meetings are not live because of the capacity constraints we have with our current equipment.

Mayor Cervenik – Yes, Mr. Chairman, it is our intention and then with the amount of money we’re receiving we’re quite confident we will be able to go to completely digital.

President Gudenas – And that also will help us take that video to the internet...

Mayor Cervenik – Webcam, cast and all that, yes.

President Gudenas – So...

Mayor Cervenik – That’ll be over a number of years, but we’re going real close. We’re going to make big leaps this year once we receive this money.

President Gudenas – All right.

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

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

Res. (109-06) Special Resident Improvement Zone

A resolution creating a Special residential Improvement Zone for the Housing Improvement Program for the Housing Improvement Program. (Sponsored by Councilpersons Gudenas, Delaney and Gruber)

Councilman Gruber moved for passage; seconded by Councilwoman Walsh.

President Gudenas – We are going to have a long committee meeting on Wednesday regarding this and other housing issues. And again, I, just to clarify how this all happened is we’re trying, what we’re doing now some times doesn’t work. We need to try new things, be more aggressive, more creative and we have to start somewhere. We could always say no, don’t do this, don’t do that; but we have to do something to improve. See right now, we’ve got somebody calling ready to go. So anyway, I hope and, and this neighborhood could be an exciting part of Euclid. Part of it has been neglected with the Walgreen’s moving in on the one end, putting in over a million and Indian Hills on the other end with the apartment complex and the City of Euclid with the Mayor and Director Pietravoia committing to beautification projects on Euclid Avenue, the flowers, the banners, the signage, landscaping and the like all going on right in that area, we want residents who live there to have confidence in the future that things will get better. That the City’s behind them and we want to see what we can do to encourage quick development. This proposal is only for 12 months.

Councilman Gruber – And don’t forget the Storage America project with \$3 million invested in the old Fisher Body Plant.

President Gudenas – That’s another good one, right; and we hope for more good things over there, too.

Councilwoman Holzheimer Gail – Two quick points, one is many of the residents spoke of fixing code violations and improving their homes. The initial Housing Improvement Program actually had very strict guidelines as to what was eligible to be reimbursed. And all of those improvements had to actually add value to the home so it was additions. It was waterproofing, new garage, believe it or not, things like renovating your kitchen, residing your house, things like that don’t, in the eyes of the Auditor, add value. I mean certainly they add value to your home but they don’t from the tax perspective. So as part of that discussion I would want to make sure that we have what were eligible guidelines and if we’re talking about changing that, that perhaps

we set up guidelines for what's eligible. I'm not sure I agree with one specific area when the money's coming from the General Fund. We can discuss all that.

My other point, and I guess request, and it's short notice so if it's not possible, I understand that; but I have, we should be able to pull up some data from when the program was in existence. If it's possible, could we perhaps look to homes that were improved and see, track whether those home values have, in fact, increased if we can have that information, hopefully, by Wednesday?

Mayor Cervenik – We will do what we can to get that by Wednesday. It's probably very doable.

President Gudenas – And to clarify that is the intent although as you mention it, it wasn't included but it was suppose to specifically mention only the improvements that increase the value of the property so if, we might need to amend this legislation to clarify that.

Director Pietravoia – I was just going to add, Mr. Chairman, that at the time it's passed we can make that amendment. I was assuming that that was what was intended and if not that through discussion on Wednesday, we would get a better handle on what we would like to do.

President Gudenas – I believe that was the intention and again, we'll go over, there's going to be, hopefully, many ideas that we like to try and we have to start somewhere to figure out what works the best, the most efficient way for the City taxpayers, then we roll it out. And there might be a whole bunch of other ideas which I think we're going to discuss then too that I think will make a significant impact.

Councilman Gruber moved to place resolution in Executive and Finance Committee; seconded by Councilwoman Holzheimer Gail.

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

Res. 75-2006 (009-06) Shore Cultural Centre Lease

A resolution authorizing the Mayor of the City of Euclid to enter into a long-term Lease Agreement with the Shore Cultural Centre Corporation for the management and operation of the Shore Cultural Centre located at 291 E. 222 Street in Euclid. (Sponsored by Mayor Cervenik and entire Council) (Recommended for passage by the Parks, Recreation & Golf Course Committee)

Councilman Delaney moved for passage; seconded by Councilwoman Holzheimer Gail.

President Gudenas – And this lease attached here is an example. It's not the final lease, actually, there isn't any lease it's just other information. So Councilman Delaney, what else would you like to add?

Councilman Delaney – Well, I would just like to say that I'm a firm believer in allowing the people who have the vision and have the plan to be able to carry it off. I think that our best hope for success is to, is to take and finally give, give the operations, give the management to the people who have always told us long about the vision and who have always held a belief in their plan.

For 8 years there has been controversy after controversy hanging over this building and I take exception to the fact of a resident that called it years of failure. When I began to become involved, it started not unlike the example that Mr. Cooke had given. I had seen the efforts of these people, their care and their perseverance. It's very, very contagious and it's something without the controversy they'll be able to expand throughout the entire community.

There have been great venues for the Arts that have come and gone. I've seen very, very, very many. Many of them right in our own background, but yet this is carried on and it's because of their care, because of their perseverance. This is something we're going to be very, very proud of because Euclid will be able to call itself a Patron of the Arts. We'll be able to say that this is our priority that we do care about the human enrichment of our citizens.

The other side of this is that we will become leaders of historic preservation. We do have incredibly interesting historic buildings. They are very, very important. The buildings on the National Register are part of American History and we are, at this time here, to be custodians of that. I think that you'll see once this positive energy goes forward the attention that we're going

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to get from not just the region, but nationally, people are going to be using us as a model. It's high time. It's time for Shore and then it's time for the City to move on and continue with all the other issues that we have to make better in the City.

I'm glad to see that many of my colleagues have been very, very positive towards this and I look to this to be a turning point and for a very certain future for our programming and our historic preservation. Thank you, Mr. Chairman.

President Gudenas – And is it our understanding that as a lease or whatever arrangement is negotiated that it will come back to City Council for final approval?

Mayor Cervenik – If that is Council's wish, absolutely. I assume some of the Council people are going to be involved in it with the Board as members of the Board or ex-officio members of the Board as well, yes. So before we sign anything, we want to make sure it's what Council thinks will best work.

President Gudenas – Is that our intention here? Okay, very good, so that is the intention?

Mayor Cervenik – Yeah.

President Gudenas - Should we put that in writing?

Mayor Cervenik – If you feel you need to, you're more than welcome to.

President Gudenas – Just kidding, just kidding.

Councilwoman Holzheimer Gail – I just wanted to clarify for the record. In previous times we've discussed Shore I've abstained because I was a member of the Board. I have since resigned as a member of the Board after the Law Director gave me the opinion that there was a conflict of interest. So I'm assuming there is no longer a conflict of interest, it's not retroactive or anything if the Law Director would advise me on that.

President Gudenas – Law Director Frey.

Director Frey – Obviously, if you're not a member of the Board, you're under no restriction from acting on this legislation.

Councilwoman Holzheimer Gail – Thank you. I, this is exciting to see the agreement among the Administration, Council and the Board. I think there's great potential for this building and as Mr. Cooke so eloquently stated it really is amazing what a couple of people have done to that building. If you've been over the last year or so and you've seen the renovations to the old Polka Hall of Fame room and the Women's Community room and the hallways, it really is amazing and it's due to the hard work of the volunteers there and they really should be commended. So it's with great happiness that I will support this this evening and wish the Board and the City, as we will be working together, a great success.

President Gudenas – Thank you and it is time for Shore and time to vote because our tape is running out.

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

Yeas: Unanimous.

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

Passed.

President Gudenas – And we're going to take our little break here because it's 2 hours into the meeting. We're going to change tapes and probably take about 5 to 7 minutes to regroup. Thank you.

Ord. 76-2006 (100-06) Shore Culinary Facility

An ordinance to authorize the expenditure of One Hundred Twenty-Five Thousand Dollars (\$125,000.00) from the Capital Budget to restore the cafeteria located in the Shore Cultural Centre for use as a multi-purpose culinary facility. (Sponsored by Councilman Delaney) (Recommended for passage by the Parks, Recreation & Golf Course Committee)

Councilman Delaney moved for passage; seconded by Councilman Conway.

President Gudenas – This was covered in the Committee meeting. The key part is the funds are not being spent until there is an approved written lease with the commitment with rent. So we're just letting the Administration or negotiate and whatever with whomever.

Mayor Cervenik – Yes and, Mr. Chairman, to answer some of the concerns of a resident that spoke on that we're just throwing more money into the building. Any lease we hope to formulate any future leases as you would in the private sector and that the build out of the area would be covered and eventually pay back the City through the lease payment, the monthly lease payments. And we'll keep you informed as this progresses forward. As I said at the meeting I talked with Dr. Jones, we have a ways to go to have this come to fruition; but he's very excited and hopeful that it can happen as well.

President Gudenas – Very good. Anything further to add? I see none.

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

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

Ord. 77-2006 (101-06) Doty & Miller Architects

An ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into an agreement with Doty & Miller Architects, 600 Broadway Avenue, Bedford, Ohio 44146, for a preliminary "Facilities Assessment Study" for the Shore Cultural Centre for an amount not to exceed Six Thousand Dollars. (Sponsored by Councilman Delaney) (Recommended for passage by the Parks, Recreation & Golf Course Committee)

Councilwoman Walsh moved for passage; seconded by Councilman Lisy.

President Gudenas – And again, this was covered at the Committee meeting. We'll have a report in about 30 days to give us a firm guesstimate on what it'll cost to do the important things like utilities, windows, roofs, things like that to put a number on everything. Anything further to add? I see...

Mayor Cervenik – Turn my light off.

President Gudenas – Oh good.

Mayor Cervenik - I never take, never give up the opportunity to speak. I'm looking, if I could, I am looking forward to working with Bill Doty. When we proposed this expenditure out of the capital monies, we were going to propose almost the same thing not necessarily with his firm; but what we want to do is prioritize the improvements that are going to be done over the next few years. Something, as I mentioned before, the \$150,000, it would be my intention, is for more than 5 years. We're just presenting a 5-year budget is that we feel this is an amount within the next 7-10 years we really can have that building up and looking good and in good shape and save us money.

And one last thing because I know we're trying to get out of here is I mentioned at the meeting that the changes that Honeywell would do with the lighting and the vent stacks and that would save about \$40,000. Their estimate is more to the tune of about \$55,000 and that was before the energy costs went up as high as they did so there's some substantial savings there. Mr. Doty's going to use that information to come up with the suggestions and the timetable so we're all ready to go.

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President Gudenas – The old City Hall, too or did they look at that, Honeywell?

Mayor Cervenik – I know Honeywell has looked at the old City Hall and (lost audio) redoing of that building.

President Gudenas – All right, anybody else?

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

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

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

Ord. (113-06) Amend Code 1755.29 Abandonment

An ordinance amending Part Seventeen of the Building and Housing Code of the codified Ordinances of the City of Euclid to amend Section 1755.29, entitled “Abandonment Abatement”, to provide additional enforcement options for residential properties determined to constitute nuisances. (Sponsored by Council President Gudenas, Councilmen Delaney and Langman)

Councilman Lisy moved for passage; seconded by Councilman Langman.

President Gudenas – And again, I’m going to ask that this go to the Committee to review the legislation on Wednesday. And again, the key part here is that when the owner of a property, who might be an absentee landlord, refuses to do certain repairs, we’re not talking about wiring and the inside and plumbing issues and the like but mostly exterior things, such as removing debris, landscape items, painting issues and the like, the City would be authorized to make those repairs. So this would be more than what we’re doing now, such as mowing the lawn or fixing a sidewalk and then putting that as a lien on the property. I know that Director Pietravoia has been working on this and we will discuss this more in detail on Wednesday. Anything else?

Councilman Langman moved to place ordinance in Executive and Finance Committee; seconded by Councilwoman Mancuso.

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

Ord. (115-06) Amend Code 712 TV Standards

An ordinance enacting Chapter 712, “Cable Television Customer Service Standards”, of the Business Regulation and Taxation Code of the codified Ordinances of the City of Euclid. (Sponsored by Council President Gudenas)

Councilwoman Walsh moved for passage; seconded by Councilman Lisy.

President Gudenas – I’d also like this to go to Committee to review it. This is modeled after what Cleveland Heights is doing and we need to figure out a little bit more on the City’s involvement on this. And the City Services Committee is Councilwoman Mancuso? Something like that. You’re public service. Councilman Gruber, you would like that? Okay. It’s called Public Service and Utilities, very good.

Councilman Gruber moved to place ordinance in Public Service and Utilities Committee; seconded by Councilman Delaney.

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

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President Gudenas – Before I forget, Director Frey, people have been asking about cable TV senior citizens discounts. That used to be the case but with the Federal government rules changing is that then something that the cities can no longer require?

Director Frey – I don't have an answer for that. I would have to ask or find that information. I know that we do not currently offer a senior discount, do we?

Director Johnson – Yes we do. It's not a lot. I got an inquiry from Councilwoman Holzheimer Gail. And this was the only thing that Adelphia would agree to during the transfer between Cablevision and Adelphia and that is that seniors that are 65 and older are entitled to \$1 a month discount and that's only if they have Basic Service. So if they have any premium channels or if they have any higher tiered channels than Basic Service, they are not entitled to the discount and that's all that the, Adelphia would agree to at the time of the transfer.

President Gudenas – Okay, so it's not much. Next.

Ord. 78-2006 (103-06) 2006 Resurfacing & Curbs

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the labor and materials necessary for the Resurfacing and Curbs program for the year 2006. (Sponsored by Mayor Cervenik by request of Service Director)

Councilman Gruber moved for passage; seconded by Councilwoman Mancuso.

President Gudenas – And items 16, 17 and 18 are all identical; all gone over at our Committee meeting and bids will be coming in and we'll know how many we're going to do. Anything further to add that we haven't already said previously?

Director Gulich – I think that sums it up Council President.

President Gudenas – Very good, any questions here? I see none.

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

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

Ord. 79-2006 (104-06) 2006 Cracksealing Program

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the labor and materials necessary for the Cracksealing Program for the year 2006. (Sponsored by Mayor Cervenik by request of the Service Director)

Councilman Langman moved for passage; seconded by Councilwoman Holzheimer Gail.

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

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

Ord. 80-2006 (105-06) Pavement Surface Treatment

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the labor and materials necessary for the Pavement Surface treatment for the year 2006. (Sponsored by Mayor Cervenik by request of Service Director)

Councilman Lisy moved for passage; seconded by Councilwoman Holzheimer Gail.

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

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

President Gudenas – Who says we're not a rubber stamp?

Ord. 81-2006 (102-06) American Fireworks Co.

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with American Fireworks Company, 7041 Darrow Road, Hudson, Ohio 44236, for a fireworks display for July 4, 2006, or rain date, in an amount not to exceed Thirty-Five Thousand Dollars (\$35,000.00). (Sponsored by Mayor Cervenik by request of Service Director)

Councilman Langman moved for passage; seconded by Councilman Delaney.

Mayor Cervenik – Yes, Mr. Chairman, we talked a little bit about or you did about some sizzle in the Capital Budget. Well, I would like all of Council's support to sizzle the fireworks for this year's Fourth of July show. I think we're all aware of just how important this day is for the City of Euclid and a great tradition we have. So again, I ask for all of your support and I think Mr. Gulich may have another comment or two to make. No, you don't.

Director Gulich – That sums up pretty good, Mayor, so I'll just add that American Fireworks has performed this in the past. We will sit down with them in advance of the show with the Police and the Fire Department, have a safety meeting and, of course, safety, safety, safety. This company has an excellent track record and looking forward to an excellent and safe show this year.

President Gudenas – All right, who's against this? Nobody?

Councilman Delaney – I'd only add that I would like my name and open it up to the rest of Council, as well, I think we should all be on as sponsors.

Councilman Delaney moved to add all of Council as co-sponsors; Councilwoman Holzheimer Gail seconded.

Councilwoman Holzheimer Gail – Just a quick question, I see this is being paid for out of the Endowment Fund and I know we did that last year. Do you think it would be more appropriate from the General Fund? I think initially, originally years ago, it was, wasn't it out of the General Fund and then when we had budget, when the budget got tighter we were looking for any way to fund it?

President Gudenas – Very good point.

Mayor Cervenik – From where I stand, I would appreciate this coming out of the Endowment Fund this year. If Council so desires to do something different, you know, we will comply; but we, we do have a couple of budget amendments and I think when we're done talking on Wednesday you're going to see why I would really prefer this to come out of the Endowment this year and that can be changed at a later date if we so desire. Again, it's up to you. I'd just feel more comfortable with it coming out of this fund right now because the money is in there.

President Gudenas – Endowment Fund's almost broke and I know Councilman Lisy's been computing all the money that's left that fund and, hopefully, we're going to have something to put the money back in. Of course, this \$35,000 could be part of that to put it back in or we can make the adjustment now. Generally, I believe we could probably afford to do it out of the General Fund because the Endowment Fund isn't much of an Endowment.

Mayor Cervenik – I knew I shouldn't have told you we were a million dollars over budget.

President Gudenas – Well, that's...

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Mayor Cervenik – I don't have real strong feelings either way I guess, Council President. If, if Council feels more comfortable with it coming out of the General Fund, then amend it accordingly.

President Gudenas – Let's do that because we're going to try to be more disciplined on the Endowment Fund in the future because we have so many capital projects coming be it Shore, rec. centers and other things so would we like to change that?

Councilwoman Holzheimer Gail moved to amend legislation for the funds to come from the General Fund; seconded by Councilman Langman.

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

President Gudenas – Any further discussion? I see none.

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

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

CEREMONIAL RESOLUTION

Res. 67-2006 (116-06) Sympathy Anthony Sankovic

A resolution of heartfelt sympathy to the family and friends of Anthony Sankovic. (Sponsored by Mayor Cervenik and the entire Council)

Councilman Lisy moved for passage; seconded by Councilman Conway.

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

President Gudenas – And for anybody at home or in the audience, we do go through some of these pretty quick 'cause some of these have been debated and discussed previously at our committee minutes, meetings so we try to move things along here a little quicker at that time.

Councilman Langman moved to go into the Committee of the Whole; seconded by Councilman Conway. Yeas: Unanimous.

COMMITTEE OF THE WHOLE

President Gudenas – And Rose Allen is on deck.

Ms. Rose M. Allen – 262 & Lake Shore Blvd. I know it's late and everybody's about ready to go home. There were three issues that I wanted to bring up tonight I think that are very important. And first being that Euclid needs to do everything possible to focus our efforts towards the growth of this City based on our Lake Erie and the prime location that we have. I happen to been involved with matters that are called Waterkeepers, which was started by Robert F. Kennedy, Jr., and it focuses on us having communities that are protecting the waters and the purity of the waters that feed our country. Twenty percent of the world's fresh waters situate in the Great Lakes, I think most of you know that; but what we need to do is also think about the future we can have because we are situated on a lake and fresh water. And other parts of the country will be thinking about some way of tapping into the Great Lakes and with us being here we are in a very key position to make this City a great place to live and have a lot of control over what happens. I think we need to take some interest into paying attention to that.

Also there was a public forum that was sponsored by Congresswoman Stephanie Tubbs Jones back in March that focuses on also port security which is something that we should be concerned about as well because these are issues that will be facing us.

The second item and these are for each member of Council and Mayor. This is something that focuses on the success of Orem, Utah unless you look at the bottom of the pages that are word perfect, this is where word perfect is situated. Actually most people would have never gone to Orem. I went through Orem on my way to a ski vacation in Sun Dance and it was a sleepy community. I don't think they had a traffic light at the time I went there first. Now they are in a prime situation of being called the seamy valley of Utah, because they focused a lot of their job creation around software companies and call centers and most of the software companies now have a call center or something situated in Orem Utah. I'd like to see Euclid putting some effort into bringing something major. It's great that we have some jobs that have been created that can hire, maybe 20-30, maybe 100 people. But I think we really need to put an effort into bringing a company or companies that can hire 5,000 or more people and it's possible. Takes maybe the same amount of effort, but we need to make that effort. This is a way we can bring upscale people into Euclid who can afford to buy nicer homes on the lake and have places in Euclid where people with disposable income can dispose of their income. These are things I think we need to focus on.

The last item I'm bringing up is not necessarily the least, but it is very important as well and I'll try to be very brief on that. We have a matter coming up that involves the Department of Justice and looking at Euclid's situation as to whether Black people and I prefer to use the term Black; because I'm a multi-cultural person. My matriarchal ancestry comes from the Native Americans who were here before any of the European set foot on this country and I will not allow that to be taken from me because someone wants to identify me as only one part. But the Department of Justice back in 1965 had the Attorney General draw up what was called the Voting Rights Act. We were given the right to vote without harassment. There was a time in my lifetime where if you were a person of color, and you chose to vote, you could receive night visitors and they often were men wearing robes and hoods and carrying torches, in my lifetime.

We've moved past that now, we have the right to vote. What I'm asking people of color to do is utilize that right but also it is important that use the right to vote because it is an obligation. I'm the type of person that I'll vote if there is an election to determine what color the fire hydrants need to be. I think people have to look at their responsibility for a lack of response. You can't complain about a situation if you don't bother to go to the polls. Tomorrow is a primary and we need to look at people who will benefit Euclid. By the way, I'll throw this little point in, I'm on the ballot for State Central Committee, so if you see my name I'd appreciate your vote. Please look at the seriousness of whether or not you are actually participating in the voting that takes place in Euclid.

Mr. Victor Goodman – 20201 Glen Russ Lane. Again I apologize Councilman Conway, went blank. First what I'd like to do, this time I wrote things down. Is to talk about the Henn and the Rummage Sale that was this Saturday. Want to point out that Councilwoman Walsh who actually bought a picture of the Ellis Island and somebody so wanted it that she gave it to them. But he insisted to pay for it, so she said, just pay the Henn. It was a great sale. My understanding from what I was told today, I'm a member of that Board, was that it actually was about the second highest total ever received over \$4,400. The Henn, it was well worth it and were a lot of fun and it is amazing what can be sold.

My main purpose for coming up here tonight is to announce to the people of Euclid that I have put together a Town Hall Meeting. It will be May 18th. It will be held at the auditorium at Shore from 7:00-9:00. I certainly do invite all and any member of Council or the Administration. But all you can do is listen and learn from the citizens. This is open to every single person. Every person; especially if you're a homeowner. I am going to invite, at least make a call and see if I get one back, I am going to invite the Justice Department to come and tell us what they are doing and why. Euclid cannot afford to be labeled in any way except a city on the move. We have certainly multi-cultural people here and it seems to me, I'm sure there are exceptions, but it seems to me that we get along pretty darn good with each other regardless of who we are.

I certainly do hope, I will be calling the, each and every homeowner's association to please get the word out to their members. I certainly do hope the media, including the Sun Journal will also help publicize. Again, for you, the citizens of Euclid, May 18th, 7:00-9:00, it's a Thursday, 7:00-9:00 we will have an open mic, you will be able to come up like now and speak your mind. It is very, very important. We must ban together as a people and show the Justice Department exactly who we are.

Lastly in part of that, tomorrow which was mentioned already, how can you complain if you don't vote? Now its true that it is only a primary, but there are Judges up now. There are other people that are running in multiple groups. This is your opportunity also to learn the system

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before the November election. I definitely feel that if you don't vote tomorrow, if you can't take 5 minutes out of your day before you go to work, during the day, or after work, you are not allowed to complain. Voting is a privilege and if you abuse it, you deserve what you get. May 18th, be there.

Mr. Tod Guntner – 390 E. 257. First of all on April 22 we had our Cake Auction and Bake Sale that was held at Shore. It was not the turnout we've had in past years, but it was very nice. We had 14 cakes up for auction including cakes by Councilman Langman and Councilwoman Holzheimer Gail. Councilwoman Holzheimer Gail had the second highest bid of \$36. The first highest bid was actually \$51. Which if you remember a couple of years ago there was a cheesecake that went for \$35. That same cake, well not that same one, an identical cake like that one went for the \$51. Then I had somebody come up to me in the middle of the week and say what was the highest cake bid and I said \$51. I turn around 30 seconds later and they had a check in my hand for \$52, so thank you for that.

At that time I would like to thank Kathy Will and Euclid Recreation Dept. for their help in supporting this project. I especially want to thank the 14 volunteers that we had at Shore that day that helped us out. They did a tremendous job as they always do and we really appreciate their support also.

Moving on to Friday, May 12th, our Third Annual Bark-B-Q, happens at the Manor. Tickets are \$30. For \$30 you get, beer and wine all evening from 6:30 until 11:30. You get a fully catered rib and chicken dinner with all the fixings. Dessert and dessert is very good. There is a new cook and a new style ribs, so it will be fantastic. Some people got an e-mail from me, you will not be disappointed, I can promise that. This year you will not be disappointed. Tickets are \$30. I have tickets with me tonight if you'd like to purchase them. They will be available at the Shelter for purchase until the 10th. We have to have a final count in on that Wednesday morning, so through next Tuesday we'll have tickets.

The Shelter is open from 12:00 until 4:00 from Tuesday through Friday. Also Thursday evening from 6:00 until 8:00 where you can purchase tickets. The address is 25100 Lakeland Blvd. That is on the south-side of the freeway between Babbitt Road and E. 260. I do appreciate and thank you all for your support in the past, now and in the future. Thank you.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. Responsibility. I'm being responsible. I thank you tonight. I hope your trust in us for the Shore Corporation will be not in vain. We will do our best to make you proud. On that note also, I don't like anybody calling anybody or talking to anybody to stop our efforts and I don't want to hear about it. If I do hear about it, you'll hear from me.

Help, that's the word. Help each other, help us. Be a volunteer. We need volunteers in this community because you get back more than you put in. You find the right place to volunteer though. Not everybody can find their own niche, but try.

Being responsible, people with attitudes that think they can take shopping carts from our grocery stores and other stores, I'm tired of giving free rides to grocery carts back to their stores. I think its time we started doing something about it. Save-A-Lot has a way to do it. It is kind of like that invisible fence. They have a hobble on the wheel that when it gets near their property line, it locks up. It is expensive though. Out in Willowick, there is a store that has a pay-as-you go. You want that cart, you put a quarter in, it releases the cart. You put the cart back to where it belongs, not in the parking lot that will fly out and hit somebody's car. I think maybe we should get legislation in here. I don't want to hurt the shop owners. But I think losing a few carts, hurts a lot more. Put legislation together that you let us use the carts, get them out in the parking lot, but we're responsible for bringing them back to get your money back. I think that would be about the best way to go that I've seen so far.

We need responsible people in this city. One way to do it is hurt them in the pocketbook. You're trying to make responsible homeowners and owners of land in this city. Let's put some muscle behind what we say. There are too many homes that are neglected and they are good homes. Some people get their loans when they are not ready for a loan. We need to put together a course on home buying again to people that are thinking of buying homes to see if they are really ready, to point out the pitfalls of buying homes. Because you want what you want when you want it. You can't do that when you are a homeowner a lot of times. Other things are pressing, we all know that. But let's make everybody else know that too. Thank you. Tomorrow's voting. There's a lot of good people out there. I kind of like Mr. Strickland, Lance Manson and our own, Melody Stewart. Go out and vote. Don't leave it up to Joe, because we're all Joe. Thank you.

Mr. Tom Cooke – 25641 Edgecliff. I would like to revisit #10, Resolution creating a special residential improvement zone for housing improvement program. I just want to say that I am a strong advocate of rebates. I am strong advocate of tax abatement. I received rebates on my property. I re-invested it directly into my home. The tax abatement I have received, I have re-invested into this community and also back into my home.

My mother-in-law lives in Mayfield Village and she received a letter from the Mayor Bruce G. Rinker and I would like to read a small caption of this letter. This letter is from Mayor Bruce G. Rinker of Mayfield Village to its residents summarizing the past 15 years of planning and execution of plans to maintain quality of life and increase in services. The following is a short excerpt of this letter by the Mayor.

“As we anticipated, our previous investment in creating a home for Progressive in Mayfield Village has paid off handsomely. Even with the property tax abatement that we granted to complete Progressive Campus #1 project, Progressive generates ten times the revenue to the Mayfield City School District than it did before.” Let me restate that one more time, “Even with the property tax abatement that we granted to complete Progressive Campus #1 project, Progressive generates ten times the revenue to the Mayfield City School District than it did before. This revenue will increase when real property tax abatement expires in the not to distant future.” Let me reiterate that one more time. “This revenue will increase when the real property tax abatement expires in the not to distant future. I hope this enlightens some people as to the true value of tax abatement and can serve when used for its intended purposes. It is obvious the Village of Mayfield has used this abatement with great success.” Thank you.

Mr. Warren Wallace – 24430 Mavec. I’m gonna break my rules. I usually don’t comment on audience. Never ever have I got up here and commented on any comments from the audience. But, try being Black just for 10 minutes. For 10 minutes you’re talking about May 18th. Just try being Black for 10 minutes and you’ll see why the Justice Department is coming to dinner. You are on the other side now.

Mayor Cervenik, getting these flyers out to inform everybody about the City on the Move, City Hall on the Move, how do you get them out? Ours is tomorrow and I haven’t received one. Are you mailing them, or foot soldiers or how are you getting the word out?

Mayor Cervenik – Mr. Wallace, we sent flyers home with all the school children and I know most of them were able to deliver them to their parents. Sometimes in a school bag the mail gets crunched down to the bottom but eventually they do find it. We’ve used the media, the Sun Journal has covered us at least three weeks in a row. We also have got it on our television stations. We notified all the homeowners associations to spread the word. We may try, if we find that they type of notification is not enough, when we do them in the fall, maybe we’ll try to do flyers throughout the neighborhood. A lot of its word of mouth. We didn’t have a big crowd, as you’re well aware, in Ward 4. But we had about 25 people that were very happy and satisfied and received a lot of good information and relayed some to us as well. It is a new thing. It is going to take awhile to catch on, but we’re going to keep it up because I think it’s important that the Administration and City government gets out into the neighborhoods and listens and makes themselves available.

Mr. Wallace – If you need help passing the flyers out, the Wallace Family is there for you.

Mayor Cervenik – Thank you.

Mr. Wallace – Also, Councilwoman Holzheimer Gail made a suggestion about the tax form including the residents in this. Are you planning on getting comments from the residents on a better way to get the word out? Twenty-five out of fifty-some thousand, that’s no where near enough. That’s like one-tenth of one thousand percentage point. That’s no where near as close as where we should be at.

Also, Council President, last meeting someone speaking at the podium turned around and addressed the audience. From what I understand, it is on TV, you can rewind it. From what I understand that’s against the rules and we would, I follow the rules and I would appreciate it if you enforce the rules also.

I was at the Euclid Hunger Center Saturday and my family really, really enjoyed donating food to the Hunger Center. I learned a lot. I talked to Miss Sue McGinn and she told me some very interesting things that Euclid Hunger Center is engaged in. With these bigger hunger centers they only want non-perishable items, but the smaller ones like Euclid is promoting fresh items also. Fresh vegetables and some frozen meat and I really didn’t think that was possible. Also,

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toiletries is a big item they need. I think she's doing a great job, but the volunteers down there, it was great. Color wasn't an option, age wasn't an option. Everybody down there were in-tune, I felt good just to be taken on a tour. I think we all need to do our part to help feed the hungry.

As far as tomorrow the votes go. I'm a firm believer in make them earn your vote. If you don't earn my vote, I'm not voting for you. It can be, the last President-election the lesser of two evils, I don't believe in that. I didn't vote for either president. Both of them would have been the same thing. If they don't earn your vote, don't vote for them but do get out there and vote.

Let me get back to May 18th again. I like that subject.

President Gudenas – Well we have just three seconds.

Mr. Wallace – Walk in my shoes for 10 minutes. You're whole attitude will change. Thank you.

President Gudenas – Please.

Mr. Mike DiDomenico – 24770 Farringdon Ave. I'm here to talk about baseball diamonds. Mrs. Will has already addressed this in a private e-mail saying this is going to be addressed, but I'm here to publicly hopefully light a fire and get this little thing done.

Over at Memorial Park, two ball diamonds, 5 & 6, really need some attention. They got to be older than I am. I think we've gotten our money's worth out of the fencing and the benches. The fencing in front of the benches is this high. So foul balls come screaming off a bat and if you're not ducking for cover, you're going to eat one and that's a bad thing.

The benches at both of those fields are original probably. At Diamond 5, which I believe is the one by Voelker. The third base bench honestly sits at an angle like this. My personal interest in these two ball diamonds is my daughters play softball at the High School, the JV's play on the field which I think is Diamond 6 closest to the stadium. The Freshmen play on Diamond 5 which is closer to the street, Voelker. Other teams from other cities come to Euclid to play ball and this is the impression they get of these fields that you can't even update the benches or put some protective fencing. All I'm really asking for is some fencing that provides protection to the players and the fans instead of this high, maybe make it 10 ft. high like Diamond 4 which is in the center and possibly some new benches with backs. I don't think that's asking for a lot of money. I've been told that bids have gone out, I'm hoping that this gets done sooner rather than later because I first brought this complaint up last year in May and they are still in that same condition, like I said, they are original. There are also adult leagues that play over there and that is the impression they get of Euclid is these are the crummy fields that we have. It would also be nice to at least have a port-a-potty by Diamond 5 as there is nothing there. My daughter said to ask for dug-outs, I don't want to push my luck. Thank you very much, good night.

Director Will – To Mr. DiDomenico, I appreciate your comments coming up here. You did notify the department last year. There was some other issues that we needed to take care of on a priority with Diamond #3 which we did. We did send the bids out for #5 and #6 for the safety fencing and for the back stop. I did just get all quotes back, the third quote back today. We will be making a decision in going to our Board of Control to get that approved through Recreation Capital soon. Then also, the player benches were ordered. Unfortunately we will have to wait until the Fall to install them because they require a two week, you can't sit on them for two weeks. I assure you those are ordered and the safety fencing and the backstops will be taken care of here shortly. I appreciate your comments. As far as the potty, the port-a-potty is supposed to be delivered this week. Thank you.

Mr. William Hilf – 891 E. 237. I would like to second the comment made by Mr. DiDomenco. I was actually at field 6 last Monday and was standing behind first base and almost got nailed by an errant throw, so I can see the need for safety fences. If I hadn't been paying attention, myself and a friend would have been nailed by a softball.

The real reason I'm here tonight besides A, reminding people to vote tomorrow please; is to talk about the Euclid Lakefront Festival. I'm here as the Business Director of UpStage Players. We will be one of the community groups participating. We will be running the inflatable rides again this year and looking forward to it. It was a lot of work last time but we also had a lot of fun doing it. I know that all of the community groups that have been involved, including the Friends of the Henn Mansion and Blade & Edge and all these other groups have been working quite hard in meeting with Director Will. A lot of planning has been going into this. I thought the last Festival on the lakefront at Sims was good. The planning that is going into this, I think this one is going to be a lot better, just because of the experience that the Parks & Rec Dept. had

with the last one. It sounds like it is going to be a good time, a very family event with the Boy Scouts down on the beach with the bonfires, family entertainment, local groups providing food. I think its going to be a good time and that's going to be June 15th-18th at Sims Park.

Finally, personal thing here. I would like to thank the Euclid Police for the response and for coming out and talking to myself and another resident on E. 237, between Babbitt and Tracy. Friday night I came home from the St. Felicitas Spring Fling which was a very nice event, had somebody in my driveway so I parked in the street and about an hour later somebody decided to hit my car and decided to run away and also hit a car about 100-150 ft. down the street and somehow missed all the cars in between but got myself and the neighbor's car with a hit and run. We did have an officer come out and make a report. The only thing I'm asking the citizens of Euclid, if you see an early 90's Saturn, dark grey metallic with some front-end damage out there, that's the one that got my car and the neighbor's car. You can report that to the Euclid Police. They put a nice dent in both my driver's door and rear door on that side, did a pretty good number on it and did an even worse job on my neighbor's car. I would appreciate it and thanks again to the Euclid Police for coming out promptly and making a report. Thank you.

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

COUNCILMEN'S COMMENTS

Councilman Delaney- I don't really know who can take this complaint but I recently had visited with a resident on 222 Street. It seems with our addition of Dunkin Donuts to the fast food family including Wendy's and Burger King, has introduced a great deal of litter to the neighborhood. I've driven around the last couple of days and noticed that many of the cans are overflowing. Many of the people disregard the can altogether. Its turned into quite a problem, just to look at some of their backyards and see the wind blowing trash. I don't know if we need to concentrate on enforcing our ordinances. If we need to contact the managers of those fast food stores to maybe be a little more diligent and maybe posting signs to be aware of litter. Do we need bigger trash receptacles or all of the above? It is something that we have to watch this summer especially around the bus stops. It is turning into quite a problem and a nuisance for those neighbors.

The other question that I have is recently I saw some work that had begun on a house that I had a complaint for that was what I now find it was installing a new gas line. In the beginning of winter it cut out a segment of the sidewalk, left it on the mound of dirt dug for the hole on the treelawn. It remained there all winter and I talked to the Housing Dept. a little bit about it. I happened to drive by the house and I saw that the new owner was moving the slab, much like the Egyptians would move blocks for the pyramids with pcv pipes to put it back in place. He had installed the gas meter on the front of the house. My question is, is there, do we have ordinances about where the gas meter is to be installed? I know we have them for central air conditioners. Our new homeowner, if he didn't have the wherewithal or the resources to actually put it in correctly, I think I'll get in touch with the Housing Dept. about that. It seems to be maybe a timely issue for our meeting that we are going to be having on Wednesday. This was a specific curious housing matter. He told me that the gas company made him put it on the front of the house because of dogs. I'm not so sure if that's not much curb appeal for my tastes, but if we are going to allow gas meters to go to the front of the house, then we should certainly make sure that there's some sort of housing that goes around it to screen it to make it a little more appropriate.

Those are my comments. I would like to thank the Police Auxiliary for once again their year-end banquet. It is interesting, the Chief pointed out all the shifts and all the hours that they put. I asked Councilman Lisy to calculate for me if it were regular police on these shifts that the Auxiliary provide for us, at the regular pay, it would have cost us an additional \$120,000. They certainly do do their work and it was always pleasant to see their true enjoyment for their volunteering. They are a unique group and do a fantastic job for our city. Thank you.

President Gudenas – Is there an answer? Do we need a specific location for the gas meters, not in the front?

Director Pietravoia – I'm going to have to check into that. I believe it will be controlled by our Building Division because it is a new install rather than a housing enforcement issue. I'll check with our building code and our Building Official and I'll report back to you.

Mayor Cervenik – For the litter, probably a combination of all of those. We also do have our litter patrol which we nicknamed this year our Rapid Response Team. We do respond to specific

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areas where there's litter. However, we don't want to assume the responsibility of the various businesses to be responsible to taking care of their property. But we do help out in specific situations. We'll notify those businesses of the problems we see.

I really hesitate to put up additional signs. There are signs in downtown Euclid that very clearly state about litter. People just need to take ownership.

President Gudenas – When was the last time we added garbage cans in Downtown Euclid? It's like many years. Director Gulich?

Director Gulich – Actually we probably got more trash containers out now than at any time in history. The last time we did add one, we had one on Shore Center Drive when the new Tops went up.

Mayor Cervenik- We will evaluate that. If we feel there's more litter ...

President Gudenas – Well there is more business, more people, so we might need to consider that.

Councilman Gruber – I'd like to thank one of the newest associations, homeowners associations in the city and that would be the East Beverly Hills Association. Dawn and her husband Bernard and June worked very hard and they have a nice association with lots of attendance and look forward to working with them. Also I would like to congratulate our new Asst. Fire Chief. I'd ask the administration or Director Will to give us an update on the Glenbrook pool pump that I got to spend some of my money on.

Mayor Cervenik – Director Will called the other day, she came into the office and explained that the pump is broken at Glenbrook pool and I believe we had budgeted about \$4,000-\$5,000 to have it repaired and replaced. It cannot be repaired. It needs to be completely replaced at a cost of about \$13,000-\$14,000. We contacted Councilman Gruber concerning the \$15,000 ward allocation and in order to keep his residents in warmer water and yet refreshing water during the summertime he will be the first to use some of his ward allocation for something that is extremely beneficial to his residents and Councilman we thank you very much for that.

Councilman Gruber – Well, easy come, easy go. Thank you very much.

President Gudenas – We could call it the Gruber pump.

Councilwoman Holzheimer Gail – I want to thank Kathy Will and the Shade Tree Commission for the very nice Arbor Day program. It was a very fitting recognition for Bill Mabel and the great work that he did. I also wanted to publicly express my appreciation for the police auxiliary. I was unable to attend their appreciation dinner but I very much do appreciate their work, especially as we're heading into the summer season and Memorial Day parade is coming up sooner than we realized. I want to thank them, we really do appreciate all their work and I wish I could have been there.

I've had a couple of residents ask and we did get one e-mail about what seems to be a proliferation of signs, whether its open house, for sale, that are now being stuck in the treelawns. I noticed over the weekend, specifically at South Lake Shore and 200th Street, there were probably 6-8 all stuck in on the treelawn and they were then taken care of and I spoke with Charlie Drazetic earlier and I know that they have been instructed to take signs out of treelawns. So I just wanted to take the opportunity to tell residents, remind residents and Realtors that the treelawns are public property. You are not allowed to post signs on the treelawn and I will look to Director Pietravoia for confirmation of that. He's shaking his head.

Director Pietravoia – That is correct. We do remove them on a regular basis. This time of year there's more activity so there's more signs. We do try to remove them on a regular basis.

Councilwoman Holzheimer Gail – Thank you, I appreciate your efforts on that. I'm looking forward to Wednesday's meeting. We have a lot of important initiatives and hoping that we will come up with some resolution to them.

Councilman Langman – First I'd like to echo Councilwoman Gail's comments about Arbor Day. It is a very fine event for a very fine individual, Mr. Bill Mabel. Councilwoman Gail gave a very

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nice speech regarding her inner actions with Mr. Mabel. It was very moving, very pleasant morning.

Director Pietravoia, speaking of 222 & Lake Shore and the Shore Center parking lot, I know we talked about this many times, but can you update the residents as to what we're doing with the right of way and what's happening in the parking lot.

Director Pietravoia – Because of the opening of the Dunkin Donuts, there's been concern about the driveways coming out of the Shore Center shopping center. We have engaged the downtown consultant who has a traffic expert as part of that team to take traffic counts and look specifically at that issue and give us a recommendation on how we should deal with that driveway situation. We're looking at either closing or limiting the exit onto Babbitt from the shopping center. We're all dealing directly with the owner. They were supposed to start last fall and were delayed in the repair of the parking lot itself. We expect to see that happen this construction season. We had a meeting scheduled and unfortunately due to the health problems of the owner, the father in this case, the meeting ended up getting cancelled or postponed, so we are trying to reschedule that meeting to move that project forward.

Councilman Langman – The roadway itself, I know we're doing the study as to reconfigure the Babbitt & 222 entranceway from Lake Shore maybe new signalization in that area. When might that be completed?

Director Pietravoia – We're looking initially at a short term solution to deal with the traffic coming out of the shopping center. The larger study that looks at the entire intersection and all of downtown, we're looking at over the next 6-9 months for final recommendations for that to come out on that.

Councilman Langman – I would like to thank Director Will for placing or getting to replace the fence between 241st and Farringdon. The residents have suffered with that eye sore for a very long time. It is coming up before Board of Control. Finally I would like to compliment the skaters that participated in the Blade & Edge Ice Show. They are all very talented from the very little tots up to the very higher levels. It is amazing what they can do. Our own Maura and Grace Delaney participated. It was a very fine evening and all the skaters did very, very well. Thank you.

Councilman Lisy – One of the problems with being one of the last people or further down the line, everybody else hit most of my comments so I'll be brief. Director Johnson, with respect to the budget, we talked about all the good news with respect to the revenues. How's our expenses looking?

Director Johnson – The expenses the last time I looked at the report which I will provide to you for the month of April project that we should still end up at the million dollar, million and a half dollar plus that we're looking for at the end of the year. As far as the expenditures go, we're still about a half million, the projection sheet shows that we're about a half million dollars if the pattern continues, we'll be a half million dollars under the expenditure budget.

Councilman Lisy – Thank you and its really nice to see in the business magazines such as Crain's Cleveland Business and the Plain Dealer Business Section and in the Metro Section the positive pieces with respect to Euclid. It is good to see a lot of the changes occurring within the city. Thank you.

Councilwoman Mancuso – I will also keep it brief. Director Pietravoia when you were talking about the driveway, the definitive answer you are expecting in 6-9 months, are we going to do something before that with that drive coming out of there? What kind of timeline are we looking at?

Director Pietravoia – I apologize, just to clarify, we're hoping within the next 30 days to have a solution from the traffic consultant for the driveway situation.

Councilwoman Mancuso – For Director Frey, have we heard anything from Forko Enterprises about our management contract?

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Director Frey – No, I've had no conversation with James Foreman. We've sent follow up correspondence without any response that I'm aware of.

Councilwoman Mancuso – Do we just wait or?

Mayor Cervenik – I will call James tomorrow. We did have a conversation. I thought we talked about this before. He's been pretty busy but I'll get him in this week and we'll determine if he does in fact want to continue or not. He does have some very big concerns about what we're asking and whether it is still going to be productive and whether people are willing to spend what we've raised them to. But that's a decision he needs to make and let us know and then we can act accordingly. I will report to you at the next meeting.

Councilwoman Mancuso – Is there anything Council can do?

Mayor Cervenik – You can hire someone else or you could reduce what you're charging on the weekends.

Councilwoman Mancuso – Those are his concerns, the weekends?

Mayor Cervenik – His big concern is what we're charging especially Saturday. Let me sit and talk with him because he really has put his heart and soul into this first year and I think we do owe him a little bit of, you know, let him come and tell us some of the problems. I'll let you know next week.

Councilwoman Mancuso – My next question is back to our recycling. Are we pretty close to bringing something forward that we can look at?

Mayor Cervenik – We had a meeting with Waste Management as we informed you we were suggesting that we would extend their contract two more years if it was close. Last time we did it we were having a 2% increase. During our meetings with them it was agreed upon that that probably wouldn't be a wise thing to do. There's going to be some large increases in our waste hauling contract, not just recycling, due to the fuel adjustments. I'm hoping at the next Council meeting, at least now we're writing up the specs to go out for bids even though our contract with Waste Management, the extended contract is not up until March 2007. We will go out for bids very early, we hope by mid-June so we will have those figures for recycling. They're going to go up considerably, considerably.

Councilwoman Mancuso – With that I will encourage everybody to go vote tomorrow. Good night.

Councilwoman Walsh – The good news first. We have a Pancake Social on May 12th and I want to explain. This is a new little church that has been tucked in the corner over on Brush Ave. for 5 years and the nicest people in the world are running it. It's \$5 for the adults. It's a pancake eating contest that I don't know if I'm going to enter or not. We would love to see you over there on May 12th. I know that conflicts with the dog-thing, but maybe you could go eat the pancakes and then you could go eat the ribs and then you could go to Weight Watchers the following day. I'm really pushing that little church and that's where I'm going to have my BRIDGES meeting. So they've become friends.

The T-Shirt Contest is officially closed and there will be a secret ballot for who we are going to vote for. The really, really, good news is the boat is gone. The 207 house is in the process of being cleaned up, although I'm not quite sure Chief on the two cars if they have a license. The one car is full of mud. I think that's the one that was in the hole in the ground. That one is a little iffy.

Now, since you did such a good job on that, here's your new address, 754 E. 250. They've tried for 2 ½ years and that's our new target. We'll work on that and I welcome the meeting on Wednesday.

I do have a couple of questions. I requested a list of homeowners associations and partly through my computer problems and so forth I finally did get it and on the list are 72 names of homeowners groups. I was really looking for the Ward 3 ones. I started to call people. I ended up talking to 48 of these people. Of the 48, 18 on this list that I was given, I was unable to contact because they had no phone numbers. Two had privacy manager and therefore I couldn't get through. Seven were not clubs and were never formed. Two clubs were on hiatus and could

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be listed as inactive. One organization is not a homeowners association and the president lives in Mentor. One organization is managed by a condo owners and they are in Mentor. My issues go on and on.

What I would like to boil the question down is, who manages this list of homeowners association because we can pass this over, this is what I got and this is what I did which if Mr. Goodman would like a copy, this is in Excel and you can print labels from it. This is my 46. It has accurate phone numbers. It also has accurate comments as to whether they are homeowners associations, whether they are active or inactive.

I do have concerns, is this the list that you're giving the grants out with? So taking that a step further I think that Council should have a copy of all those grants that we've issued the \$200 for. If they're giving the money to these people, I'm not quite sure how that process is working and I'd like to have an explanation of that and a copy of the grants to each member, to all my colleagues on Council and I'd like to see a copy of that. Perhaps we could have this list, finish the updating by the meeting on Wednesday and I'll gladly give this to, the guy left.

President Gudenas – He's out in the lobby.

Councilwoman Walsh – He's out in the lobby and I needed him. That's the issue here. Who does take care of this list? Who manages this list? I can finish it off. I did have the help of Sue McGinn, Bob Tilk and Pearlitha Taylor on this and it was nice that they could give me some blocks of names to work with. Again, this is what I got and this is what I can give you. I can finish it, but what's going to change, the one he mentioned tonight is no where on here. I don't know what we are doing and that's what I will end with. The Blade Show, Kathy Will, was just absolutely inspiring.

President Gudenas – The question then was raised, who's responsible for that list of putting it together and making sure it is accurate?

Mayor Cervenik – Every year when we sent out the applications and notices for grants, we ask for an update. Many of these organizations do not update. We do not get very many sent back to us as wrong addresses. Officers change. We can only hope that they forward that to others. Less than half of the homeowners associations have ever taken advantage of the grant to begin with. Some of the organizations, I believe one that you said is not a homeowners association and the president is in Mentor; that list also contains tenant associations. They are every bit as important as the homeowners association. I do know for many years the president of the tenants association or homeowners association at Blisswood lived in Mentor. We can't control that. Some of the other tenant associations, the garden-style apartments, they may live in Mentor. If that association votes a landlord of certain condos, who rents those condos out as their association president, I cannot control that. If you have any changes to that list that we can use, please give them to us. We can't run around and chase after all these homeowners associations and correct every year. Every year everyone we have receives the application. We don't get many of them back. When we do get them back we do ask for them to update. I will check with Kristal Skovira I know she works with homeowners associations as well but I believe that list comes from her. So, we are always looking for ways to update it, so any changes you have that you know are good changes, please forward to us, you'll be helping us out.

Councilwoman Walsh – The condo association in Mentor did get the \$200 from us and they said that they manage the people's money. So I'm not quite clear ...

Mayor Cervenik – Exactly.

Councilwoman Walsh – And we will, the Council will get a copy of these applications so I can match them with my list then?

Mayor Cervenik- Sure. They are all done by purchase order. They are all listed on AS400 and we keep track of them each and every year. Sure, absolutely.

President Gudenas – We expect to get the list and in the meantime we will make copies of this for the administration and city council. The point is made and well made that, seeing it is my 5 minutes here so I'm rolling right into it. It is a very good point that when the city does give out information with the City of Euclid's name on it, it should be accurate. We need some accountability on that one. In other words, someone didn't do their job apparently.

Mayor Cervenik – I will disagree with you.

President Gudenas – Well we can debate that another time. But when you give a list out that's mostly inaccurate, someone dropped the ball. We need accountability to find out why that happened and I think we need to spend a little bit more time, especially on the Weed & Seed program because there's been a lot of good recommendations and ideas made over the years and we need to figure out a little bit better about how that whole program is working. We know where a lot of the money goes, but at the same time, I know Madeline Scarniench spent a lot of time going to national meetings and the like and had some specific knowledge that was sent over to the city from those visits. I think its time we follow up with what we've learned, what other cities are doing, so that's going to be important.

The meeting, this Wednesday, May 3rd, starts at 6:30 not 7 because of the long agenda. We will hopefully start with the tax items so whoever from the Finance Dept. is here for that can stay or not stay after we've covered that. The day care homes I hope whatever issues we have on that are covered before the meeting so that we can move right along. This would be to set specific regulations on that. The majority of the meeting we're going to go into the housing issues. Legislation Councilwoman Holzheimer Gail and I had sponsored regarding the nuisance legislation abatement thing. The important part there is where the owner of the property if there's repeated police calls could eventually get a bill for the administrative time of the police department and other issues. We're going to talk about an aggressive housing plan for the City of Euclid with new ideas and the two pieces of legislation that we put into committee today.

I'm going to throw out another idea for us to consider which goes with what Mr. Cooke mentioned earlier and that is regarding tax abatement. Today we provide tax abatement if you build a new home for 7 years. We have a lot of vacant homes. I think the Housing Dept. has compiled a list of over 400 known vacant homes and we have other problem homes. This is becoming a very severe important issue, almost more so than building new homes. I'm going to ask us to consider that we identify the worst homes in Euclid that potentially could become good homes. Some homes cannot be saved. Some homes are good homes that can be saved and are languishing. We offer tax abatement to the owner occupied person who buys that home and stays there for the 7 years to get these homes out of the bad column and into the good column. If you buy the home, you fix up the home back up to code and you stay in the home for those 7 years, you get tax abatement each of those 7 years. So that we reward the person who is going to go out and fix up the homes. We're rewarding people to build new, but it seems that most of our lots are gone. That's still a very good program. We know need to maybe focus also on rehabbing the old that needs help. I'm going to ask that we consider that city-wide and we do it for a short period of time, not forever, for the next 12 months that anybody, we identify the homes that could become available and we go after them.

That's the idea of the day. The bottom line for the Wednesday meeting is to explore new ideas, things that we haven't done before. Some are going to work, some may not work, but we know that business as usual is not working so well here. We're trying hard but I think that it is time that we speed up the process, step up the process, get more people involved. EDCOR could maybe play a much bigger role. The City needs to play a bigger role. Banks in the City of Euclid need to play a bigger role. The County might be able to help us to try innovative things to get things done now, so people have confidence in our future and that's the kind of thing we're going to start discussing on Wednesday and hopefully implement some right away.

Mayor Cervenik – Let's talk about an innovative way we can make one of these small solutions. I think the people that are most knowledgeable and able to give us the correct information on the homeowners association are the ward council people themselves. The ward council people themselves, I know attend all of those meetings. You should have the names, addresses of each and every president of the homeowners association. So what I'm requesting tonight officially is that over the next 10 days you can provide us with that information because the grant period is over on May 31st. That will allow us to contact the proper person. I think if you guys would become part of this solution, it will work out much better. If you could forward those names and addresses to my office by around the 18th of May, we can get prior notice out before the grant expires. I'd appreciate that.

President Gudenas – Anything else you'd like Council to take care of?

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Mayor Cervenik – This is something Council should take care of if they truly want their homeowner associations to get those grants and they know problems exist, they need to be part of the solution.

President Gudenas – I disagree. I think the administration has responsibilities.

Mayor Cervenik – I know you disagree.

Councilman Conway – I did just want to elaborate on the comments Councilwoman Holzheimer Gail brought up. It is not only orange barrel time, but it is certainly sign time as we can all attest to, I know I've received several phone calls. But I just wanted to elaborate one additional point. Telephone poles throughout the city are equally a tool that is not supposed to be used to do signs. Specifically I noticed both Saturday and Sunday going down Lake Shore, going through downtown, there were several solicitations for certain types of financing, nice big red signs all up and down Lake Shore. Do we ever do anything to try to contact those companies? Do we have any tools in place that you can actually fine businesses for putting these types of signs up on telephone poles?

President Gudenas – Director Pietravoia, any fines for businesses that are putting signs up on our public access right of way.

Director Pietravoia - All parts of our code typically have a penalty. I don't know off the top of my head, I'll have to look that up and I'll get back to you.

Councilman Conway – Thank you because I know it certainly is definitely an eye sore and something we need to control. I appreciate you getting back to me on that one.

Really last comment that I wanted to make, I did want to touch on the Shore Cultural Centre, I got bumped up against the 9:00 time, but Shore Cultural Centre is certainly a topic that a lot of people have different opinions on. I was just taking some time in talking to Councilman Delaney just how I've utilized that facility over the last several years. I volunteer on the Board that is run out of that facility. I've participated in some of the things that Mr. Cooke had referred to and have seen Evelyn and Dolly in action on ladders painting windows, scraping, painting. I've had the chance to help with some of those renovations. I've held business meetings as a Councilmember with the Citizens Committee utilizing the Board Room at Shore. My son has learned how to play basketball in Shore. It is certainly a multi-cultural facility. I do believe that tonight was the first big step into providing Shore's turn around. I believe the Shore Board has earned a right to be able to do so with our support. I believe that it can really be, truly an asset to the residents and it is going to have a tremendous impact on downtown Euclid as a whole. I am very glad to see that Shore is given this life and I believe it is something that we'll all be very proud of going forward.

With that as many of my other colleagues have mentioned, tomorrow is an important day to get out and vote. With that, good night.

President Gudenas – It's a Shore-thing our meeting is over.

ADJOURNMENT

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

Attest:

Clerk of Council

President of Council

