

**COUNCIL MINUTES
JUNE 5, 2006**

The regular City Council meeting was held on Monday, June 5, 2006 at 7:00 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, Law Director Frey, CS&ED Pietravoia, Service Director Gulich, Parks & Recreation Director Will, Capt. Repicky, Fire Chief Cosgriff, Housing Manager Petkovic, Sgt.-at-Arms Novosel, Clerk of Council Cahill.

Invocation was given by Fr. John Kachuba from St. Stephen's Church.

Councilwoman Walsh moved to receive without objection a transfer of a C1, C2 liquor permit from NAJWA A. IBRAHIM, to HYS Inc., DBA Euclid Beverage, 25657 Euclid Ave., 1st Floor. Councilman Gruber seconded. Roll Call: Yeas: Unanimous.

COUNCIL MINUTES

Councilwoman Holzheimer Gail moved to receive the Council Minutes of May 15, 2006. Councilman Conway seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik introduced State Representative Kenny Yuko and his wife Pam who were in the audience.

Mayor Cervenik presented Res. 108-2006 to Zachary Schlosser for his accomplishment in achieving the designation of Valedictorian of the Euclid High School graduating class of 2006.

Mayor Cervenik presented Res. 109-2006 to Amy Barwick for her accomplishment in achieving the designation of Salutatorian of Euclid High School graduating class of 2006.

Mayor Cervenik and Council President Gudenas recognized: Norman Henderson, Demar Scheffey and Phillip Motley. These three students completed a Senior Project as interns for the City of Euclid. Demar and Phillip worked in the Community Services & Economic Development Dept. to inventory available commercial and industrial space city-wide and concentrated on a business inventory for Downtown Euclid as part of the Downtown Transportation Redevelopment Plan. Norman worked in the Council Office to update the City of Euclid's website by information gathered from other city's websites.

Mayor Cervenik presented Res. 110-2006 congratulating the Euclid Youth Soccer Organization on providing 30 years of excellent soccer programming to the youth in our community to Dave Dalpiaz, President and Mirko Zudic, Director of the Memorial Day Soccer Tournament.

Mayor Cervenik stated that the Tax Board Commission members will be sworn in after the legislation is passed.

Director Will – Congratulations to Zak and Amy. We've been fortunate enough to have Zak on our payroll for the last several years and hopefully you'll continue with us for a few more summers. Congratulations to both of you, that is a great honor.

I'd also like to congratulate Norman Henderson and Phillip and Demar. Phillip and Demar have now been put on our payroll and will be working for us this summer in our youth sports programs. This evening Mr. Norman Henderson offered his services to the Recreation Dept. for the next several days, volunteering to come in and help us get ready for our programs. Thank you, I really appreciate that and that shows you what quality students do come from our Euclid Schools and I appreciate that.

I would like to remind everybody, this Saturday, June 10th at 1:00, Memorial Pool will be opening for the season. On Monday, June 12th the four neighborhood pools will open at 1:00 for the season. If you still need to purchase your season pass, you can do so tomorrow and Thursday at the Rec Office from 3:00-7:00 PM. We'll also be opening the office on Saturday morning,

June 10th from 9:00AM-12:00 PM. Next week we'll have office hours for ID cards and season passes Monday thru Thursday from 3:00 PM until 7:00 PM.

I'd also like to take this time to congratulate Dave Dalpiaz and Mirko Zudic and the entire board and parents and children, coaches of the Euclid Youth Soccer Organization. It's been a pleasure to work with them. They've been very, very accommodating. I laughed when he mentioned something about the budget, but they were also very cooperative to work with, the guidelines that we had. Congratulations. I look forward to the new Board Members and hopefully they will call me soon and we can get started on the fall season here soon. Congratulations to everybody.

Our Euclid Lakefront Festival will be taking place at Sims Park, June 15th-18th. On Thursday hours are 5:00-9:00; we have the entertainment of the Loan Some Stars. On Friday, June 16th the hours are 5:00-11:00; we'll have Mr. Stress. On Saturday, June 17th, prior to the opening of the Festival, we are fortunate enough to secure, thank you to Councilwoman Mancuso, Metro Life Flight Helicopter will be landing at 11 AM on the grounds of Sims Park. They will be landing for an hour where the residents will have the opportunity to see Life Flight.

The Festival will then open from Noon until 11:00 PM. Entertainment will be Joe Meyer Orchestra, Larry Insana, Cold Cold Hearts and Walking Cane. Saturday evening from 5:00 until 9:30, there will be a wine tasting that is sponsored by the Euclid Hunger Center. There will be 7 wineries from 5:00 until 9:30 PM.

On Sunday, June 18th, from 12:00 until 9:00 PM will be the hours. We're calling it our Senior Sunday and from 12:00 until 3:00 there will be a 20% discounts on all food for the seniors. We'll have sounds of Mike and Dan Wojtila; there will be a National Anthem Singing Contest at 3:00 for children ages 17 and younger.

Then we'll have the Flip Side and we'll be ending our Festival with Jonah Koslen from 7:00 until 8:30. There will be several other events; will have a beer garden; there will be a casino tent; bonfires on the beach Friday and Saturday night; children's inflatable rides; Euclid Beach Rocket Ship which will be available for rides on Saturday and Sunday; Batman and the Batmobile; the Euclid Jaycees Jail & Bail. Keep that in mind. If there is someone here you would like to have arrested, you can do so at our Euclid Festival.

We'll be having a 9 hole putt-putt course. The Lake Shore Garden Club will be doing a flower show at the Henn Mansion. The Kiwanis and the Friends of the Henn will be selling flowers outside the Henn Mansion. WELW will be doing a live broadcast on Saturday and Sunday afternoon. There's tons of food; we'll be specializing perch and shrimp dinners. On Saturday and Sunday, we'll actually be doing a pig roast on the grounds.

I welcome everyone there June 15th until the 18th. I have posters and flyers. If there's anybody that would like to help distribute them, or would like one for their storefront, you can call 289-8114 and I'll be glad to drop one off for you.

Finally on June 25th will be the 2006 Euclid Pond & Garden Tour, sponsored by, the City of Euclid, National City Bank Babbitt Road and Aspen Creative Landscapes. The tour will be from Noon until 7:00 PM. The tickets are \$8 and available at the Recreation Office. If you need more information, call 289-2726. Currently we do have 13 ponds on the tour.

Director Pietravoia – A couple of quick announcements and some housekeeping as well. First of all I wanted to piggyback on Director Will's report. We will be starting our beautification program for the year 2006. The flower baskets will be arriving in full bloom and will be start to be installed a week from today.

In addition to that, we have on display tonight and I'm pleased to present to you, we've spent many hours with our staff, Council President and others, working on designs for the street banners that will be installed both on Euclid Ave., as well as the downtown Euclid Ave. business district.

What we have is an end-result. These actually are samples that are about a little more than 50% of the actual size. The full size banner will be twice the size of the ones that you see here. They are very colorful, very nice graphic design. What you see will be back-to-back. One side will be the sun design and the other side will be the four images that you see on the left. In addition to that, we worked with a local photographer, who I believe is here tonight, that is going to be producing four special images of Euclid landmarks that will be placed at major intersections, both in downtown Euclid and on Euclid Ave. We're very pleased to get that program started.

The baskets will go up first. We've used the same equipment, different set of crews, but same equipment so the banners will go up after the baskets, shortly thereafter. Finally related to that program, we will start a planting of major intersections along Euclid Ave. We're in the process of setting up a demonstration for that program that will be at Chardon and Euclid Ave. You'll be seeing that happening soon as well.

A couple of other announcements, I'm pleased to announce that we have finally filled the position for our Asst. Director of Zoning, Housing and Building Inspection Services, a gentleman by the name of Paul Beno, he has over 20 years of experience both in the City of Cleveland and most recently in East Cleveland. Very well versed gentleman and I think you'll all be pleased to meet him. He is going to start a week from today and will be present at our Council Meeting June 19th.

As long as we're on the topic of inspections, I want to remind the residents that this is the season for garage sales and open houses. We do have local laws that require that you are not permitted to place signs in the tree lawn or in the public right of way. Our inspectors are out and they are removing those signs. We attempt to retain them for a couple of days in the office, but typically we accumulate so many that we eventually have to just get rid of them. If you have a sign out that's illegal and you want to try to retrieve it, there's no guarantees but we will try to salvage it and get it back to you.

Friendly reminder, please do not place signs in the public right of way because it is not permitted by our local ordinances.

We also have a Saturday inspector that will assist with the garage sales in particular. It just started this past week and that will go throughout the summer months.

The other announcement that I wanted to make tonight is related to a meeting coming up this week for the Heritage Park Neighborhood on June 8th at the west-end mini-police station on Euclid Ave., 6:30 until 8:00 pm. We're going to be announcing all the housing programs that are available in that area including the target housing improvement program or HIP as it is known which was approved by Council recently. It will be an open house style so you can come anytime between 6:30 and 8:00. You don't have to feel that you need to be there for the entire time period. We'll have staff there and representatives from EDCOR that will be talking about the housing assistance programs that we offer in that part of the community.

Finally a good news announcement. I just confirmed today that the Lake Shore Plaza that houses the Marc's as its major tenant has been sold to a new investment firm out of the west coast from Los Angeles. They have plans to fully upgrade the façade of the plaza and they are going to be working with the city, hopefully take advantage of our storefront program and have expressed an interest in being part of our downtown planning study as well. We are very excited about this and look forward to working with them and bringing more news about this to City council. Our hope is that this will serve as an example for other major property owners in downtown Euclid that for some time now we've been encouraging to upgrade their property as well.

That was my last announcement for the evening so thank you for your time.

Fire Chief Cosgriff – In regards to our annual hydrant flushing program. As the residents have probably noticed we have been posting new bright yellow signs on various streets of the city on the day preceding the day that we will do the flushing. We are hopeful that these signs are more visible than the ones we've used in the past.

We flush and maintain the hydrants on a semi-annual basis in order to assure that they are functioning properly and to keep them functioning properly. This is necessary not only for the safety purposes, but in our attempt to keep insurance rates, as low as feasibly possible. This program will continue through the end of this month.

We recommend that following the flushing in your area, you run your cold water until it runs clear prior to doing any laundry or using it for personal consumption.

I'm also pleased to announce that the Fire Dept. was the recipient of a \$9,800 grant from the State Fire Marshal to update our computer equipment. We currently report the details of all of our fire responses to the National Fire Incident Reporting System, or NIFRS, in a paper format. Effective January 1, 2008 NIFRS reports will no longer be accepted this way. We must file electronically. We applied for this grant in order to obtain funding to purchase both the software and the hardware needed to allow us to comply with this requirement. There is no city match for this grant, so after reimbursement, this will be a no cost item to the city.

Reporting to NIFRS is also necessary to establish eligibility for the department of Homeland Security Grant funding which I will be discussing later in the meeting. That concludes my report.

Director Gulich –One week from today in this very room at our Board of Control, we will open up the bids for the disposal of solid waste in the City of Euclid and recycling. This couldn't come at a more opportune time. This will allow us to make a decision as you've been hearing as to whether the city feels it is financially feasible to go back to the curbside recycling. I'm the Service Director, I love to deliver service, that's what I'm supposed to be doing for you folks. Obviously we have to do what is in the best economic sense for the city as well.

This couldn't come at a more opportune time. Over the holiday weekend our drop off facility was inundated with lots of people who must have been saving up their recycling, I'm one of those people. I was there, I saw it and armed with this information we'll be able to make the decision as to move forward with the curbside recycling and be able to do that in a very timely fashion.

Speaking of recycling, I think a lot of people are well aware of it out there, but for those who don't the extremely hard working people at our Euclid Animal Shelter received a nice reward from the Abitibi people. Each year Abitibi hands out a number of prizes for different categories and it should probably be no surprise to anybody out there that Euclid Animal Shelter received first place for the Annual Multi-Bin category. That shouldn't surprise anybody, multi-bin, I think we've got seven up there now Tod. That was good for a \$1,000 gift. Congratulations to all those hardworking people.

Some good news on recycling and we'll have those numbers next week and before Council is done this month we'll be able to make that decision.

Mayor Cervenik – The condition of the drop off area last week, it is normally the policy of Waste Management to drop off at least one additional bin on a long holiday weekend. That was not done last weekend, hence we had a good portion a good area filled with bags of recyclables that had no where to be put and people left them there. Waste Management has assured us that until we make our decision, even after we make our decision to stay at drop off that they will have at least one additional bin there, especially on the long weekends. That seems to be when we are having the most problems. We apologize for any inconvenience it may have caused anyone in the appearance of it. But, from what I understand other cities especially in Lake County that are now going to drop off are experiencing the same problems. It is just a matter of adjusting and predicting when people are going to be coming out. It seems to be the long weekends when they really show up and fill up the bins. Communications and reports are over.

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Police Report of April 2006; Executive & Finance Committee Min. of 5/22/06; Board of Control Minutes of 05/15/06; 05/22/06; 5/24/06. Councilman Lisy seconded. Yeas: Unanimous.

President Gudenas – Now we go to the part where we talk about the legislation sponsored by the Mayor; tonight 10 out of 11 are sponsored by the Mayor, so we made history today. This is the Committee of the Whole, anyone who has comments about tonight's agenda, please step up.

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

Mrs. Madeline Scarniench – 1511 E. 221. Item #9, if Director Will could tell me the \$12,000 that we're getting up front, is that going to be for Recreation or is that going into the General Fund? I know when the schools were negotiating with the different pop companies years ago, we got signs, we got all kinds of good things from them. Has any of that been talked about or discussed?

#11, this has been around for a long time. I don't see why it should go into committee. I hope it is not going to. I hope that Council agrees that we need to clean this up because windows do look really trashy when they have newspaper and wood and such hanging there. It really brings down the neighborhood and I think this would help. I hope everyone is in support of #11.

Director Will – The \$12,000 and I'll go through this in a short presentation, but that \$12,000 absolutely will come back to the Rec dept. for an item and obviously we'll move forward with the signs. But I'll go through that, thanks.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. #9 and #1, last time we put a new jail up, we were told we were going to get the state of the art. Right after it was built, we were told it was obsolete already. We have studies, more studies than I can shake a stick at. When are we going to do things right? I'm tired of studies. I'm tired of people wasting our citizens money. I'm holding you people accountable, everyone of you to do the right thing for the citizens. Wasting money on studies, what does it take, are they going to have a linear jail that they have now? Do they have dormitory styles in the new jail? What troubles is that going to cause? Is it going to be the circular type just like out in Lake County?

Are we going to put our jailers at risk by cutting the people? That's the problem, we have people working there and they are citizens. We can't put them at risk. Is it a money item? We were told we were going to save money, we were going to house all kinds of criminals there and we were going to get money hand over fist. I'm tired of listening to things that don't happen. We've got hard questions to ask and I want them answered. There's no dumb questions, but there's a lot of dumb answers out there and I'm tired of it. We've got to ask really important questions. I would like to hear from the jailers what they think, away from this body so that there is no influence on them.

#9, Pepsi. When companies take over and give you things, what are we getting from Pepsi? I want to hear about it. I want to know the money value of it. They give you kick backs or they give you money plus kick backs. Let's find out what they are, the money event that we get from them. They're at Shore, they're at the arena, they are all around the city. Let's find out what we're getting for our money and let's put it to good use. Thank you.

Mr. Harvey Mlachak – 23831 Lake Shore Blvd., Euclid, Ohio. #11, Ord. (146-06). This goes just a little bit deeper than what Madeline Scarniench mentioned. Because this ordinance is about as vague and ambiguous an ordinance as I have ever read. You tell me what and why I cannot do specific things to the windows in my home. If the operating mechanism used to hold a window open is broken, and I use a small stick to hold it open, is this a violation of this ordinance? What about the many windows at the Cultural Centre whose mechanisms aren't in good working order? Also the windows on the west side of the Cultural Centre, how many years have these windows been boarded up with plywood? Is this permanent or temporary?

What if someone puts a humungous Chief Wahoo logo in their window when to many this is extremely offensive? Or, a logo of a Browns sign of outlandish proportions, that is offensive to me as I have been a Steelers fan all my life?

Are these violations of this ordinance? What if I get a large piece of plywood that says, Elect Councilman-at-Large John Conway; now is this a window covering, or is it a political sign? Tell me who is to interpret this?

How long can I have an American Flag in one or all of the windows in my home? Assuming that this ordinance covers all the windows of a residence. Who is to determine what is permanent or temporary under this ordinance? I respectfully suggest that you put this ordinance into committee, or better yet, vote it down entirely and let us citizens decide for ourselves how we best choose to live in our own homes. God knows we're paying enough taxes to enough that little freedom. We do not need another dictatorial ordinance on our books. You are already in my yard, please stay out of my yard. Now you want to come into my home. I don't want you there unless you ring the bell and I open the door and invite you in. Again I respectfully ask that you vote this ordinance down or put it into committee until your ducks in a row and tell us what this ordinance is all about. Thank you so much.

President Gudenas – Law Director Frey, is it permissible to be a Steeler fan in Euclid?

Director Frey – All I can say Council President, it's perilous to be a Steeler fan in Euclid.

President Gudenas – We'll get the other ones answered too about the Brown stuff, but Steelers, no.

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

President Gudenas – We'll start with Item #2 first to swear in our gentlemen who are here for the Income Tax Review Board.

LEGISLATION

Res. 111-2006 (151-06) Tax Board

A resolution to appoint Michael McPhillips and Thomas Heffernan to the City of Euclid's Municipal Income Tax Board of Review. (Sponsored by Mayor Cervenik)

Councilwoman Mancuso moved for passage, Councilman Gruber seconded.

Mayor Cervenik – The third member of the Tax Appeals Board is Karen Vaughn, who is audience who will be sworn in as well. There was no councilmatic action needed to have her put on the Board, she was my choice. Karen will serve through December 2006; at this time I would certainly expect to re-appoint her. I believe Mr. McPhillips will be serving as the Council appointee through December 2007. Mr. Heffernan is the joint appointee and his term will go through December 2008.

I know all three of these people, their credentials are tremendous and I thank them all for their willingness to serve their community.

President Gudenas – Do you want to call them up?

Mayor Cervenik – You have to vote on this first and then I'll be happy to do so.

President Gudenas – Oh, that's right, details. Yes.

Councilwoman Holzheimer Gail – I don't know if we need to amend it or not, but Mr. McPhillips' appointment in the legislation says through 2006 and it is supposed to be 2007.

Councilwoman Holzheimer Gail moved to amend Res. (151-06) to have Mr. McPhillips' term be through December 2007. Councilman Lisy seconded.

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

Amended.

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

Passed.

Mayor Cervenik swore in Karen Vaughn, Michael McPhillips and Mr. Heffernan as the City of Euclid's Municipal Income Tax Board of Review.

Mayor Cervenik announced State Representative Lance Manson was in attendance. He is running for our Senate seat this November.

Ord. (140-06) New Jail Study Tabled

An emergency ordinance authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid to enter into an agreement with DLZ, 2162 Front Street, Cuyahoga Falls, Ohio, for a feasibility study and master plan for the City of Euclid Jail Renovations, for an amount not to exceed Thirty Thousand Dollars (\$30,000.00) (Sponsored by Mayor Cervenik)

Councilwoman Mancuso moved for passage, Councilman Lisy seconded.

Mayor Cervenik – We conducted a meeting two weeks ago concerning this matter. I told you I would have representatives from DLZ here this evening, I have Jim Seiple as well as Rachel Hersch Schwarz to answer any questions you may have. I presented you with some of the company history.

As stated in that meeting, we have to replace the roof of the jail to the tune of about \$260,000. We also have to replace windows that face the outside court room area, as well as

some other items. Total replacement cost for all of this could get very close to \$800,000 or more. These are items that are not to make anything nicer over there, we just structurally need to do it.

We had discussions with DLZ and other people about the possibility, including our Warden, of being able to convert our jail to a, I was just going to say a condominium, and we don't want to say condominium.

President Gudenas – That was Shore.

Mayor Cervenik – Dormitory style area where we can house more prisoners with the same or less personnel. One of the residents that spoke tonight, yes they are correct. When that jail was built and opened, it was already inadequate, built incorrectly. It was built in the linear fashion that made it very, very labor intensive to run. We felt it would be very advantageous to the tax payers and to ourselves to examine what we can do with that jail before we put \$800,000 into it. They are going to talk a little bit tonight about the possibility of the dormitory style. I presented you with a spreadsheet two weeks ago as to the savings that could result if in fact this can be done. As I asked two weeks ago, I would strongly urge for your support this evening before we spend any additional money on the jail. If you could suspend the rules, if you have any questions of Jim or Rachel, I'm sure they will be happy to respond.

President Gudenas – The one thing we did ask for at that meeting were actual numbers from other public jails. Actual revenues, actual expenses, actual histories, which we do not have before us.

Capt. Repicky – The only other jail that we know of in this area that has it is Bedford Heights has a dormitory style. They average about 154 inmates a day; about 30 inmates per correction officer. They charge \$75 a day for non-county inmates and we charge \$100.

President Gudenas – We would like to see their financial documents so we could have some time to look at it. That was explained to be an important thing. I'm sure there's more than one public jail that we can check on to make sure.

Capt. Repicky – Not that we know of in the Cleveland area.

President Gudenas – It doesn't have to be in the Cleveland area. We did ask for that information because again the jail we have now was built on a hunch that things would be perfect and we're going to make lots of money off of it and now here we go again.
Any questions from Council?

Councilman Langman – Capt. Repicky, or maybe the Mayor you can jump in. Have we looked at doing more than just perhaps expanding our jail, make it more of a regional facility with other surrounding communities. Have you discussed that with the consultants?

Mayor Cervenik – We would sort of be becoming somewhat of a regional jail. We are right now. We do house approximately 25 other prisoners from various other communities and the county. If in fact the restructuring of the jail is do-able at the amount we were estimating of about \$3 million, we would definitely go out for funding whether it be from other communities, other jails or the county itself, because we would be serving to alleviate the overcrowding that is occurring throughout Cuyahoga County. That is something we would definitely look into.

Until we know for sure that this is feasible and can be done, it is probably a little to premature. We did receive a call today, Capt.

Capt. Repicky – Lorain County Sheriff's Dept. called us last Thursday requesting at least 20 beds per day. But we cannot guaranty that until the jail is functional.

Mayor Cervenik – Going back to the question concerning the financials, I did give you the financials on the income side. The dormitory style housing at Bedford Heights has 31 inmates per correction officer. We are averaging because of the configuration of our jail, 17 inmates per correction officer. If you do the math, based upon what we pay our correction officers, if we were to reduce staffing, there would be a significant savings on that end.

What I presented to you was the additional income from additional inmates. I really did not want to discuss publicly at this time the possibility of laying off present workers or future workers. I didn't feel that was constructive, again until we know for sure that this can be done.

This Administration has been responsible for very many, if any studies that have not gone on to do what we said we were going to do since I've been here. In fact I can't really remember one of any significance at all. Spending \$30,000 to do possibly a \$3-\$3.2 million renovation of the jail, when we're going to need to spend \$800,000 to keep it this way, I think is a pretty reasonable request all in all.

If you do the math, we could almost double the amount of inmates or half the amount of correction officers depending on how you want to look at it. There would be significant savings in a jail cell setting. A lot of the problem is why we're high personnel is that we have to move because of the cellular formation, we have to move an inmate to the day area; that takes additional manpower. We have to move an inmate to the shower area, that takes additional manpower. Dormitory style will allow that inmate to stay in that section throughout the whole day and creates a lot less use for the manpower.

Councilman Langman – I would like to see a little more information, perhaps formally, Capt. Repicky, from Bedford Heights and maybe the consultants to speak to that a little bit about what Bedford Heights had, the improvements that were made, how they are performing financially now. I want to make sure that as we go forward that we don't have any errors that we're overlooking because we did that in the past, we did that with perhaps some recent projects. We want to make sure that we are spending the money effectively and we're getting the best bang for the buck. Because obviously our funds are not unlimited, the economy can turn again at any time. So is it possible to get something formally from Bedford Heights, walking through their process on how they got to that point, which seems to be performing better than our jail.

Mayor Cervenik – I'm sure there is, I'm sure we could arrange a tour of the Bedford Heights jail. I had offered a tour of our jail so you could examine first hand what we have there. That can be arranged.

President Gudenas – What we are looking for are the actual numbers with the documentation behind it. Real numbers showing what other jails have actually spent, real jails how much revenue they've actually taken in and real jails, how much capital investment they had to put into their facilities to make it work. This is a multi-million dollar request for funding and we need more than one sheet of paper saying here's our best guess with no documentation behind it.

Mayor Cervenik – Mr. Chairman with all due respect, I'm not asking us to spend \$3 million. I'm asking us to spend \$30,000 before, you've already approved \$260,000 roof replacement and I just don't know if we want to replace that roof without spending \$30,000 to see if we can't do something in a grander scheme that will also absorb that roof replacement. This legislation allows us to do nothing more than sit with council and various members of the administration to determine if in fact what this company gives us will work and if we're willing to commit the funds to do so at that time. We're in a very tight situation here. We have to get that roof fixed.

President Gudenas – What is stopping you from fixing the roof?

Mayor Cervenik – If we're busting out walls, if we're incorporating outside areas, then we very well maybe replacing the whole roof as part of the whole renovation program. Replacing this roof may forbid us, I don't want to put \$260,000 roof on and then find out three months later we shouldn't put it on because if we do what we think we can do, we can actually save \$1.5 million a year on our operations.

Councilwoman Mancuso – Could we, I'm not sure if our visitors could answer any of these questions, could we suspend the rules for them to talk to us?

President Gudenas – Are you familiar with the roof situation at the jail?

Mr. Seiple – Somewhat, yes. I agree with the Mayor in that spending \$285,000 at this point would not be a good idea, in turn we rehabilitate that area and have to replace the roofing in total.

President Gudenas – What is the condition of the roof today?

Mr. Seiple – It is in poor condition. There is damage actually showing through into the interior of the jail; water stains, etc. It does need replaced.

Councilman Lisy – Move to suspend the rules so that we can ask them questions?

President Gudenas – Go ahead, sure.

Councilman Lisy – Were you involved in the Bedford Heights jail project?

Mr. Seiple – No we weren't.

Councilman Lisy – Thank you.

Councilman Conway – Similar question. Have you been involved in any actual refurbishing of an existing jail turning it into a dormitory? Are they outlined in this book which benchmarks where a similar project has taken place?

Mr. Seiple – They are within the handout, yes.

Councilman Conway – Can you tell me which ones they are? First time we've had a chance to look at this, so, if you could kind of walk me through it a little bit as to what the benchmarks are in this packet.

President Gudenas – We did just get this right before the Council Meeting today.

Ms. Hersch Schwarz – In the hand-out there are three examples of projects that we brought to show tonight. Two are feasibility studies where we actually had the opportunity to look at existing conditions and make recommendations based on conditions of the architecture, the HVAC system, things like are you ADA compliant, things like that. And then make recommendations as to a plan to move forward. One is an example of a smaller jail. That's pretty much what is in the handout with specific expertise related to that. There's also some general information on our law enforcement expertise in terms of the design and doing construction documents. We have that in there as well as more of a general brochure.

We actually did have a little presentation for you tonight. I don't know if you want to go ahead and listen to the presentation and then perhaps ask us questions, or just go ahead and ask us questions.

President Gudenas – This would have been more appropriate at the Committee Meeting. Again, Councilman Conway's question was, are there any linear jails in this document converted into dormitory?

Mr. Seiple – To be honest, I don't think within this document although we could find you some examples if you'd like.

President Gudenas – That's what we've asked for of the administration, so we can see what other cities have done, what the estimate was at the beginning, what the actual cost at the end, what the estimate was at the beginning for revenues and expenses, what the actual is today, to see how accurate these things have come to be. Because we have a long history here in Euclid where I can point to Century Corners which you don't know about, but we lost \$5 million on that one because we had a hunch it would work. We can talk about the golf course building, we just opened up, and we can go on and on. We don't want to make the same mistakes. What we have asked for is documentation and examples of real life history so that we can be more secure. \$30,000 is a lot of money, because if we don't proceed, we have nothing for it. Your plans and drawings and all of that have no value unless we proceed.

Councilman Gruber – One of the buildings you missed was the Senior Center too, we really don't know what that ended up costing us. I don't think this is the group that would actually give

us numbers on this kind of thing. They are more in the facility design part. We have to look somewhere else for the actual numbers. I don't think it would be fair to pin these folks down when it should be coming from this side of the table somewhere.

Ms. Hersch Schwarz – If I may make a suggestion. One of the opportunities when you do a study is you take a look at what your anticipated revenue is, how many prisoners are you planning on having, what type of prisoners are you planning on having, what the revenue is, what the staffing is. We work with you in conjunction on the facility side. We look at what your existing conditions are, what do you actually have to do, is it the roof, is it toileting, is it HVAC systems. You've got a building that's built in 1989 so it's coming to the end of its useful life in terms of a lot of the systems.

Working with you we would put together a program of what your needs are. Where you anticipate going with it. What the costs are associated with those needs. Then together we marry that with what the income is so that you see that if you're at 100 prisoners, for example, you can do "x". If you're at 150 prisoners, you can do "x times 1.5". It is really a combination of working with the City of Euclid in your budget, as well as looking at what your needs are and what those needs will cost you. It is really not just one or the other, it is a combination of looking at the whole thing in a more global fashion. You can't isolate what history was and say that is going to be the future either.

President Gudenas – History does tend to repeat .

Councilwoman Walsh – That's a curious statement that you say that you have a marriage there. But what I'm hearing of the marriage is, we have the bride, but I don't see the groom. In other words, you have this beautiful brochure here, but I don't really know what you're using it for because I don't see figures that say you're going to have 100 prisoners, 200 prisoners. Further, if you're spending that much money in thinking it over since the meeting, I think you should have a concern of where the jail is in proximity to the Memorial Park. I think you need to go back and we need to re-look at what we want to spend the \$30,000 study on because what you're spending on now is half of a marriage and I think you're soon going to have a divorce.

President Gudenas – To the administration, can we get actual numbers from at least two, hopefully three, different public jails. We know there's one in Cuyahoga County but there must be other ones, be it in Ohio or other places, so that we can see what actually is happening elsewhere so we have a greater comfort level that these projections will be met. Can that be done for us? Can that be done for us by the next meeting?

Mayor Cervenik – I'm sure all those cities follow the public records rules as we do and it is public record, we can do that. I'm very confused as to how that's going to help in this decision in light of what you were just told here, but if that's what it is going to take to have the possibility of saving a couple million dollars, a million and a half dollars a year in the future, yeah, we can do that.

Councilman Conway – I would just like to put maybe a little different twist on that same request. What I would like to do is see those two benchmarks that you can come up with of linear jails that are now dormitory jails. If it is not necessarily your responsibility to figure out what kind of increase they had in revenue, maybe that's something that actually needs to come from the city, but if you can give us some background on those two benchmarks and then maybe it can be our responsibility or if the Mayor would take the lead on this, to contact those two benchmark institutions and maybe then we can have a strong dialogue as to what you've been able to do and what impacts those two institutions have been able to see going forward.

Councilwoman Holzheimer Gail – As I did in the committee meeting, I want to start this out by letting those who haven't followed these discussions know that we're not looking at changing our jail because we have increased crime or we need to house more local prisoners. We lose roughly \$2 million every year running the jail. We're looking at this from a cost efficiency standpoint.

Every year over the last several years we've looked at our budget and said, how can we cut back? We've looked to the Mayor to say can we do something with the jail? We started last year, we didn't house female prisoners and all of that stems with how our jail is set up; the

structure of our jail. We can't change the fact, none of us were here when they made the original decision and built that jail. It is not fair to ask them to say why wasn't that layout right or assume that whatever they would present would leave us in the same situation, that's not fair.

We're looking at this from an efficiency standpoint. As all projects are, there are many factors. We're faced with a jail that's there. We're faced with making improvements that are going to cost \$285,000 for the roof, not counting the windows. I certainly would not want to spend that money without knowing what's our plan for the jail. The jail as it sits, needs work. We can either do nothing, and have it cost us \$2 million over each of the next several years. Or we can have this one part of the study that's going to look at the actual building, what can be changed to make it more efficient.

The other part of the program is then looking at the financial aspects of it. That's a separate component. We can't figure out how many prisoners we can house; we can't figure out any of that until we know what can that building sustain, how can the structure be changed to make it more efficient. That's what this group is going to be doing.

At the same point, absolutely let's look to other jails and say all right, what are your figures, how many prisoners do you have, how many staff. We need both of those pieces, but they are separate pieces. We need to move forward so that we can look at our building and decide, do we do this roof now, or does it make sense because the building needs many changes, going forward. I think \$30,000 yes it is a lot of money, but it is an investment. We need to figure out that could potential save us a million dollars of the general fund over the next many years.

Yes we can continue to have discussions about how other jails work, but I think we need to move forward and get this process going because it will take some time and that building needs to be repaired. It is two different pieces. This is one component. Looking at Bedford Heights is a great idea, but they are also not comparing apples to apples. I'm sure there's no other jail out there that's exactly like ours. Yes, all of that information is important. Yes, we need to do our homework and get all the financial information, but this building, we're looking at spending \$285,000; we're looking at then windows and other things that if I heard right could be up to \$800,000. I don't want to spend that without knowing that's a good plan. The consultants came to present a brief presentation and would like to hear if you have other thoughts or correct me if I've said anything that's out of tune. We had a committee meeting on this, it seemed like we were interested in moving forward. Absolutely we need to continue on the financial aspect as well. But in order to make those decisions we need to know the condition, the structure, how the building can be changed. Thank you.

Councilwoman Mancuso – I apologize, I should have asked this question at our committee meeting, and thank you very much for taking the time to come here with us. Is this the only consulting group that can do this, or should we be putting out an rfp for consulting groups who have this kind of expertise? You being one, is there anybody else out there that we need to be looking at? I'll refer to you because I don't have the expertise in this.

Mayor Cervenik – This group came highly recommended. Chief Maine through his association with law enforcement officials, as well as the Warden and her association with correction officers, think very highly of this firm. They are a professional consultant and does not require that we do that. With the recommendations that we got and my conversations with them, I didn't feel it was necessary. They did reduce the rate when Council was concerned about what it was, some of that rate reduction will require our staff to do a little bit more. If you look in here, we have a very high quality firm that is able to do this.

They were unable to make the meeting last week. I had requested a number of dates quite awhile ago so that we had plenty of time to prepare for this. I was told at a council meeting it would be last week, and neither of these people could make it to that meeting. They were able to make it here tonight. If we need to have another committee meeting, give me some dates, I'll get them here, whatever it takes. We need to move forward one way or the other. These people are getting wet and the building is getting damaged across the street. It's not a request for the ability to spend \$3.1 million. It is a request to look at our building, as well as the police department building, to see if there isn't some advantageous expansion that can be done there as well. It is more of a long-term planning process than a short-term knee-jerk reaction to a problem. I'll do whatever Council wants because it is important we get this done. We have an opportunity here to save a lot of money.

Councilman Delaney – I guess I walked away from the committee meeting and I was under the impression that you had had more to do with Bedford jail. That maybe insignificant. I would also feel confident in the recommendations that came from law enforcement.

I do see three letters of correspondence that had gone back and forth and I would agree with Councilwoman Holzheimer Gail that we do need to have a plan. Part of that plan would be more of an all encompassing package. We did have a lot of questions at the Committee meeting and I think we are looking for answers. As the Mayor said, these answers are pretty much public. We have one page of what our budget is, I would like to see theirs. If it were possible to go backward to see what the Bedford Heights budget was before and after, I think that would help us all be a little bit more confident. Unfortunately as many other communities are in the same situation, we pay for the sins of the past and our jail has been obsolete since day one. I don't know if we need another committee meeting, but I would say in the interest of the council session if we could table this until the next meeting and maybe get our answers within the next week or so or two weeks. We can bring this back and act on it as soon as possible.

President Gudenas – Could the administration provide Council this additional financial information next week so that we can bring this back to the agenda next meeting?

Mayor Cervenik- We can do that. Councilman Delaney I appreciate your comments. The reason I'm asking for a committee meeting is the consultants are prepared to give you a presentation this evening. It appears that we don't want that presentation this evening. Can I be assured that we will be able to get that presentation two weeks from now? Or is the presentation not necessary? I don't like bringing people to a meeting if they're not going to give a presentation. They feel a presentation might be important.

President Gudenas – I guess what the bottom line is this, throughout walking around the streets and whatever, no one has ever come up to me and said, hey, what are you going to do about that jail; when are you going to put money into the jail. They've asked about rec centers; they've asked about Shore Cultural Centre; they've asked about recycling; about streets; sewers; parks; marinas; lakefronts; never the jail. The only reason we would put money into the jail is so we get all of the money back and then some. We're not going to be investing money there unless we are absolutely guaranteed that we will save more than we put in. All we're asking the administration and it's not the consultants apparently is that we need to be assured that the numbers you are giving us are extraordinarily accurate and can be backed up by real case histories so that we are confident that this investment, which we're not saying is not a good investment. We need to know, we need to get the money back so that when other residents say, hey how about the rec center, what are we doing; we say sorry we spent all the money on the jail. They are going to say, what? If we can't say that put the money in the jail because we got it all back by reducing expenses, then we should not be the Board of Directors here. Anytime you are undertaking a new project, it does take a lot of work up front. The number one responsibility here is financial. We need to be assured that the numbers are accurate, period. If the numbers are accurate, the rest will take care of itself.

Mayor Cervenik – It really doesn't matter what Bedford Heights, with a two story jail or anybody else is doing. Without this study, we don't know what our configuration is. We wouldn't know what our capacity is. We will not know what our correction officer to inmate ratio is. Those are the numbers that Council is going to need to make the decision whether to actually spend the money. I can get on the website tomorrow of the Ohio Corrections Institute and pull off every number in the world, but until we know how our jail and our structure can be configured, none of that information from any other community should matter in this decision. We still have to go forward with this if we're going to do that. It is a long term planning.

We did a \$14,000 study a few years back on a rec facility with the Y. That's still in my room. We did a sixty-some thousand dollar study up on PMX about bringing in a concert hall. Nothing came of that. None of those items necessarily would have saved money. If we can do this, we'll have a million dollars more a year to help operate that rec center and it will give us a long term intelligent plan on how to operate that building. If it takes another meeting, whatever, tell me, I can get that information for you tomorrow.

President Gudenas – Perhaps a couple of the council members can meet with you to go over the exact concerns we have, but it is financial.

Councilman Langman – Personally from where I'm sitting, I don't have a quarrel with the firm. I think they can do a competent job. It's the financials that we want to make sure that we have a good grip on them going into the process so as we go forward then, we don't have any surprises. The presentation, I appreciate them coming out. I've read over your materials on my own a little bit. I'm sure you'll do a very fine job. It's the financials that must be on for us. I'll agree with the Council President, I don't want to have to spend a lot of additional money on jail facilities rather some of the other projects.

So if we can do as has been presented, basically make it pay for itself, if we can firm up those ascertainment, then that would make myself and I'm sure some of my colleagues feel a little more comfortable.

Councilman Lisy – The only number that really concerns me because I've looked through the proposal that DLZ has provided to Warden Clinton and the cost numbers are \$2.4 to \$3.2 million on the building of the facility. That makes sense. We know our jail is running at a loss. We have roughly \$2.5 million of expenses and it only brings in \$755,000. We lose \$1.5 million a year. I understand that.

But for these numbers to work, we have to bring in roughly 60-80 new prisoners and according to the numbers that you presented last week, that's \$1.4 to \$1.9 million. Those are the only numbers that I have concern with. If we don't bring in that many prisoners or that many inmates for that length of time, that's where we're not going to generate the revenues. Those are the real numbers. Every building is going to be between \$2.4 and \$3.2 million. I looked at their square footage cost, it makes sense for new portions and renovating the old portions. If I had a better comfort level on the additional prisoners being here 365 days a year and 80 of them, that's seems a lot. That's what we need to make the \$1.8 million on the high end and it was 60 prisoners 365 days a year to make the low end. Granted I like that you used a conservative cost per prisoner number which Officer Repicky just told us that it could be as high as 100. Right now we use sixty-two fifty.

The numbers look good. It is just that I would like to have something tangible from Bedford Heights, from another jail that when they did expand they did see an increase from "x" to "y". That would just give me the confidence that these numbers are going to be great. Saving \$1.5 million, I can see how we pay for this jail and we don't increase our expenses while increasing our revenues. That's my only concern.

Councilman Gruber – This study would include the police station as well, Mr. Mayor?

Mayor Cervenik – I believe there's

Mr. Seiple – Since it is adjacent to the police station, we'll take a look at the police station as well.

Councilman Gruber – So it will be our antiquated police station and our jail that's not functioning properly that we're quarrelling spending \$30,000 on. We don't think we'll have enough prisoners. Everyday the County lets people out because there isn't enough room, I'm assuming. We're letting female prisoners walk right now because we can't hold them. They maybe non-violent, but we're putting a lot more money into a lot of buildings that we're not using. This building directly affects the safety, welfare and the good of the City of Euclid. Again, it's not a glamorous thing, but we need a jail. We need a jail that works. We don't need to let people out on the street. The County is letting people out on the street. We spent money down at Shore on a proposal with Doty Miller with no rfp's and now we need rfp's for a building that affects everybody in the city, including our police officers and the correction officers. I don't know what numbers you're looking for, but I think they need to do the study to tell us what's going to happen and then we can go from there and make an intelligent decision.

Mayor Cervenik – If you could, could we have this tabled until the next Council Meeting? I would like to correct one statement. We do not let female criminals walk in this city. We send them to other ...

Councilman Gruber – non-violent.

Mayor Cervenik – We don't let non-violent walk.

Councilman Gruber – I'll give you some names.

Mayor Cervenik – We send them to other jails. The Judge is very adamant about that. If a woman commits a crime in this city, she will get the same punishment, equivalent punishment that a male will and we spend money every month, more than we care to, shipping them out to these other jails. I would like this tabled. I will get the information.

President Gudenas – Let's table it and then at the same time we'll talk prior to the meeting to go over specifically what we're looking for. Again we're not asking for rfps to start out from scratch; we're asking for a concrete revenue and expense projections that can be backed up with real history so that we know what the likelihood of the end result will be.

Councilman Lisy moved to table Ord. (140-06). Councilman Delaney seconded.

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

Nay: Gruber

Tabled.

Ms. Hersch Schwarz – When will we come back and present then? The next Council Meeting?

President Gudenas – The Mayor's office will contact you. If we need a special meeting, but again our issue is not your firm, it is more of the financials which the administration could probably do, maybe with your help prior to the meeting.

Mr. Seiple – Thanks for your time.

President Gudenas – You're welcome, thank you.

Res. 112-2006 (148-06) Grant Fire Dept.

A resolution authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid, or his designee, to apply for and accept, if granted, the Department of Homeland Security Assistance to Firefighters grant. (Sponsored by Mayor Cervenik by request of Fire Chief)

Councilwoman Mancuso moved for passage, Councilman Langman seconded.

Chief Cosgriff – I'm asking for Council approval to apply for the 2006/2007 Department of Homeland Security Assistance to Fire Fighters Grant. The particular request that we are making will allow us to receive funding to purchase vehicle mounted exhaust filters for our 11 diesel powered vehicles. This system is designed to capture the diesel exhaust, along with the carbon monoxide and carcinogens that are pumped into our building when the vehicles are started. We feel that this is a better system than the one that we are currently using which simply removes the exhaust with fans after we are already breathing it in.

The department of homeland security historically has looked favorably upon requests that directly affect the safety of both firefighters and members of the general public. We feel that this request fits both of that criteria. If successful, this grant would require a 20% match from the city, or a little over \$19,000 of the \$96,000 total. The completion period would be within 12 months from the date of acceptance, so it could be paid for out of the 2007 capital budget. I ask for your support for this resolution and I'll try to answer any questions you may have.

Councilwoman Walsh – I would just like to have a tiny little housekeeping thing, Mr. Chairman. Shouldn't this resolution have gone through the Safety Committee, Ms. Mancuso, shouldn't she have sponsored that? What's the legalities of that because I don't see her name on this?

President Gudenas – I'm not sure the legalities but in the normal course of Council history, normally it would have been Safety Committee Chairman at the request of the Director or the Chief.

Councilwoman Walsh – Can we put her name on this resolution if it is all right with her?

President Gudenas – We could probably add all of city council to that if that's okay.

Councilwoman Walsh – I think that would be more appropriate and it would respect the position that she holds on the Council.

President Gudenas – Yes. Again I sort of mentioned it at the beginning, it is very unusual that all the legislation is coming from the administration. So, we shall do that, add everybody's name to it. Any other questions? I see none. Just vote on it.

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

Passed.

Ord. 113-2006 (141-06) Snow Plowing

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract(s), after advertising for bids, with a qualified company or companies for the Snow Plowing Program for not more than 600 residents who are age 65 or older or disabled for the 2006/2007 winter season. (Sponsored by Mayor Cervenik by request of the Service Director)

Councilman Conway moved for passage, Councilman Delaney seconded.

Director Gulich – What we intend to do here with this legislation is do something we have been doing and start something we haven't been doing. We intend to hire the senior driveway snow plowing contractor with this. Last year we made a few changes with the way we're handling that contract. I think Council remembers we had a few less complaints and that worked well. Didn't have a couple of those mammoth blizzards we had the year before.

But something we intend on also being able to do is something Council talked about way back when, when we had lots of snow on the ground and that's a potential to have a sidewalk contracting program as well, sidewalk snow plowing contracts.

President Gudenas – Any you're going for bids for the sidewalk?

Director Gulich – We will do that. It maybe the same contract and contractor. It maybe a separate contract and contractor. Obviously we can make those decisions.

President Gudenas – We are going for bids for sidewalks?

Director Gulich – Yes, it will give us the leeway to do that and be able to report back to Council by the end of summer and beginning of fall and let you know where we are at.

President Gudenas – We'll welcome everyone in September with snowplowing.

Councilwoman Mancuso – How many of our residents actually took part in this program this past winter?

Director Gulich – I'm going to look down to Frank Pietravoia. I believe we had somewhat, Mr. Pietravoia, three hundred and?

Director Pietravoia – Mr. Chairman I don't recall the exact number but it was over 300 and we could verify that for you.

Councilwoman Mancuso – I guess I'm asking, does it help us in our bid process to make it 600 versus 300 versus 1,000. Does that help us get a better price for our residents when we do that?

Director Gulich – We always thought that the numbers did offer us a better price. Obviously we're limiting the pool of contractors we can work with when we get to a mammoth size. Obviously this contractor simply subs out or whoever we're hiring would sub out the appropriate amount of work. It was always thought that the volume would get us the better numbers.

Councilwoman Mancuso – So to stay at 600 will serve us well?

Director Gulich – I believe and again Frank Pietravoia might be able to correct me on that, we originally came up with that number when we were subsidizing this through the community block grant money which we weren't able to do at some point in time, about 3-4 years ago. That was a ceiling created by the limitations there. Of course we've gone to asking residents to pay 100% of the senior snow plowing rather than 50% as we originally did it.

Councilwoman Walsh – I believe that one should be Councilman Gruber?

President Gudenas – Okay. It is going to be tedious if we do that on everyone, but we can add everyone's name. Again, this is simply going out for the bids at this point, but all council can be added to that too. Any other discussion?

Councilman Delaney – Just to dovetail on what that was, now that the Mayor's back he missed that part. Director Frey, I'm just curious, why would the Law Dept. play favorites with this City Council? This is kind of unusual. I'm curious to hear your response.

Director Frey – If the legislation was requested by a member of Council, that Council person's name appears on the legislation. Contrary to what has been said tonight, there is a piece of legislation that was requested by Councilman Conway and his name appears on that piece of legislation. That's been uniformly the case in the roughly three years that I've been here. If council has asked for a piece of legislation, that person's name or persons' names have been placed on that legislation.

We had an incident earlier in this term where a piece of legislation was introduced that had a council person's name on it and that council person was offended because they hadn't requested the piece. So I directed the Secretary in the Law Dept. unless a piece of legislation was requested by a Council person specifically, then put the Mayor's name. The Charter of the City allows the Mayor to present legislation to City Council. That's my rationale. There's no favorites being played. If a Council person asks for a piece, that person's name is going to appear on it.

Councilman Delaney – I know that comes up every term where you have to explain to a constituent what by request is. But I really disagree with the three year's you've been here. Traditionally it has always been the Chair of the Committee, we actually call it the Council Meeting. I understand the Charter. I understand the Mayor can sponsor legislation. But you have to admit, if this were a move to make as strange as it may seem, it is brought up by members of the public. We do have a very active population, very diligent. They follow our legislation very, very closely and this was something I really couldn't explain for the last, since the election. I wish you would have run it by us. I wouldn't complain one way or the other.

I do respect the public's interest and their questions and sometimes you're right, it does happen where a piece of legislation comes up and a council person is on there but I don't know if one person upset with the system that has been in place since the Charter, or since the tradition of having Council meetings, at least in my memory should change the hole direction without going to City Council. Thank you Mr. President.

President Gudenas – Would there be any objection to continue with the way we've been doing it in previous years that the Chairman's name be on the legislation by request of the Director?

Councilman Gruber – I think this goes back to the beginning of council. For all the years I've been on it, that's how it's been, the Chairman of the Committee, their name goes on it. But I think in the first couple of weeks with the new council member, there was some disagreement, it was an item in another ward. The ward council person took offense that there was another ward person's name on there, but I think we understand now how it works. I think there's no reason not to go back to how it used to be. Do we all agree that we know how it works? Okay.

President Gudenas – It was tradition that if it is routine legislation the Director would normally know that snow plowing, no one is going to be against it, but it is something controversial, the Director would ask the Council person if its okay to put their name on that legislation. If they

say no, then usually the Mayor would be the last resort, or if it is something very unusual and unique coming out of the Mayor's office. We'll go back to how we used to do it? Law Director Frey is that okay with you?

Director Frey – I don't have any problem with whose name is a sponsor at all, because I don't think it matters a hill of beans, to be very honest with you. What I would suggest, however, is that when you start to define what's routine and what's not, we've done senior snow plowing every year. I think that's routine. We've gone out for grants on a regular basis. I don't know, the agenda goes out, you all have the ability to correspond either by phone or by e-mail and say I'd like to be added to this piece of legislation or I don't want to be on this piece of legislation. I don't have any problem with putting the Chair of the committee on any piece of legislation that at best I can tell would deal with that committee. If that's council's desire I will do that starting with the next agenda.

President Gudenas – Thank you, that is our desire. Most Council members don't see the legislation until it is printed and in our packet at their house after everyone has already gotten the e-mail, other than me, who usually gets it first to double check a few things. We've solved that. Any other questions on the snow plowing?

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

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

Ord. 114-2006 (142-06) Purchase Vehicles

An ordinance authorizing the Director of Public Service of the City of Euclid to purchase six vehicles for use by various City Departments from Classic Chevrolet, 6877 Center Street, Mentor, Ohio 44060, for an amount not to exceed Sixty Eight Thousand Four Hundred Dollars (\$68,400.00). (Sponsored by Mayor Cervenik by request of Service Director)

Councilman Gruber moved for passage, Councilwoman Mancuso seconded.

President Gudenas – Director Gulich, this is in your capital budget, anything new to add?

Director Gulich – We're going to be getting Chevy Cobalts made right here in the great State of Ohio.

President Gudenas – Very good, and who is going to get these Chevy Cobalts

Director Gulich – They will be going mainly to the Housing Inspectors. First we'll be taking the old police cars out of service and attempting to sell them on the electronic website.

President Gudenas – Okay, good, no more police cars for inspectors. Save on gas.

Councilman Lisy – Did we try to send out a bid request for Euclid vendors?

Director Gulich – Yes we did. As a matter of fact we always whenever possible come to make purchases right here and we went out for bids for these and we were able to get them for less than what was on the State co-op. We originally were going to get Ford Focus. I think we talked about that in our presentation. We missed the cut off date for the Ford Focus and of course the Chevy Cobalts will be the sedan type vehicles, it won't look to sporty.

President Gudenas – Don't want our inspectors, sporty.

Councilman Gruber – There was some talk of getting little pick up trucks for the Housing Dept., a couple of those. Is there still any talk about that so they can put the signs they get and stuff in the back and all that?

Director Gulich – On Board of Control, we'll probably get just one pick up truck so that we can multi-purpose it. We figure we can put plenty of signs in these trunks.

President Gudenas – Director Pietravoia I think you looked into that and it worked out cheaper to get these?

Director Pietravoia – Overall we thought this was more cost effective. Both from the maintenance and gasoline standpoint and there is plenty of room in the trunks as was pointed out to put the signs that we pick up.

President Gudenas – What color are they? White?

Director Gulich – Actually we're not guaranteed that we can get them all in white, so you're going to get white and some other choices. It is simply because that is what's available.

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

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

Ord. 115-2006 (145-06) Sewer Fee

An emergency ordinance amending Section 4 of Ordinance 112-2000, Passed May 15, 2000, to establish sewer rental and other related charges from and after April 1, 2000 and authorizing sewer service agreements, by adding subparagraph to further authorize for the provision of and charge for administrative services. (Sponsored by Mayor Cervenik by request of Service Director)

Councilwoman Holzheimer Gail moved for passage, Councilman Delaney seconded.

Director Gulich – Lots of words of here. It maybe a difficult ordinance to follow. There's a couple of very basic things happening here though which will benefit the City of Euclid over the long run. Historically the cities of Richmond Heights, a small portion of South Euclid and a very, very small portion of City of Cleveland that flow into Euclid's sewer system have been paying their sewer rates directly to Cuyahoga County. Cuyahoga County has then turned them over to us. This is through the water billing just like the City of Euclid residents do.

As you've heard me report back to Council going back to 1999 and 2000, the County was under-collecting the fees owed the City of Euclid. We underwent a comprehensive audit of accounts. I think Council might remember that from awhile ago. Very difficult getting to an absolute certainty what the amounts were that were owed the City. I'm pleased to report that as part of the settlement over the next 5 years the City of Euclid will be receiving over \$640,000 in sewerage funds owed the city. That's very good news.

I would like to thank County Engineer Robert Klaiber's office. This happened before his watch. We certainly can't blame him, but he's been working diligently as the Mayor and Law Director Frey and the entire Law Dept., took a number of meetings, we've agreed to take over the billing of these areas in exchange for an additional administrative charge. We're going to be doing more work. They are going to be paying for it.

What this will enable us to do just briefly is track all future connections to the system. Right now we have an accurate data base, we know we can collect accurately. We will be able to continue to do so, so we won't have that same problem that occurred 6-7 years ago. We'll receive the payments directly and not through the county. That's simply how the prior agreements were set up.

One thing the city plans to do with delinquencies of our own sewer users, we'll be able to pursue delinquencies now in the cities of Richmond Heights, all accounts coming to us; South Euclid and then the few that are in the City of Cleveland. County Commissioners are set to pass similar legislation. They are in favor of doing this. They seem to be more than happy to get out of this collection element of their work. City of Richmond Heights is also eager for this to move forward. They don't have any problem paying this additional charge. The effect to the City of South Euclid and Cleveland is extremely minimal. Richmond Heights wants very badly to pass on the summer sprinkling to their residents, which they have not been able to do. Maybe Council has heard about that. They will be very pleased as part of this whole agreement to be able to start doing so. They wouldn't be able to do pass those savings along until 2007. That's another part of this entire bundle here. If the Mayor wants to add something or Law Director Frey, I would like to thank them for their help with this, it has been a long time coming.

Mayor Cervenik – This has been an ongoing dispute for 4-5 years now. Back in 2004 we were determined to settle this, Bob Klaiber and I met, the County Engineer, we shook hands and said this will be done. We're there. We had the attorneys haggling a little bit and they'll be done

shortly. Bottom line is \$680,000 in delinquencies will go into the Waste Water fund. The report you received on the audit said that there should be no rate increases until at least 2009. They did not include any of this \$680,000 in their projections, so that only extends probably further the rate increases.

The administrative charge, I believe it is about \$46,000 or \$48,600, right in the neighborhood, that will be used not only to collect these charges and to handle some of the different responsibilities, but also to begin the work necessary to collect the probably million and a half dollars in delinquent sewer charges that I talked to you about early on in the year in my State of the City Address. This will only further delay the amount of time before it is necessary to raise our sewer rates. With the rate increases being voted on tonight in the City of Cleveland on the water lines, it is a very welcome transaction that is happening here. I want to thank Director Gulich, Law Director and Henry Fischer was very involved in this as our attorney as well. We're glad this is coming to an end.

President Gudenas – Very good news.

Councilman Lisy – I'm just trying to summarize what I've heard. Currently the sewer charges are billed as a percentage of the water consumption charges. Are we separating that our now so we're going to be billed for actual charges?

President Gudenas – This is only for outside of Euclid. These are the bulk users.

Mayor Cervenik – No these are not. They have individual meter and they will be now billed just as our residents are, through their water bill and it will come directly to us. Also in this agreement is the charge that the Cleveland Water Dept. charges us to do that. Currently there is some formula upon their tax bill that pays for their sewer usage and that's where the shortfall came in. Some of the shortfall came in from the calculations, some of the shortfall came in because they didn't charge right away. So they will now be on the exact same schedule. What they were doing before is part of the reason we had this \$680,000 arrearages.

Councilman Lisy – That was one of the irate phone calls I received tonight, and it wasn't based on this legislation. It was because they heard the City of Cleveland was going to be increasing the water rate by 80% over the next 5 years. They were wondering how that's going to affect their sewer bill. Is our rate going to go up equally with that?

Mayor Cervenik – No. There was an article in yesterday's Plain Dealer where I was quoted as saying that I'm very concerned about the plan that Cleveland has right now because I believe our suburban rates are going to increase approximately 45% over the next 5 years. There's an equalization process being done between the suburbs and Cleveland. Ours is not going up quite as high as Cleveland residents.

But in that rate is a charge that will accumulate \$10 million a year for the Water Dept. to replace mains. The City of Euclid has been replacing mains at a much, much faster pace than any community save one or two, in all Cuyahoga county and this Council has just passed our reconstruction infrastructure water line program that will keep us way ahead of the game. Part of the rates that are accumulating in that \$10 million a year won't be spent in Euclid because when their criteria says where are all the breaks occurring, we're taking care of our own breaks. We've got to work that out with Cleveland. Our sewer charges are not going up. But your water charges will go up each and every year.

Councilman Lisy – Thank you very much.

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

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

Ord. (139-06) Voice Mail

An emergency ordinance authorizing the Director of Finance of the City of Euclid to enter into a contract with Ronco Communications & Electronics, Inc. to upgrade and replace the City's voice mail system server and software, for an amount not to exceed Fifty Four Thousand Five Hundred Seventy-Six and 65/100 Dollars (\$54,576.65) (Sponsored by Mayor Cervenik)

Councilman Gruber moved for passage, Councilman Lisy seconded.

Mayor Cervenik – Director Johnson is attending his daughter's graduation tonight. I contacted you last week and we also had an emergency Board of Control meeting, all Council was notified by an e-mail. Basically a major portion of our voice mail system went down, completely, no way to restore it. It has been very frustrating here and I'm sure it has been very frustrating to a number of our residents. We should have it completely fixed before the end of this week.

President Gudenas – How many phones have voice mail that are affected by this?

Mayor Cervenik – More than half right now.

President Gudenas – How many is that?

Mayor Cervenik – I don't have the figures here, no I don't. If we would have had that question beforehand I would have been able to get that from Director Johnson. He did ask you, he notified Council last week that he wouldn't be attending and if you had any questions, please let him know.

President Gudenas – This is your legislation here so we expect you to know. Your name is on it. It is not by request.

Mayor Cervenik – Okay Council President, I understand that. If you'd like to delay this legislation, we can do that and the residents will continue to suffer without being able to leave voice message or having the phones go through the direct lines. That's strictly up to you. Director Johnson will be attending the last Council Meeting. Tell me what you want here.

President Gudenas – We're just trying to figure out what is the cost per phone? \$54,000 is a lot of money for software. Is it 100 phones?

Mayor Cervenik – It's software and hardware, Mr. President.

President Gudenas – I know you did call me and Board of Control did proceed because it was an emergency, but normally we would get a little more back up with detailed listing. It is \$54,000 so we're asking the \$54,000 question, how is this money being spent? How much is for software, how much is for hardware because we were told it was only for software? At the same time, how did they come up with that number because it seems like a lot per phone?

Mayor Cervenik – I can read you part numbers and the description for the total here. There's 400, I imagine that has close to 400 phones, I'm just guessing, why that number 400, everything else is just one. We have an ITG signaling server, a small systems controller card, server power supplies, upgrade to call director, CP desktop.

When you received the e-mail the Finance Director who knows this stuff like the back of his hand could have probably given that explanation knowing he wasn't going to be here tonight. Call pilot 1.07 per update. CP 4 unit. MIG server. I don't know what this is but it is going to make our phone system work again.

President Gudenas – We don't either.

Mayor Cervenik – If you would have asked on Friday, you would have known. I can't help you here. We can delay this if that is what you want Mr. President.

President Gudenas – We expect the administration to be prepared to answer very basic questions.

Mayor Cervenik – And we expect the Council to work with us and when a Director who knows this stuff says he's not going to be here if you have any questions, please ask me, I can have that information available, it would have been here.

President Gudenas – We saw your name on the legislation, not by request of anybody so we assumed you were the one who was going to have the answers today.

Councilman Lisy – When we get our council package and it is hard to get everything prepared and I do remember Director Johnson's e-mail but I did not have my council package in front of me to, I didn't know what he was referring to in the e-mail. Now that you've said that, I do. I do have some concerns that its \$54,000, how old is the system? Those are the types of questions I have. How much did we pay for the original system? Is it time to update? Do you know if Director Johnson was looking at getting another system? Or is this more cost effective for us to update the existing system? I know we spent a lot of money on it the first time.

Mayor Cervenik – This is pretty much a total update of the voice mail system, not the total phone system. This will bring us up to the newest version of the software. The most updated equipment, hardware.

Councilman Lisy – it goes back to your jail analogy. Instead of replacing the roof on the jail, let's go out and look at building a new jail and save that money towards the building of a dormitory style jail. Would it be more cost effective to use this money for a new phone system? That's what I'm trying to get at. If it is going to bring our phone system up to date at a lower cost than it would be to purchase a new system, because phone systems are very expensive. I don't think the residents realize how expensive phone systems are, but there are different types of phones, each handset is very expensive. That's the type of information that I'm looking for. I apologize I did not get a chance to call you or e-mail Director Johnson but I didn't get the Council package until, right after the soccer tournament.

President Gudenas – Councilman Lisy, you don't need to apologize. We are expected to get this information with our packets. I would suggest, if there a problem with tabling this pending, we need some documentation with this.

Mayor Cervenik – No problem at all.

President Gudenas – So we can read over what we are getting and possibly talk to the vendor to figure out how much of that is the software.

Mayor Cervenik – Set up a meeting. Let us know.

Councilman Lisy – Mayor is that information available do you think that we could? That's the type of information I'm looking for because I don't want to be spending \$54,000 on, if there's a newer system out there that we could replace it.

Mayor Cervenik – This phone system, I was not here at the time, I believe the phone system was close to \$600,000.

President Gudenas – It was about 2001, \$600,000, which was a bit controversial at the time.

Mayor Cervenik – The equipment itself, except for the hard drive on the voice mail equipment has been working very well. If Council sets up a meeting, we'll be happy to be there.

President Gudenas – Councilman Lisy, you're very familiar with that type of technology would you be available for a meeting?

Councilman Lisy – Yes, it is very expensive. Software does go on it and you constantly have to replace receivers and so it goes back to what the Police Dept. is doing with their communication system. We have to update it every year. There's different components you have to replace and I know the budget was tight between 2001 and 2005 and this may have been put on the back-burner. Those are the types of questions I had. Is this the annual maintenance cost that we should be, if we would have had a maintenance contract, is this something that would have been customary with a system that's a \$600,000 system? I think that's about right, 10% of the cost is usually the maintenance contract.

Mayor Cervenik – Jack Johnson did say that this is what it would have cost us to have the maintenance and update each and every year. This also comes with one year service agreement and it will be his intention to include service agreements from each year on forward. We're all pretty satisfied with the rest of the phone system, it is just the voice mail crash.

Councilwoman Holzheimer Gail – This is a time-sensitive matter though. I know it is frustrating, it has been on my end and I've heard from several residents who have either left messages or haven't gotten messages and they are garbled. If you want additional information then I would suggest that perhaps we have a Special Council Meeting this week so that we can get this moving.

President Gudenas – I believe they already are moving on it in making the repairs, is that correct?

Mayor Cervenik – I believe they've ordered it, but I need ...

President Gudenas – Law Director Frey you just said yes?

Mayor Cervenik – They are not in the building.

Director Frey – The Board of Control acted after Council was notified to authorize the acquisition of the software and hardware. I don't think its in here yet, but I think it is on the way.

President Gudenas – So they are proceeding with the work?

Mayor Cervenik – They proceeded to order it based upon the action of the Board of Control.

President Gudenas – Correct, we're not saying anything that it was wrong or nothing, we're just simply asking for documentation to go with this request, which is not unreasonable. The items have been ordered, they are on their way, I don't think what we're doing here by tabling will slow anything down.

Mayor Cervenik – Other than the fact that they will not install or bring it in here until we, were authorized to pay them. I'm not authorized to pay them until this legislation is passed. We can delay it two weeks and we could put in writing all the specifics. I'll have Mr. Johnson present that to you.

President Gudenas – It does put us in a bad position to vote on something without seeing any backup whatsoever with the threat that no one will answer their phones.

Councilwoman Holzheimer Gail – Could I suggest perhaps a meeting Wednesday? A special council meeting just with this on. I have a 7:00 neighborhood meeting and I think several people do. Perhaps a 5:00 meeting? Tuesday? I think this is an item that I think I would certainly, I read Director Johnson's e-mail, I know he was moving forward with this plan anyway so he had the vendor in place. He had some of this information.

President Gudenas – We were told it is an emergency and there was nothing in place and had to move immediately on it. If there was something in place I'm sure we would have gotten it. We were simply told that we didn't spend any money for maintenance and we would have had to spend this much anyway.

Councilman Gruber – I know this also affects the Police Dept. I understand some of your voice mails are not operating properly, is that correct?

Capt. Repicky – Yes and we can't retrieve any of the ones that are on there and people aren't to happy if we're going to meetings and nobody can contact our command staff. Three out of the five of us do not have voice mail. I don't think the residents are to happy when they can't get a hold of us.

Councilman Gruber – I think we've all experienced the situation now. Mr. Mayor, you say that the repairs will be complete by Friday you feel?

Mayor Cervenik – It is my understand that it would be done before the end of this week.

Councilman Gruber – Wednesday is not an unreasonable time to have a meeting. I too have another meeting, but I would be willing to come in at 5:00 to review whatever you have if that's the way you want to go because this is an item that is very important to the citizens.

President Gudenas – Would you like to meet at 5:00 on Wednesday? The vendor, will they be available at 5:00?

Mayor Cervenik – I can't speak for Ronco. I will try to get them here. If not Mr. Johnson can be here, he is very well versed on this. I'm not counting out the fact that Ronco cannot be here.

President Gudenas – We'd like to determine how they came up with that number and what other cities, again, it is probably to late now, but what other cities have been paying for this kind of software. Are we paying more, less, the same? These are legitimate questions because it is a lot of money.

Councilman Gruber – That would have to be a special council meeting on Wednesday.

President Gudenas – Okay, we'll have a Special Council Meeting on Wednesday. What do we need to do for that? We'll table this until Wednesday at 5:00.

Councilman Gruber moved to table Ord. (139-06). Councilman Lisy seconded.

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

A short break was taken.

Ord. 116-2006 (143-06) Tree Pruning Co.

An emergency ordinance authorizing the Director of Parks and Recreation of the City of Euclid to enter into a contract with Imperial Tree, Inc., 8817 Farbar Road, Kirtland, Ohio 44094, for the removal and pruning of trees, for an amount not to exceed Fifty Thousand Dollars (\$50,000.00). (Sponsored by Mayor Cervenik by request of Parks & Recreation Director)

Councilman Delaney moved for passage, Councilman Conway seconded.

Director Will – City Council did approve the capital budget earlier this year which included \$60,000 for the removal of trees. What I'm asking tonight is to enter into a contract with Imperial Tree Inc. to complete the work for us for this year. We did go out and get two other quotes from vendors and it is in our best interest to sign the contract this year with Imperial as the best and lowest bid. We have done work with this company before and know that they will be able to take care of all of that.

I did keep \$10,000 aside to be able to save for an emergency work for any tree work that may come up between now and the end of the year. With this money, we will be able to remove approximately 125 trees. The trees are all based on a priority list. These are the trees of Phase II, the ones that we had not gotten to last year. There will be again Phase III for the year 2007.

The residents will be notified by a letter. Prior to the residents receiving a letter, we will contact the council person that represents the ward of that resident and let them know that tree is coming down and for whatever reason, send the letter to the resident, they have at least 7 days to contact our Arborist so he can explain the situation to them and then we will go out and remove the tree.

There is a letter that goes to them with a contact name and number and I will contact the ward people beforehand.

Councilwoman Holzheimer Gail – Thank you Director Will, you answered my number 1 question was the notification. But I also would like to request that as part of that letter you talk about the responsibility, I know I can't see you, the responsibility of the resident to re-seed. I know that comes up a lot after trees come down; is the city going to take the chips away; who's going to replant the tree lawn; and if I'm not mistaken that is the residents responsibility and I think it would help if we clarified that in the letter.

Director Will - You are absolutely right, that has been a problem in the past several times that this has happened. The letter does state that it is the resident's responsibility. Once the company comes in and removes the stump, they do leave just wood chips there, it is then the responsibility of the homeowner to take care of that from that point on.

We also are working on the situation of replanting the trees. Council did give \$10,000 for us to go out and plant trees. We're going into certain areas, mainly areas right now that

we're going to be highlighting and purchasing trees will be for these trees that we are taking down during these contracts.

President Gudenas – We heard that you went out for some proposals. Is there any requirement to get actual bids from various vendors to do a more formal approach?

Director Will – We contacted all the tree companies that we know are in the area. We tried to keep them locally here. There are a couple of local vendors here in Euclid that are unable to be able to do this type of request because of cranes and the size of the trees; but we do contact the Euclid local vendors for some of our emergency work, so we're on some of the smaller amounts. We did contact three vendors that we have used in the past.

President Gudenas – And how do they give you a quote; is it per tree; per hour?

Director Will – It is not per tree. They actually go out and do the size of the tree. This contract we actually gave him the locations and the addresses of approximately 70 trees, so they would have exactly what they were bidding on and there was no guesstimation or possible problem with that tree. We actually have the addresses here already.

President Gudenas – How did the prices vary?

Director Will – The prices vary unbelievably. The vendor that we are using, the highest amount of tree that he is taking down is \$400. The top on that we have, the highest amount is \$1800. So there's a huge amount. I know some of the vendors right now are busier than others so depending on what they are doing.

President Gudenas – Is there an advantage to do this at a certain time of the year to go out for the bids as opposed to peak summertime?

Director Will – That's a question our Arborist Dean Grida had asked and again it depends upon the situation. Right now is a very good time for us to go out. Last year we went out in the fall. A lot of them already had some other work. Imperial Tree is a company we have worked with. They are not the ones that had the business last year. We did go with another company so again we are trying to get the business out there for other vendors.

Councilman Gruber – Is this the same company that did the work on 224 & 226 off of Chardon?

Director Will – No it is not.

Councilman Lisy – I am familiar with their work. I have seen some of the work they did on a tree behind my house and they are a very professional staff and they have the safety and equipment to get this job done and I trust their work.

Director Will – Thank you. We also do require a contract and in that contract is their certificate of insurance and also their workmen's compensation, etc., certificates that they do have to have.

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

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

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

Ord. 117-2006 (144-06) Pepsi Contract

An emergency ordinance authorizing the Director of Parks and Recreation of the City of Euclid to enter into a five (5) year agreement with Pepsi Americas (Pepsi Cola Company) for the installation of various vending machines on City property, which includes Briardale Greens Golf Course, all baseball fields, and C.E. Orr Arena. (Sponsored by Mayor Cervenik by request of Parks & Recreation Director)

Councilman Delaney moved for passage, Councilwoman Mancuso seconded.

Director Will – We did for the last almost two and a half months meet up with Pepsi, Coke and 7 Up Bottling Company to try to work out an agreement. In the past, the City of Euclid's agreement was with Pepsi although it was a 10 year contract. A lot of items changed in the past 10 years.

One of the items that I wanted to work with was to be able to get a 5 year contract. Pepsi at this time is willing to offer us an upfront \$12,000 check. That \$12,000 will go strictly into our Recreation Capital and then at that time we are looking to earmark it for three scoreboards or some other means of something in our Memorial Park.

Pepsi has all of our vending machines currently in City Hall, the Briardale Greens, at Shore Cultural Centre and all of our baseball fields. The Ice Arena has been under a contract with Coke in the past. Their contract also ran out at the end of April. It is going to make it a lot easier for the City just to have one agreement, rather than dealing with two pop vendors.

They also service their equipment provided to us at no charge. We do have three score huts in Memorial Park that they will keep out there. If we were to leave Pepsi, those score huts which we depend on every single night, would disappear. They also do have electricity in them.

They are going to be giving us commission on our 16 oz. and 20 oz packages; 20% commission on a 12 oz can. I talked about the \$12,000 upfront. What they will do is at the end of the year, they will calculate how many cases we sold in the 16 oz and 20 oz packages and send us a check \$3 per case, they will send that to us. What we will do at that point is use 50% of that will go into our Scholarship Fund. The other amount will go back into the Recreation Capital.

I do want to highlight that the money that comes in every month on a commission is specified City Hall, baseball field #2, baseball field #3, Shore Cultural Centre, Briardale Greens, ice arena, etc. The money that comes in for those commissions does go back to that program for whatever it was. If it was #4 baseball field, it goes back into the Recreation. If it is for Briardale Greens, it will go back into the golf course, etc.

I was happy that they were able to provide us a 5 year agreement. They do come out and put signs up. They will give us donations of product throughout the year. They bring out trailers. Pepsi is very, very, very easy to work with again dealing with them for the last 10 years. They will come out and bring prizes for us, Pepsi t-shirts, coolers, etc. As soon as this is approved, I will be calling him to have him do some additional signs for our festival. If you have any questions, I'd be glad to answer them.

President Gudenas – Do we have any information on the yearly revenue that is coming out of the various vending machines?

Director Will – We do, however with that said, right now if I looked at our baseball fields, we had approximately \$4,000 that came from Memorial Park. Shore Cultural Centre and the Rec Dept. were put together and there was \$7,000. What I'm doing with the contract this year is everything has got to be separated. Again Shore Cultural Centre, machine #1, so I'll know exactly what was purchased, not purchased, but exactly what was inventoried and put into that machine. Everyone of the baseball fields will be separated.

Going by some of these numbers, it looks like it was approximately \$19,000 that we made from Pepsi in our vendings over the 10 years, the 10 year program.

President Gudenas – Do we have how much in total sales Pepsi had last year in 2005?

Director Will – Actually I do have that in 05.

President Gudenas – We're just trying to figure out how much business they're doing in the City of Euclid.

Director Will – The one item that is significantly going to help us is some of the machines are not in some of the buildings right now which they will be putting in. The other big source will be Briardale Greens because of the fountain pop and also the machine that they have outside the building and the 20 oz bottles that they will be doing in the machine. I apologize, I had that handy from Pepsi here. I know we made \$3,000 in 2005 from Pepsi is what the Recreation Dept.

took in. That was our amount. The records have been, the way we receive things were very lax as far as the way the contract was written up. The way the contract is being written up this time, is going to be specified. I apologize.

President Gudenas – I was just trying to get a rough idea.

Director Will – They break it down in our sales. They actually sold, through us, we had 401 12oz. cans; 615 20oz. bottles, so I don't have the amount exactly. I can get that for you.

Councilwoman Walsh – They fill the machines, they count the money, they empty the money part?

Director Will – At every place other than Briardale Greens. Briardale Greens, we purchase the pop from them and fill them ourselves because the percentage is higher for us to do it that way. But in the other buildings, we don't have the storage facility, or the labor to be able to take them in and out, refilling them. Everything is a full service commission machine except for Briardale Greens.

President Gudenas – Pepsi is insisting on a 5 year arrangement as opposed to 2 years or 3 years?

Director Will – It was hard to get Coke, Pepsi or 7 UP to agree to a 5 year commitment. If I would go to a 2 year commitment, there was no money up front, the commission went way down and I felt more comfortable with at least a 5 year. People that come to the Festival, etc., any events that we do other than anything in the Park, people would have to use the Pepsi products which we would get credit for also.

President Gudenas – Briardale Greens would only be allowed to have their products for sale in the machines? It is an exclusive.

Director Will – That's correct, Pepsi products only. Yes it is.

Councilman Delaney- This is all cans and bottles, there is no fountain sales?

Director Will – We do have fountain sales at the golf course and the Pony League field.

Councilman Delaney – We don't have any kind of breakdown on that as far as the syrup kegs. Is there a commission? What's the breakdown on the Pepsi?

President Gudenas – Usually we just pay for that by the gallon and then we make the profit.

Director Will – Right. Basically you're making like \$1 off every pop.

President Gudenas – Don't tell everyone.

Director Will – Everybody is very much aware of that. However with the fountain pop, you need to have the place to be able to store it. You have to be able to have the lines to do it. I wish every place that we had, you could do the fountain pops. But, the fountain pops are mainly again, just at the Pony League field and at the golf course.

Councilman Delaney – Well there are vendors that do that with the equipment to do the pop. I'm curious, have you run any of this by the Golf Course Commission for Briardale?

Director Will – The Golf Course Commission is aware that we were looking into doing a new agreement.

Councilman Delaney – Do you think Pepsi would be interested, you said you were separating them out by sales and inventory sake. But would it be possible to negotiate separately, contracts with Pepsi and Coke for the ice arena, for Shore, the golf course, or they have to have the whole shooting match?

Director Will – It is based on the sales for everything. Again, we added the ice arena into this with Pepsi and we were able to come up with this agreement here as far as how the commission and discretionary funds were given upfront. But, if you break it down, it is definitely going to be a lot less and I'm not sure what that would be.

Councilman Delaney – I was aware of the 10 year contract and I thought that was amazing. Even a 5 year contract I'm sure is going to be very, very lucrative for Pepsi Cola. \$12,000 over 5 years, we could buy scoreboards. Do you think it would serve our interest to have Pepsi come in and give us a presentation over a Committee meeting?

Director Will – I know if Pepsi doesn't get the contract signed altogether it is not going to be anywhere near this. With Briardale Greens though, all the monies that they are taking in and doing for Pepsi are all separated. The check comes to me but it is states Briardale Greens, so that money gets deposited into the Briardale Greens fund.

Councilman Delaney – So why do you think they would drop this contract if it is not passed today, is that what you're trying to tell me?

Director Will – As far as if it is not passed today, right now we're dealing without a vendor and I've got all the baseball fields going and don't know whether or not to tell them to go ahead and purchase your inventory of Pepsi, go ahead and purchase it in Coke, 7 Up, know one knows which was to go at the moment so they've been waiting for me to let them know. I'm not quite sure what the difference would be if Briardale is still getting the credit for this. If it was separated, the contract is going to be different, but right now they're dealing with one person. The checks come to the City of Euclid but it is earmarked Briardale Greens.

Councilman Delaney – I'm not so sure that they wouldn't just continue on. I would be interested in seeing myself. I wish someone on Council could have been involved. Some of the Golf Course Commission could have been involved to find out what Pepsi could offer, what else. We held up our electrical agreement with WPS and we found an additional \$10,000 that they were willing to give us for Memorial Park. I'm just curious as to what would be out there. 25% commission on the 16 oz. bottles and 20% on cans, we're getting the short-end. We're providing the venue here. I would say that Jacob's Field probably gets a better deal than we do.

Director Will – In comparison to Coke and 7 Up, Pepsi is either higher than that or right in line with them.

President Gudenas – Have we compared or contacted any other cities, Cleveland Heights, cities in this area and what arrangements they have made with their suppliers?

Director Will – Yes I did. Sometimes a lot of that is kept, I don't want to say quiet because it is all public record, but everybody is different. Perfect example, there is over in Orange Rec Dept., they are using 7 Up and the deal they got with 7 Up can't even compare to what 7 Up was offering me. So, again it is all depending on what you're using it for. Ours in the baseball field; ours is a couple of different facilities. Again, I've worked with them for the last 2 ½ months and the original contracts that came in were way less than this. Pepsi and Coke and 7 Up all came in with comparative pricings as far as that and I feel Pepsi is offering us one heck of a deal right now.

President Gudenas – Do we have any idea what Cleveland Heights is doing?

Director Will – Yes. I don't have it in front of me to be totally honest. It is all based in what they take in and their Rec Center is certainly taking in a lot more volume than what we're going to be able to take in.

Councilman Delaney – That would be another thing, where else we could expand. I watch all the people line up at the Memorial Day parade and our activities there and we have not quite enough. Right now what comes to mind is the Fourth of July. What could we be putting out. Maybe there is more business for a soda pop company in our town that would be worthwhile.

They are willing to set up a trailer at a moments notice. It can be more lucrative. There can be fountain lines put into a lot of places that maybe previously we didn't think about.

I'm just saying that there maybe more here that we could open up with that business, with this contract and I'm curious to hear what they had to say.

Director Will – I'm going to go back to the fountain pops. Any place that I could put a fountain line, I would do that. The swimming pools, I don't have a concession stand for someone to operate that. We put vending machines there; same within the building here; same as the Streets garage; the different facilities that we have. I'm not sure what Pepsi would do. I need to move forward on this. I've got everybody holding off. We've got special events that come in; one being July 4th. That is included in our revenue. We have Memorial Day. Typically we would have a machine set up in the park. I did not have the contract ready to go yet because I was trying to get Pepsi to come in with more money upfront. I was trying to convince them that we're going to sell more and more Pepsi this year because of having the Festival this year which we didn't have last year.

July 4th, I'm have somebody coming in and running a trailer for me. There are other events that are coming on. We're doing that. We have special events with softball tournaments throughout the year. That's all included in here. If I had another facility that had a concession stand that I could have fountain pop, I would do that. But I don't have another facility that we could do that.

President Gudenas – I guess Councilman Delaney is saying that the Parks & Rec Committee, City Council, probably would have wanted to be involved in this a little bit. We're here to help and provide ideas, we have people in the business using these types of things and maybe could have helped. We're getting this at the very last, literally the last minute when summer is here, everything is going on, we're told to approve it today or all kinds of problems will happen.

Again we're asking that the administration work a little closer with our city council Committee Chairman. They have requested certain committees because they are interested, want to volunteer their time and efforts. This might be the best deal possible, or it may not. I do know in the past where we've gone back a second time, we've gotten thousand of dollars more.

Councilman Lisy – Director Will, how much are you anticipating this year from the revenues generated from, not the \$12,000 put from the sales?

Director Will – The total amount that I expect to bring in this year, compared to the \$3,000 that we took in last year. Based on 2005 when we took in \$3,000; for 2006 almost \$6,000 almost doubling that.

Councilman Lisy – I'm just going to assume the 25% rate, that's \$24,000 in sales. What Pepsi is doing is giving us \$12,000 up front which is basically half of what they anticipate the business they are doing here in the City of Euclid.

President Gudenas – That's for 5 years.

Councilman Lisy – But the first year they're giving us upfront money which is money that we can use on other projects. In the grand scheme of things, this is a small amount of money, but I agree we need to be kept informed but we are having some of our big events coming up and the \$12,000 up front plus the \$6,000 we're anticipating this year. My concern is, are there any restrictions on where these vending machines are going that you cannot sell, some of our parent run groups cannot sell their goods around the vending machines.

Director Will – The same thing will happen as the Festival. Anybody that is coming in as a vendor, as a making a profit and not a non-profit group or a community group has to sell a Pepsi product. But if I have a group such as UpStage Players coming in, they're doing the inflatables for us, they are selling water. They don't have to use a Pepsi product as far as their non-profit group. But any of my vendors that are coming in, they are selling out of their trailer, because I did work those specific things out with Pepsi. If I have a non-profit group, I have to have the courtesy and respect to let the gentleman know at Pepsi that we've got this group coming in and they're selling UpStage water bottles or whatever it would be called.

Councilman Lisy – My question was with Memorial Pool when the Swim Team. These are parent run groups that are trying to generate some additional monies to offset the expenses of their programs that are really benefiting the city. I don't want to penalize them by not allowing them to sell concessions. The parent run hockey team is the same way. They had the concession stand right there and the pop machines are behind them. I would want them to still be able to sell their concessions even though we have pop machines in the facility. I guess there was some issue with that last year and that's why it was brought up to me.

What type of restrictions do we have on getting out of this 5 year deal with Pepsi? What type of cancellation? Is it 30 days? Is it we cancel and we have to refund the \$12,000?

Director Will – When we had talked to him, I would have to have at least a 3 month notice with them, unless there was something legally or something that was totally off I could write to their corporation and through our Law Dept. Pepsi has been very easy to work with. They've been very understanding, especially when it comes to the group, the Hockey Association does the ice arena concessions. If we went with Pepsi, they would utilize Pepsi products. They do purchase them from Pepsi. They do actually discount them for a non profit group. They do actually discount the products for you, same with the Swim Team. Yes, as far as a machine being there, it is still going to be a Pepsi product so it is not going to hurt them.

Councilman Langman – Law Director Frey, this is more of a housekeeping matter, but I don't see in the ordinance where the designation of where the funds are going to go. Do we need to put something in that it goes into Rec Capital or no?

Director Frey – It certainly can be added as a provision in the ordinance that all the commissions associated with the sales be deposited into either the capital or operating accounts associated with that facility. We can make that addition to this if Council so desires.

President Gudenas – Director Will, you had said the \$12,000 is for Capital, the other is 50/50 capital and operating?

Director Will – The \$3 rebate was going to be whatever it was at the end of the year. 50% of that would go into the scholarship fund.

President Gudenas – The bigger item is the \$12,000.f

Director Will – Correct.

President Gudenas – Again, it would have been easier for us to have gotten a copy of the contract ahead of time seeing as we're voting on it today. It is a 5 year agreement and we're asked to vote on something never have seen it or read it, which makes it hard for us to make sure that we're doing our job. I'll bring this up at the end of the meeting, but I've been on Council awhile and I normally remember when we vote on agreements that we at least get a copy of the agreement that we vote on.

Director Will – We started working, actually I said two and a half months is when I sat down them. We started working with Pepsi and Coke at the end of the year. My understanding is I went through the Recreation Commission to do this. I had sat down, they had given me permission to go and try to seek out the best funding that I could get and that is what I had done.

President Gudenas – Simply asking for a copy of the agreement that we could have read seeing as we're supposed to vote on it today.

Councilman Delaney – I would have no problem going through with it now. It doesn't have as much of a bearing for Pepsi. I would be interested in seeing what kind of ideas they might have. You did say that non-profits they are open to working with. We have so many of them in our town. I guess I have a question on the \$3, half of it being the scholarship. Is it the Parks & Rec scholarship?

Director Will – Councilman Delaney that is the Parks & Recreation scholarship fund, however the 50% of that going into the Scholarship Fund which would take care of programming at Shore, at Rec or the Golf Course.

Councilman Delaney – But it is in the name of Parks & Rec, it is not in the name of Pepsi Cola?

Director Will – It is in the Parks & Rec Scholarship Fund that we have in our budget.

Councilman Langman – My item is still on the floor. I would like the \$12,000 to be specified as to where it is going to go.

Councilman Langman moved to amend to have the \$12,000 be placed in the Recreation Capital Improvement Fund. Councilman Lisy seconded.

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

Amendment passed.

Councilwoman Walsh- I'm sure the Recreation Director did a lot of research on this, but the truth of the matter is that I think it would have been appropriate to show us what was going on. I'm not saying that anybody did anything wrong, but if we're supposed to be the guardians and to be taking care of the people, how can you legitimately vote on something when you've never seen it. That's just a comment and it maybe the very best thing. We don't even know if the people of Euclid like Pepsi better than Coke, what's going to generate more sales and there's an awful lot of money that flows through water and other sales that could keep you afloat. I think we should have seen the thing.

President Gudenas – I would agree too. I have no problem with all the work you have done, but seeing as we have to vote on things, we really should see the final product, the contract, and have the opportunity to look over the various proposals to see what else we may have gotten because I know it has worked in the past. Whereas sometimes Council has been involved as a different approach and again as it was mentioned before the electric utility gave us an extra \$10,000, why because a Council person asked for \$10,000. It wouldn't have been coming unless we did that. This might be a good deal, it might not, but it puts us in a position at the last possible second if we had this a month ago, or two months ago we would have had time to spend a little extra time, committee meeting, etc. to make sure the taxpayers are getting the best value for 5 years. It is not something we can change easily, this will be around for awhile.

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

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

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

Ord. 118-2006 (147-06) Forko Agreement

An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a renewal agreement, ending April 30, 2007, with Forko Enterprises, Inc., 23555 Euclid Avenue, Euclid, Ohio 44117, for the purpose of acting as rental agent for the Euclid Lakefront Community Center. (Sponsored by Mayor Cervenik)

Councilman Conway moved for passage, Councilman Langman seconded.

Mayor Cervenik – The only change from the last time you saw this in front of you is in Conditions and Premises Item 10. It specifies who is responsible for having the cleaning done. That was really the only hold up. Senior Programs came in the morning and the facility was not cleaned up to snuff, nobody knew what to do. They called Forko, Forko said they cleaned it and vice versa. If Forko comes in to put on an event and the Senior Programs did not clean it

accordingly, they will clean it. Mr. Foreman said that everything else could stay as Council was presented the last time.

President Gudenas – Do we have any information regarding the rentals over there? This year compared to last year?

Mayor Cervenik – I'm sure Lisa Mayernik has them. If those were requested before the meeting, I could have brought them. He is booked pretty much through the end of this year on the weekends. He does have a number of other times open. I think virtually every Saturday is booked through the end of the year.

President Gudenas – Perhaps one copy would be available to the Council Office, anybody who wants to look at it or additional copies can be made. We did change some rates. It would be nice to know how that worked out. Do they need to be adjusted again? Are people paying them? Are they too high; too low what have you?

Mayor Cervenik – I think most of the bookings that were booked up-to-date were done prior to any raises in the prices. We will get that information to you.

Councilman Langman – Capt. Repicky are you aware of any incidences or problems with these bookings at the Senior Center? I know a few weeks back some of the neighboring properties suffered some vandalism.

Capt. Repicky – Not that I know of. We do have security there whenever there is liquor being served.

Councilman Langman – Are they primarily responsible for just the activities inside the building or do they take a stroll around the perimeter of the park?

Capt. Repicky – I really don't know if it is inside only. I could check on that.

Councilman Langman – Who would have that information, Director Will or would that be Lisa's responsibility?

Mayor Cervenik – Those are off-duty Euclid policemen hired by the private party and administered by Mr. Foreman or the party that hired them. I know they do not allow alcoholic beverages to leave the building. However there are a number of entrances and exits that people I'm sure do go out through. We did receive an e-mail about some vandalism to one of the beach clubs next door. There is absolutely no way to correlate the party that was going on did that damage. I received a number of calls over the past few months about the noise level in the evenings. The fact of the matter is where it was once a relatively quiet clubhouse it now has some weddings. As many of us know, DJ's and the like, get loud at times. If someone is trying to get some sleep, they are going to be bothered by it a little bit. We mentioned Forko because they also have someone in the building. If it excessive, have it turned down. Windows are open, summertime, people are going to hear it more.

With that kind of activity abutting a residential area, you are going to have some problems and we're dealing with them the best we can.

Councilman Langman – As long as we do do that. I've done surveys of the past of the residents and I hope that we take every effort to make sure that the Center remains a good neighbor to the residents on either side of the senior center.

Mayor Cervenik- We had a request about stopping people from cutting through to the Beach Club and yet the solution would be to continue the fence across and they wanted no fence there because they use it as well. The parameters that some of the public gives us, it is difficult to make anyone happy. But the police, the guards, as well as Forko are aware, they post signs that you're renting the hall and not the whole park.

Councilman Langman – Those rules are distributed to the folks that are renting?

Mayor Cervenik – They are on the contract as well. I believe he's done some updating of the rules from what he's seen and suggestions.

Councilwoman Mancuso – I want to seek some clarification. The off duty police officer is obviously one of ours. Okay. If I heard you correctly, you said they are actually working at the behest or under the rules of Forko's management?

Capt. Repicky – They should be.

Councilwoman Mancuso – They should be. I guess I want to know if we've written anything down for them as far as what their responsibilities are? I've been at several events and we do everything from never leaving, we meaning our police officers, never leaving the hall, to actually walking all the way around and picking up things that shouldn't be out there. I'm wondering exactly do you have a standard job role as an off-duty security person for there? That might be something that we ask Mr. Forko to better solidify so that are ladies and gentlemen know what their responsibilities are.

Capt. Repicky – Most of the time at other halls, officers will go outside and check the parking lot so somebody else doesn't borrow their car while they are in there. So, there's common sense on our behalf too. If we feel there is a large crowd outside when they are breaking up, we're going to go outside. Somebody could be going out the side door with an open container. Well, there's only of one of us so we can only be at one place at one time.

Councilwoman Mancuso – We do have two officers over a certain limit?

Capt. Repicky – I don't know what the amount is.

Councilwoman Mancuso – 150 I believe.

President Gudenas – It is in the agreement.

Capt. Repicky – Yes, 150.

Councilwoman Mancuso – You are actually working for Forko Management at that point in time even though whoever is renting is paying that fee. You would work under whatever guidelines he gave the officers.

Capt. Repicky – Right.

President Gudenas – Question regarding the duration. When we started this it was in February. The agreement says the duration will start one year when its entered into by the parties. Are we still going to start with the winter start/winter stop as opposed to the middle of the summer which would make it very difficult to change over? That would be Item 2 under the agreement cover page.

Mayor Cervenik – The ordinance that's before you, it ends April 30th.

President Gudenas – Do we need to say anything on the agreement or you'll just reference the ordinance.

Mayor Cervenik – We will initial that when he signs it.

President Gudenas – This would imply it would be a June or whatever date.

Councilman Lisy – Director Frey, when I'm looking over the agreement and I compare it to Attachment A, there's discrepancy in the liquor permit area, Item #12. In one case Attachment A, Forko will assist the renter in obtaining the necessary liquor permits. In the agreement, Forko Enterprises will assure that the renter has obtained.

Director Frey – It was the intent that the renter obtain the necessary liquor permit and that Forko would ensure that they have that. I supposed the wording in the responsibilities, #7 could be clearer to indicate that all they're going to do is ensure that. I think they actually will provide the form to make the request. So, here's what you need to do renter to get this permit.

Councilman Lisy – I hear mixed responses and I guess Officer Blakely is our expert and Officer Blakely does an outstanding job of helping them walk through the process. That's why I wanted to clarify that Forko will assist instead of having the party goer or the renter trying to figure. If they've never done this before and it is their wedding and they don't know what they're doing, it's just been turned over to them and there's been issues with that. Officer Blakely has come out and helped a few times on helping them go through the right procedures to make sure they had all the documentation turned to the State at the time.

If it is going to be ensured that the renter has obtained the proper agreements, then Forko should have better descriptions on how to go about the process.

Director Frey – If they don't what we need to do is get Forko and Sgt. Blakely together to make sure Forko knows how to go about. We would prefer that the renter deal with Forko.

Councilman Lisy – I agree and that is where it comes into the last item of that part, is that the city shall schedule police officers for security purposes. Shouldn't that be a task by the vendor, Forko, or the renter rather than the city? Item #7 and Item #12, the last sentence is the City shall schedule police officers for security purposes on an as-needed basis.

Capt. Repicky – What they usually do is call Mary Lou in Records and then she'll just post it on our part-time board. It is not like they're calling the Mayor's Office just to say they need a policeman this weekend.

Councilman Lisy – Okay, that's what I didn't want to happen. I wanted to make sure that it wasn't happening that way because the less we have to get involved with it, the happier we should be.

Capt. Repicky – The would call the Police Dept. and then we would take it from there.

Councilman Lisy – Is there a way the renter can do a survey at the end or a satisfaction survey so that we know how Forko is providing services and how well they liked the services? Because I understand they don't have an office there, but sometimes the phone rings and some of our seniors get annoyed by the phone ringing and they answer it. Those are just complaints I get so I'm trying to resolve these ahead of time by if Forko knows they are under a service agreement and if they're not answering their phones there, that could be a question on that satisfaction survey.

President Gudenas – Voice mail, that would be a good idea. I don't know if we need to put that into the agreement.

Councilman Lisy – No, it gives us a way to validate what they're doing, check and balance. Thank you.

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

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

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

Passed.

Ord. 119-2006 (146-06) Amend Code - Window Coverings

An ordinance amending the Building and Housing Code, Part Seventeen of the Codified Ordinances of the City of Euclid to provide for additional requirements of interior dwelling maintenance to include window coverings. (Sponsored by Councilman Conway)

Councilman Conway moved for passage, Councilman Delaney seconded.

Councilman Conway – I'll start out with a couple of comments first, thank you Mr. Chairman. First thing I wanted to state is what the intent of this ordinance is not to do. What it is not intended to do is turn our housing inspectors into the fashion police for the City of Euclid.

However, what it is intended to do is provide a critical tool that I believe is long overdue in our housing department and I'll ask the Administration to make some comments on this as well. But it is something that I had the opportunity to see first-hand while spending several hours with the Housing Dept. going around the city, seeing things like mini-blinds that are just barely hanging in people's windows as well as some unapproved items. Or at least things that were never intended to be utilized as window treatments hanging in people's windows.

As I said earlier, we are not intended to be fashion police, but I do think that there are things that were made that were intended to be used in windows and things that are not intended to be used as window treatments. I'll let our Housing Manager make some comments on what he says out there on a regular basis.

Just a couple of quick comments regarding some of the things that Mr. Mlachak had said earlier on and I know this is something that he has spoken out against and I have great respect for his opinions and I know how strongly he feels about certain topics. It is always good to hear his opinion on this. He made a reference to the fact that looking over at Shore Cultural Centre that there's plywood in some of the windows over there. The intent of this ordinance is to strictly focus on residential use; something like Shore or other businesses across the community really would not be impacted with the intent.

He brought up a great example I think that would help talk about this ordinance a little bit. He half-heartedly jokingly had mentioned what if he wanted to put one of my political yard signs up in his window. It is a great example because a political yard sign has a temporary use and it is used in the City of Euclid typically two weeks before an election that it is acceptable to put a yard sign up in a window. I hope and encourage him to do it in the future for many of us. If not, his lawn will work just well. But this also addresses the fact that temporary uses are typically permitted. This ordinance when it talks about the items that would be excluded are when you use window treatments designed for a permanent basis, though they are items that are typically not utilized as window treatments.

We spend a lot of time researching this. I spent some time with the Law Director and the Housing Manager discussing this in great length. I would certainly open it up to any of their feedback or comments or Director Pietravoia if he'd like to make a comment as well as to the need for this type of ordinance. Thank you.

Manager Petkovic – It was a pleasure to go out with you and do that drive-by inspections. This actually is complaint driven. Do we get complaints every week on it? No. However, we have to do consider the people that do call in. Many people are offended by newspapers that are hanging on windows, blankets. I would like it to be known also that this is for residential occupancy. If someone has plywood on their window, we would hope that they were ordering new glass. It cannot be a permanent fixture. Signs in windows, of course, building materials.

If someone wants to put in their child's bedroom perhaps some curtains up for the Cleveland Browns or the Cleveland Indians. Is that permissible? Of course. What you're going to see from the outside is the actual opposite side of that. If that's debasing the neighborhood? Of course not. We all have to be logical about this and have the inspectors use their own discretion on this. But definitely newspapers, it is blighting to the neighborhood; blankets that hang also. If someone has sheets on their home and they're doing some painting for a couple of weeks because they moved in, we can understand that and we do allow that.

Councilman Langman – Mr. Petkovic and Councilman Conway, would it make sense to put a time-frame to account for perhaps if someone is painting or doing other repair work so that if somebody would happen to call and you don't run out there and say they're painting a living room. Would that make sense from your perspective?

Councilman Conway – I'll address it first and please correct me. Our intent was if it was somebody who moved into a residence, a brand new resident, you would typically give them at least 30 days to make the repairs to their house before the Housing Dept. would actually go and

do anything. If it was an ongoing matter, we determined that it would be less than two weeks that they would have the opportunity to correct it.

Councilman Langman – So you don't think it should be specified?

Councilman Conway – I'm comfortable specifying it if it makes everybody more comfortable with this ordinance.

Councilman Langman – Are you comfortable with this Mr. Petkovic? How are you comfortable?

Manager Petkovic – Thirty days would be fair. If someone was moving into a home and wanted to make those types of repairs, I think 30 days is sufficient to paint an interior of a home, I believe that would be fair.

Councilman Langman – I would prefer to be more specific rather than less.

President Gudenas – What is it you would like to amend then?

Councilman Langman – I would like to add a time frame of some sort that in using these materials you'd have thirty days before you would be cited.

President Gudenas – That would be Item G?

Councilman Langman – Yes.

Director Frey – I would suggest then to comply with that request that the language would read, the second sentence, no person shall utilize plywood, blankets, newspapers, flags, banners, signs or other building materials not intended or designed as window treatments as permanent window coverings for more than thirty days. That is the specificity that you want.

President Gudenas – Will that work?

Councilman Langman – Sounds good.

Councilman Gruber – How about on the complaint driven end. Let say somebody has already lived in the neighborhood for awhile and we're getting calls and you go to the house, will they still have 30 days to do it or a two week time frame to do it? Is it going to be 30 days across the board?

Manager Petkovic – I believe that our guys would be able to tell if someone moved in right away and they are painting, we could leave a note there to contact us by phone. I can see by painting 30 days, but if someone has been there for awhile, I would ask the housing inspectors to give them, it could be up to 48 hours, it could be 5 days to remove those items.

Councilman Gruber – We'll get back to that one. Have you done any research in other cities? Are there other local communities that have the same type of ordinance?

Manager Petkovic – No I have not.

Director Frey – I looked both in model ordinances via the internet for any other community that had enacted similar legislation and honestly I could find none. I am told that was the same result six years ago when a similar piece of legislation was introduced that at that time there were no other communities that we were able to locate that had similar legislation.

Councilman Gruber – I remember that and I supported it 6 years ago and I'm going to support it today. I know Los Angeles was looking at doing something like that at the time, six years ago and it didn't work out.

One more question about plywood, we have some contractors that work for HUD and others that are boarding up some windows that aren't broken but they come in and board it up for

security purposes. I know we have an ordinance on the books against that, how would this work with that ordinance?

Manager Petkovic – I believe we would have to take that case by case. We know that there's a contractor, for example, listens to fire calls and is there immediately boarding up homes. That can stay there until the insurance company, which could take months.

Councilman Gruber – Back to the time frame thing. I think we need a little more clarification on someone who has lived there awhile versus someone who has just moved in. I know it is a judgment call on your guys, but to say 30 days and one of your folks go to the door and the guy says, I read the ordinance, I've got 30 days and the neighbors are calling us up and screaming at us, so maybe we could tighten that up a little bit?

Manager Petkovic – That's up to Council, we could do that, sure.

President Gudenas – Well so far we have just the 30 days to add to it with the understanding that if its complaint driven, it will be shorter. Because the assumption will be made that it has already been there, it will be the burden on the other side to say that they just put this up. Law Director Frey, do we add, unless covered by complaint? Do we need to worry about that?

Councilman Gruber – Can we put something in there at the discretion of the Housing Dept.?

Director Pietravoia – I think it is going to get very difficult if we try to specify different time periods. It might be advisable initially to specify a single time period, get some experience with it and then if necessary we can always come back and amend it.

Councilman Gruber – How about if we go 15 days with an extension at the discretion of the Housing Dept.?

Director Pietravoia – That would be more reasonable and if it is a move-in situation, obviously we'd use common sense and would extend it if necessary.

President Gudenas – The new amendment would be 15 days and then what happens? Do we even need to mention the extension?

Director Pietravoia – I don't believe so. I'll defer to the Law Director if he believes otherwise, but we do have some general language in the ordinances that already gives us that type of discretion of any of the time periods that are in our Codes.

President Gudenas – So it probably, probably is already covered. How's 15 days?

Councilman Langman – 15 days is good.

President Gudenas – Any question on the amendment? We'll vote on that first, okay, and then we'll come back. So the amendment will read Director Frey?

Director Frey – Just at the end of that sentence will say for more than, I'll read the whole thing. No person shall utilize any of those materials as window treatments as permanent window coverings for more than 15 days.

President Gudenas – All right, okay,

Councilman Langman moved to amend legislation as read by Law Director; seconded by Councilman Gruber.

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

President Gudenas – Okay, any other discussion?

Councilwoman Holzheimer Gail – Just a couple quick questions. There is through the regular Building Code and Zoning Code an appeal process so that if somebody did want to appeal they have that ability through our other codes, correct?

Manager Petkovic – Yes, they do.

Councilwoman Holzheimer Gail – Okay, and we've talked about discretion of housing inspectors and this comes up, you know, how do we know, you know, what's not your particular dislike or whatever? But our housing inspectors go through training and they're, it's not solely based on their discretion. They're given guidelines. They receive training as to what's appropriate what isn't in their inspection cases, correct.

Manager Petkovic – That's correct and it also has to do with the answers that they're given by the people inside the home.

Councilwoman Holzheimer Gail – Thank you. I just wanted to make that point that it's not strictly somebody's idea of what's appropriate or not.

Manager Petkovic – Exactly.

Councilwoman Holzheimer Gail – Our inspectors are trained. They do have criteria and guidelines that they follow in the work that they do.

Manager Petkovic – Yes.

Director Pietravoia – Also, any time we pass a new law like this, we'll sit in a staff meeting setting and discuss the different parameters and what to look for so that they are using a common guideline.

Councilwoman Holzheimer Gail – And I did have one other, I know you said this is only residential, but I actually, you know, this obviously would have to be a separate piece of legislation; but I think the storefronts that have the newspaper and that are just as unsightly as a house. And I know it gets a little trickier because they can post window signs, but perhaps we could look into, maybe you did look at that but, no? Okay. Well, that's perhaps something I will work on then so we can address it at the storefront level as well.

President Gudenas – And while we're looking at things I think, I had introduced legislation back when I was Ward 2 Councilman for multi-family housing window coverings so I don't know, whatever happened to that?

Director Pietravoia – That would be included.

President Gudenas – I don't think we ever passed it, but anyway that might be something.

Director Pietravoia – That would be included here.

President Gudenas – It would be included?

Director Pietravoia – Be consider residential, yes.

President Gudenas – Okay, that's fine then.

Councilwoman Walsh – I would just like to say that I think we should be more concerned with what's going on outside falling down porches, gutters, railings that are in disrepair and grass that's not cut. That's, that's my complaint driven. If I choose to have Cleveland Browns curtains up, I truthfully don't think it's your business. Thank you.

President Gudenas – I'm sure no one will complain about curtains with Cleveland Browns and also political speeches govern differently. You have the right to put any sign you want. I don't think we can really regulate political speech in a window so.

Director Pietravoia – That would, Mr. Chairman, that'd likely come under temporary graphics code.

President Gudenas – Right.

Director Pietravoia – Which includes this signage in the lawn and things of that nature.

President Gudenas – But we went through this before, political speech and things like that are basically almost unrestricted in many ways so Browns curtains are okay anybody else?

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

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

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

Nay: Walsh

Passed.

CEREMONIAL RESOLUTIONS

Res. 108-2006 (149-06) Z. Schlosser – Valedictorian

A resolution of congratulations to Zachary Schlosser for his accomplishment in achieving the designation of Valedictorian of the Euclid High School graduating class of 2006. (Sponsored by Mayor Cervenik and the entire Council)

Res. 109-2006 (150-06) A. Barwick – Salutatorian

A resolution of congratulations to Amy Barwick for her accomplishment in achieving the designation of Salutatorian of the Euclid High School graduating class of 2006. (Sponsored by Mayor Cervenik and entire Council)

Res. 110-2006 (152-06) EYSO

The City of Euclid congratulates the Euclid Youth Soccer Organization on providing 30 years of excellent soccer programming to the youth in our community. (Sponsored by Mayor Cervenik and entire Council)

Councilwoman Walsh moved for passage; seconded by Councilman Lisy.

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

Passed.

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

COMMITTEE OF THE WHOLE

President Gudenas – Now we're into the Committee of the Whole, which would be about anything of general for the general health and welfare of the City of Euclid something that affects all of us.

Mr. Kenneth Wrenn – 925 E. 248 St. I did hear Hank's comments at the beginning of the meeting and I was comfortable with his comments, but by the same token I would like to go forward with my comments. I have two copies of photos for Council, one for the Administration and while he's distributing these, I'm going to take off here because I may run out of time. I'm

here to speak in opposition of the existence of the recycling bins located at the Euclid Service Garage. Note here, I am not anti-recycle. Here and after I will refer to these recycling bins and their related debris fields as the dump. Let's call it what it really is. It's a dump.

My position as I go forward is that once is too often in reference to the dump. It has, it has played it's best card far beyond once. The sign at the dump reads place recyclables in containers. When in fact it should read anything is legal as long as you don't get caught. To further compound this problem it is located in a position where thousands of people view it daily.

I embarked on a quick survey of the dump on May 30/31 and what I found in brief was the following: lawn chairs, containers of petroleum-based products, broken bicycles, garden hoses, grill parts including propane canisters, rotten landscape timbers, cans of paint, bags of rag, containers of cat litter, tires, carpeting, bags of general garbage to name a few. Keep in mind my survey was done per the exterior and perimeter only. There is no regular over there. There are no rules being enforced. The dump is inappropriate. I don't believe that Euclidians are completely responsible for this dump. I believe outsiders may be playing a role in what is going on over there. I am concerned about City funds being wasted over there and the danger that the dump poses to City employees and fellow Euclidians. I for one know that this problem has been going on for some time and I do believe that others do too.

What will it take before something is done to abolish that dump? Allow me to start by sharing with you the following per an AP report. What began as a small fire in New York City led to the following tragedy. As I share the following, keep in mind the similarities involved here that being a propane tank and the lack of knowledge of their existence. On 6-18-01, Father's Day, firefighters were called to battle a small blaze at a hardware store. Little did they know that propane and paint were stored in the basement after about 20 minutes of firefighting per the firefighters an explosion occurred per the propane and paint killing three firefighters. With that being said, is this what its going to take in Euclid before there is a change at that dump, an injured or dead fireman or Euclidian.

I think we are all aware that government can't make people behave responsibility but government can limit the opportunities for people to be irresponsible. Euclid needs to decide if it is a city busy being born or if it is a city busy dying. For example, how can the City of Euclid tell the residents to clean up their property when the City cannot even care for its own property. We need to be pro-active on this one before there is a problem.

You will hear the testimony of another individual here tonight. There's more waiting in the wings. You have the photos. Some of you have been to the dump. The cameras are rolling; the citizens are watching. Someone demonstrate some leadership here tonight and abolish that dump. My questions, who is maintaining that dump and at what cost, what is the true dollar value? Should illegitimate debris make its way into those bins and downstream to the recycling center, is the City being penalized monetarily? If so, how many times has this happened and at what cost? How long has the City known that illegitimate debris has been going into those bins and was that information shared with departments, such as fire? Is the Administration concerned that residents outside the City of Euclid may be utilizing those bins? Does the Administration or Council have any hard data indicating how many people do participate in recycling and the geographic location involved?

Not long ago Council approved X amount of dollars from the 06 Capital Improvement Fund to be diverted to Shore. Have any of those of funds been allocated? If so when and how much? Now granted I blew through those questions and here they are in print in case you want to reread them. And I pulled it off with 20 seconds to spare. I thank you all for your time and I'll appreciate your answers.

President Gudenas – Director Gulich, anything regarding the problem with trash mingling with the recyclables?

Director Gulich – There are a number of questions there. It would probably be most suitable since you have that list of questions there that I could address them all.

President Gudenas – Well, that's your first one. Do we know anything about penalties, extra cost if someone throws a trash in with recyclables?

Director Gulich – Actually if Dr. Lisy think back to when we took the tour of the recycling facility, that material is very carefully sorted through. It's rather an amazing process they have there. It's kicked out. We are penalized in any way, shape or form for that and I'm unaware of

Waste Management ever contacting the City with any illegitimate items in there that we needed to be...

President Gudenas – In terms of all the trash debris that was there over the holiday, is it City workers putting that together or would that be the contractor taking that out?

Director Gulich – That is cleaned up by our fine workers.

President Gudenas – So we're, how often, the question is then how much are we....

(Voice of someone) – Court referrals.

President Gudenas – Court referrals?

Director Gulich – Yes.

President Gudenas – So do we have City expense in maintaining those dumpsters?

Director Gulich – No, there's no additional expense. Of course if the City could hire someone to babysit them that would be the only way I could think of to completely eliminate that. I don't think we want to go there. I think the City probably be better off with other methods.

President Gudenas – Okay, has the contractor informed us ever of fire hazards, dangerous materials making their way into those bins?

Director Gulich – No, I'm not aware. We can ask the Fire Chief on that.

President Gudenas – Well, they would have contacted you probably.

Director Gulich – Obviously, we know flammable materials have been left there and of course, we deal with them as promptly as we can. Of course, over a long holiday weekend there's nobody monitoring the site directly.

President Gudenas – Okay, flammable materials, such as what? On the ground people have left things, paint?

Director Gulich – Someone left a, let's say, a can with some oil base paint something like that something which they could leave on their tree lawn maybe they don't know that, but, course, that site is available to outside residents. There's nothing stopping anybody coming from outside the City of Euclid from using them. Of course, they don't have a lot of the curbside pickup that we do with the flammables.

President Gudenas – Are we concerned about the outside residents using the bins? Is that an issue?

Director Gulich – I've been there; I've seen Lake County plates pull up there and people leave things and they go.

President Gudenas – Was that an issue? Is it costing us money? Should we restrict it by ordinance so, you know, city residents only or is that a big deal?

Director Gulich – I don't know how we could restrict outside residents from using it. We could post all kinds of signs that might affect 5 or 10% of the people. I'm just throwing out some numbers at this point, but I think you get the gist.

President Gudenas – But generally, we make more money if they're dropping off newspapers and the like if it's true recyclables we'll get a little bit more money.

Director Gulich – The only, the only thing that does generate dollars is the newspaper and, of course, the lion share of that is going in the Abitibi containers a few feet away at the Animal Shelter.

President Gudenas – Okay, question, how many, well, we need to just see if we need to address outside residents 'cause maybe it's them that are causing most of the problems. Euclid residents may understand our rules outside residents may not. Administration we probably don't know how many people are actually using those bins.

Director Gulich – We have the tonnage reports.

President Gudenas – Right tonnage.

Director Gulich – We get those on a monthly basis so we know exactly how much stuff is being recycled, but the number of the users there's really no way to tell.

President Gudenas – Right, okay, and then regarding Shore the 2006 Capital Improvement money so far none, have we spent any of the funds on the Shore Cultural Centre as allocated? Not yet? Okay, nothing's been as of yet. Okay, next.

Mr. Warren Wallace – 24430 Mavec. I want to say this first. I respect the Council President and the Mayor very much. I respect your positions; I respect your professionalism, but the way you guys let it get out of hand the first half that was, that was really disappointing the emotions flying back and forth in front of guests. That's not what I look for out of my leaders.

I want to reiterate on some of these things Ken Wrenn said. He had e-mailed me and asked for his, for my assistance in this recycle bins. We also reached out to all Council members, out of all Council members only two of them didn't respond. That was Councilperson Mancuso and Delaney, but everyone else responded in a very quick and professional manner, especially Councilman Lisy. Ward 3 Councilperson Walsh also stated via e-mail that she was working to resolve this very issue and she just suggested that we work together to achieve a positive outcome. Mr. Wrenn and I find ourselves to be on the same page with Councilperson Walsh regarding this particular issue.

I wanted to get into a little graphics. We did go down there. We did find all type of stuff, 5, 6 bicycles. It's all in the pictures. Ten gallons of motor oil, can you tell us where all this stuff that was supposed to be cleaned at, where did it go at because it's not recyclable and if it did go into those recycle bins the City, I think, is held accountable that when it goes down the recycle line?

Also we saw a raccoon over there. I did a little research on raccoons and raccoon attacks and if you want to do your own research, you can go to WFTV.com and it was pretty graphic. Those things, especially when rabid, will attack you and do some very serious damage. The one instance they had this raccoon attacked this lady for I think it was 6 minutes until the Police came and bit her 20 times. She lost her eyesight and it literally shredded her face. Do we really want these seniors that go down there to recycle do we really want these people to be in danger? Think we should bring back roadside, curbside recycling. We sent \$150,000 down to Shore Centre; 100% of the people pay their \$150,000 only 1% of people use Shore Centre. That's, that's not a problem. \$75,000 for curbside recycling; 100% of people will pay that and 100% of the people will use that \$150,000 for 1% of the people 75,000 for 100% of the people.

The Mayor got a car last week \$20,000. You have \$54,000 here for a, answering service. Can we get \$75,000 out of some of this money for this curbside recycling? These seniors, all of them don't have cars to run down to this recycle bin especially at night it's dangerous. You never know who's lurking around it. Can we get something out of this? I mean, can the residents really get some money out of us and that, you know, it's our money. Shore got something; the Mayor got his brand new nice shiny car. Getting the answering service, I mean, can we get something out of this? Curbside recycling, it's not asking a whole lot and then you're telling me you don't have the money. Henn Mansion got money. Can we get something for us the residents? We're paying for it. Thank you.

President Gudenas – And to clarify, Director Gulich, you mentioned the bids are coming in Monday for the curbside recycling so at that time we will know what the current price is and we'll be able to make a decision. So hopefully the bids will be okay but we won't know until we

actually get them, but it's in the works. The Administration has gone out for bids and they're on their way and we'll report back next week.

Mayor Cervenik – The true cost in our current contract for curbside recycling for a year was \$155,000 and some change not 75,000.

President Gudenas – Okay, thank you.

Mrs. Ann Raukar – 272nd St. We met a Euclid roofer when a member of his family inherited the house next door to us. He did the, he fixed up this old house and when he was through he asked to see our house. I thought it was presumptuous of him to ask, but I let him in. As he went from room to room, he, the look on his face amazed me. He seemed to be personally affected with a touch of envy. I felt he should have no feelings as the remodeling 21 years before, 21 years before and he must have been a toddler at that time. We were two generations older than he.

Things were getting out of hand at Collinwood High School. We sold our double house and bought a little house on East 272nd. Here we did more replacing and added a new additions and a double garage. In 1993 the roofer drives into the neighbor's yard and calls to my husband, oh, so this is where you moved as he says to the neighbor he knew us 20 years ago. It was only 10, but that was a good opening pitch for the job he was after. In a day or two he was back and he put a new roof on the deteriorating garage. He also installed a first-time gutter and a downspout opened at ground level causing serious damage to my property. I had to remove a Black Walnut tree because it went to town and it contaminated my whole backyard.

Well, this young tyrant has made fools of our City officials. I should reverse it and say they made fools of themselves for not following simple rules, regulations and they even made a new ordinance for this particular downspout and then they did not respect that new ordinance. There was a hidden agenda that no corrections should be made on this downspout.

For 13 years my little house is being damaged every rainfall as water has made its own channels deep underground and is dissolving the cement, the cement in my basement floor. Well, I will digress from that and say I would not be here today or any of the days you've seen me here. I would not be here but Bill Cervenik passed this new ordinance and, that has damaged my property. I have heard him swear in any number of people when it came to the Constitution. In my case he kicked it under the table or whatever he did to it.

President Gudenas – Okay, well, that's out of order, please, we have to...

Mrs. Raukar – Like I say I would never have been here and I want to protect our Constitution from that kind of aggression.

President Gudenas – Thank you very much.

Mrs. Raukar – Thank you.

President Gudenas – You're welcome. Next please.

Mrs. Raukar – Where else am I going to go? On public square? They don't have a box so I have to come here. I want the people to know what's going on.

President Gudenas – Thank you, Mrs. Raukar, I appreciate, don't worry everyone knows.

Mr. Kevin Kinsella – 26491 Farringdon Ave. I apologize. I missed the beginning of the meeting tonight because I was at the store with my 4-year-old daughter buying her T-ball bat and glove for Delaney Shamrocks in the Pixie Softball T-Ball League, Euclid Rec. But the reason I am here is because I received a phone call that the jail issues had been tabled, which I understand because you guys will have a lot of questions and you need your answers.

I've been a Euclid resident for 32 years, worked over at the jail for 13 years. I've had urine thrown on me; I've been assaulted; I've cut myself on crack, you know, crack pipes, wrestled with inmates who were eating their own defecation. I've broken up numerous fights, broke up numerous brawls and none of that stuff, none of it, ever stressed me out as bad as the layoff we had about a year and six months ago. Since that time, we've done our best to try to improve the morale over at the jail. There's a lot of good workers over there and we thought everything was

going real well and maybe we were going to get a new building or whatnot. I know at the last, at the Executive Committee the Mayor had given an invite to all of Council as well as the Council President to come over to the jail and tour it and see what we're working under the conditions. To my knowledge, no one's done that and the invite's still open. I would advise you to come on a sunny day or bring a poncho if it is raining because the COs kind of know, we've gotten used to where to avoid the trouble spots and there's many.

Again, I was at the Executive Control Committee meeting or whatever it was two weeks ago and I was pretty confident that things looked pretty good. You guys raised some excellent questions and rightly so. You want some guarantees about, you know, where that money would go. I went back to the people and told them that, you know, some good questions were raised and I was confident that something would be done so we really didn't have to worry about our jobs. And then the Sun Journal came out that Wednesday and the Council President was quoted on the front page, I'm sorry I don't have the paper with me, something along the lines of, you know, he'd like to explore leasing the building out and privatizing. And let me just say there's a real fire over there because now everybody's worried about their jobs.

And so what I'm asking tonight and I think I'm owed this answer as well as the 24 other people over there that work their butts off for this community. I would like to know the Council President's stance on the privatization issue, leasing out the building because tomorrow's my off day and if that's the route we're going, I need to know so that I can put an application in another facility. Thank you for your time.

President Gudenas – I'll be happy to answer that. Read the paper again. I simply talked about the building itself. Privatization was not what I had in mind.

Mr. Kinsella – That word was in there. The word privatization was in there.

President Gudenas – Okay, I'm sorry I didn't see the paper; but my thought was only just as in real estate for instance, the Dunkin' Donuts that opened up down the street may or may not be owned by Dunkin' Donuts. It could be an investor that owns the building. Dunkin' Donuts operates the inside of the building. That's what I was talking about here as a way for the City to raise the money not to use it against our Balance Sheet against our debt level to have someone else put in the improvements for us. Not run the jail but simply pay for the improvements and basically we lease the facility back, which in fact is what we've done with the fire truck here.

Mr. Kinsella – Okay.

President Gudenas – For instance, where private investor bought the truck for the City of Euclid we lease it back after 5 years or whatever we own it back again for a dollar. So that's exactly what I had in mind and nothing more than that.

Mr. Kinsella – Okay, that's kind of why I came to this forum tonight because you know opinions can get skewed and whatnot. You know, we've asked the Warden and the Captains and the Chief for answers and, unfortunately, all they can do is ask and it's ultimately you guys that make the decision so I appreciate your response. We just, we're very worried about our jobs over there because it was devastating before. Everybody's doing double the amount of work and it's amazing. If you were to come over there, especially like on a court day, it's amazing to see the amount of work we do over there with the staffing we have. And if we did go to a different type of style, you probably could house many more prisoners with the same staff, but right now we're running ragged and then to hear something or read something like that it's just devastating to the morale over there. But I appreciate your response. Thank you for your time.

President Gudenas – Okay, thank you, and to clarify, too, I did have a tour with Chief Maine of the facility during my last tour of office here so I'm very familiar with the conditions and at the Police Station. There's no debate that improvements need to be made. It's just a matter of how much and how we pay for it.

Mr. Kinsella – Thank you.

President Gudenas – You're welcome.

Mr. William Hilf – 891 E. 237th St. I'm here tonight as the Business Director of Upstage Players to invite the residents of Euclid to come attend a murder mystery this Friday. Upstage Players and the Shore Cultural Centre and its Board of Trustees proudly presents the Cast Party, a musical murder mystery, which was written by Charles Abraham. We recently did this murder mystery on May 19th for the Friends of the Wickliffe Library and we decided as a cast and with our directors to perform it a second time and this time we're going to be doing it on stage at Shore. And the reason for this performance is to benefit the family of Chuck Abraham, who wrote the show. Chuck was a local director, actor and friend of the community. He was a graduate of the Euclid School, Public School System and he was the Artistic Director of Silhouette Productions, which performs out of Shore Cultural Centre. Last year during rehearsals for Peter Pan Chuck fell ill and died of a heart attack at Shore before a rehearsal. And unfortunately for Chuck, he was in-between jobs at the time and didn't have any health insurance. He was 47 and left behind two young children Kevin and Shannon so this performance Friday night, all proceeds will be going into a trust fund to benefit Kevin and Shannon Abraham. The performance is this Friday, June 9th at 7:30 in the Shore Cultural Centre Auditorium. For advance tickets you can call 216-289-8107 or e-mail upstagetickets@yahoo.com. Ticket prices are \$10 for adults, \$8 for seniors and \$6 for students. We will be selling some concessions. We will be having a raffle. All proceeds will be going to the Abraham family. We really ask that you come out and support this. He thought a lot of the Euclid community; he thought a lot of the people here and of the building and of being able to give activities for people to participate in both adults and kids. And it would be nice to be able to give something back to his family for all the work that he did for the community.

Tickets will be available at the door and for those of you who are tired of hearing me up here. I'll at least give you a little hint I'm the one who meets my end in this murder mystery so you only have to see me through part of it. So thank you and we hope to see you there Friday night.

Mr. Jeffrey Beck – 25540 Chatworth Dr. I'm speaking tonight as a member of the Euclid City Services Evaluation Committee to kind of give everybody an update as to what's going on. Last week on Memorial Day the five Committee members as well as members of Boy Scout Troop 367 passed out and collected a number of surveys at the Memorial Day Parade. The survey asked for a lot of demographic information from the citizens as well as asking the citizens whether or not they've used specific City services within the last 12 months and to rate those services. There's also a spot at the end of the survey that allows them to make additional comments if they so desired.

We picked up a number of surveys at the parade as well as explained to the residents that they can drop the surveys off here at City Hall in the lobby or at the Library. And there is a box at both locations right now and there are blank surveys at each locations so I encourage any resident within the next week because we'd like to get these all back by the 15th to stop in to one of those places, fill out a survey and drop it in the box.

I collected a number of them tonight. The Committee itself is meeting this Thursday to review the results of the survey and I know we're pushing it into summer, but we'll have some specific information for Council by the time the Council meets again so. Just wanted to let you know that we are working very hard getting these together, getting these results tabulated and if anybody has any specific questions you can see me afterwards. Thank you.

President Gudenas – And the survey is on the Internet site but you need to print it out and then mail it back to us.

Mr. Beck – You need to print it out and then you need to drop it off. Right, correct.

President Gudenas – Okay, thank you very much for good work.

Mr. Dennis Berzinskas – 20890 S. Lakeshore Blvd. This City is a giving city. Chuck did a lot for the kids for culture. I hope everybody comes out and helps support and give back to his family what he gave to us.

Talking about giving, the people in Euclid, the Post Office workers 8,000 pounds, people, 8,000 pounds of food, that's a considerable amount. I felt like I lifted half of it. I don't know. We went through a lot of it and really there was money. Thank you to those people that gave money. It was a lot of effort on everybody's part, but I do appreciate it and I'm speaking for myself, of course, but we have a lot of volunteers and I wish they could all come up here and thank you. Thank you all.

The jail, the Police Chief said it a few months ago. The prisoners we hold usually don't have the money to pay for their own confinement. Where's the money coming from? We build a bigger jail. We're going to make money from who? Other areas? You talk about Lorain. Craig Fulton said a few weeks ago that they had money for a jail, but like anything else money went elsewhere. So he asked the Sheriff's Department to build a jail. So I wouldn't bet on a long time 20 people coming over, 20 prisoners for a long period of time, especially if we do redo the jail where are our prisoners going to go and what's that going to cost us? So there's a lot of things to look into not just the things you see in front of your face. Thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. First off, I'd like to thank a lot of people. I'd like to thank Sheila Gibbons for all the help that she did in having our town hall meeting at the shore Cultural Centre. I'd like to thank Fred and Dennis of ECTV for all their time taken to tape it. I'd like to thank Dr. Jones, Rose Allen and Diana Ross for both their help, guidance and advice. I'd also like all the residents of Euclid that spoke and shared their voices. I would also like all the residents who did not speak but listened.

About 40 people attended our town hall meeting and as with a child you take the first step before you can take the second step. We have attempted to take our first step and I'm pleased to announce that we will continue town hall meetings in the fall. The people of Euclid have expressed, even though not many came out, more came out than I thought and they spoke and people listened and it created conversation. Conversation helps solve problems.

Now in respect of what we did I wanted to read this. Andrew Young, who was a former Ambassador and somebody very much in the Civil Rights, recently just last week was here at the City Club. He said the following. Young speaking to a luncheon crowd of 340 at the downtown Marriott described Rwanda as a country where they sell more Coca-Cola than they do in New York City. Rwandans have transformed their country since the genocide of a dozen years ago with free education, women holding 49% of the government offices and positions and solidarity among all the ethnic groups. They're all Rwandans he said. You may be, you, we may be making in America too much out of diversity. He compared America to a jazz band different instruments playing the same tune and gumbo pieces of Okra, sausage and shrimp boiling in a pot a little too hot now but when it cools down it will be quite tasty. That's all I am trying to do is to bring Euclidians together so that we may speak openly and candidly about our fears, our differences so that maybe the gumbo will taste just fantastic.

Now that I thanked everybody let me get to one suggestion. I was wondering if, Mr. Gulich, the company that does our recycling at that point if you might not be able to request a camera from them and then post notification that you are being videotaped and if you litter, you will be fined. And maybe an ounce of preventativeness will cure the problem so just a suggestion.

The one other thing that I did notice tonight and I guess I've got to be faster is I noticed the fighting here. Something that I haven't seen very much of and I think the fighting is because people are being neglected. As far as I remember at the last Council, Tony Sustarsic did everything that Mr. Gulich. It was sponsored by Tony Sustarsic per Mr. Gulich. The same with Mr. Gruber and the police yet I notice here there is no communication with Council. I can understand their anger. I do not understand why the Administration and Directors are not talking to Council. That is their job and that is going to create a war here that I as a citizen know we all lose at, the citizens of Euclid lose. So please let's start using each other that's why you all were elected.

And lastly I had hoped that I wouldn't have to talk about this but Mr. Gruber, you've got to stop your sarcasm. I've had it with your sarcasm.

President Gudenas – Mr. Goodman, we really shouldn't.

Mr. Goodman – Okay, write it in a book.

President Gudenas – Mr. Goodman, thanks.

Mrs. Madeline Scarniench – 1511 E. 221. When you get old, you got to write down and you got to look at what you're reading. I have three questions specifically for the Council President. After attending and subsequently watching the Executive/Finance Committee meeting of May 22nd, you mentioned in your comments to the Weed and Seed Board how you were simply obtaining information from them because you work for the residents and the residents wanted to know and hear from you directly. So with that being said knowing that you were elected by the

residents who want to know directly from you and I'm sure that I speak for a wide range of those residents, what I am asking you specifically, Mr. President, what direction, if any, have you given Mr. Hillary Taylor as to the way the City of Euclid would approach this Justice Department's inquiry into our election practices? And specifically how much more than the \$17,000 that's already been paid of the taxpayers' money will be spent in the events of a lawsuit that hasn't even been filed yet? And thirdly, would it not make sense for Council to circumvent any legal action by resolving the issue on its own just as the Board of Education did so many years ago when they were told by the State they were not in compliance with the laws concerning segregation in the makeup of our schools.

After checking the Charter I could find no reason that we could not have the Mayor reconvene the previous Charter Commission. There are at least five members that I know of that are still here in Euclid for the sole purpose of looking at Article II, the Council, Section 1 Power, Election and Term of Office. There is also nothing in the Charter that states you cannot convene a new Commission a few months earlier and that according to my figures this December we would be picking a new Charter Review Commission.

I have stated publicly no more than on one occasion that our City is not the same size nor in the same situation as it was when the Charter was written. As I have stated before, you were elected to serve all of the citizens of Euclid not just yourselves and the best way to do that is to avoid any more unnecessary litigation and the unnecessary expense to us. I implore you to convene the Charter Review Commission now so that the necessary changes can be brought to the citizens this November. In this way, anyone that would be interested in running the new term would know what they have to do ahead of time and the way it's going to be. I know it's not something that anybody wants to do but I think it's the obligation of this Council and Administration to go ahead and quit spending our money frivolously. I hope you would consider that.

I've got time. I'm going to give a plug. This is for all the folks that work in Drug Mart Pharmacy. Thank you. I think you guys are awesome and you know what I'm talking about.

President Gudenas – I just cannot comment on any legal matters so when Hillary Taylor is finished with his work he'll come and make a presentation.

Mr. Tod Guntner – 390 E. 257. First of all, the citizens of Euclid need a great, big, giant thank you. The reason being during March and April Abitibi Paper Company had this contest for multi-bin recipients and the citizens of Euclid through 145,000 pounds of paper into our 7 bins in those 2 months. Yes, that generated \$1,000 for Euclid Pet Pals, which I greatly appreciate. It also saved 1,210 trees so if you multiply everything out on an average each one of those bins on a yearly basis could save a thousand trees. So again, citizens of Euclid thank you for your support. I greatly appreciate it and I will hope you continue bringing your paper to Pet Pals.

We also do aluminum can recycling so we would appreciate your aluminum cans. Drop them off 24/7 also right in front of the Animal Shelter. We also do printer cartridges. We have a place that recycles them I think out of Colorado. We can get anywhere from \$1-12 per. We've already gotten, well, very close to a thousand dollars this year already just from the cartridge recycling. So again, I appreciate your continued support.

Next, I would encourage everyone to come out to the Euclid Lakefront Festival; also, come into the Community Tent. Euclid Pet Pals will have a table there and we will have lots of things going on. We'll have raffles, some give aways. On Saturday we will have face painting so you can turn yourself into a dog or a cat again. Councilman Langman and Mayor Cervenik, we'd appreciate you come out and get your face painted again and hopefully the rest of you will do that, too.

On July 8th, which is the Saturday, of course, after the 4th, we'll be holding our annual car wash from 9 a.m. to 3 p.m. That's at the Shelter, 25100 Lakeland Blvd. from 9:00-3:00. Suggested donation is \$5. I've got pre-sale tickets. I've got 30 of them here, I would sincerely hope that I go without any tickets left in my pocket tonight.

Next we will be having our annual open house and anniversary party at the Shelter, 25100 Lakeland Blvd., from 12:00-4:00 on July 22nd. There's going to be all kinds of fun, food, games, prizes, raffles. We will have some face painting and I'm working on a couple of special projects that I'll hopefully be able to tell you about next meeting. Good night.

Mr. Ron Emser – 26501 Farringdon Ave. We are such a needy bunch here. I'm here pursuing some fundraising for the Euclid Hunger Center. The first thing I want to talk about is just to

reinforce the Festival and encouraging everybody to come out, especially on Saturday night from 5:00 to 9:30. We have 7 really nice caliber wineries that are very anxious, I was really pleased to learn of their enthusiasm to come out to participate and to be present in the Euclid community. The wine tasting on the 17th of June.

Then also the Red White & You Barbeque. It is going to be at Gateway Manor. The party room there as well as the grassy knoll behind Gateway. If you have ever been back there it is a very nice little park, serene little area. It is going to be a barbeque event sponsored by the Euclid Hunger Center. Going to be celebrity chefs and I have no idea who these people are yet. But we encourage you to mark your calendar for Thursday, June 29th and put an extra line item in your budget so you can bring your wallet, bring your checkbook, get some tickets and help out the needy hungry folks in Euclid. Thanks a lot.

Mrs. Diana Ross – 44 East 224 Street. I'm just here to give a little report on our Bridging Community Connections. So far we have had two meetings over in Ward 2 and I'm very excited to say that we've had all kinds of exciting suggestions from our Euclid residents. We've already made a few phone calls to places in the City of some of those suggestions and we're really excited. The last two sessions we had were a little different group from both times. We had about 25 people the first time and 28 people the second time with some new faces. That was exciting.

Just a reminder, also we've had Ward 4, our first meeting over there on May 24th, we had a poor showing there. Today I was out walking the neighborhood and Mr. Gruber you'll be happy to know we got about 1,000 more flyers out today so that maybe the second meeting will be much better. We kind of guilted some people into saying it wasn't too good of a turn out so we're hoping for you to be there. We explained to them the importance of that meeting too. Hopefully we'll have a better showing.

June 7th is Ward 4 second meeting. Just for people who are listening and don't know, but have gotten our flyer, there are three meetings that build upon each other. It is a great way to discuss the positive things that are going on in the City of Euclid through a format called Appreciative Inquiry. Ward One, with Kirsten Holzheimer Gail will begin on June 8th which is this Thursday at 7:00-8:30 PM at the Church of the Epiphany and we will have probably about 1500 flyers more by then out in your area. We're working very hard and I'm very excited. A lot of people know that I just moved in November and as I'm walking the community, I'm learning a whole lot of things and I'm learning about the needs of the community, but I'm also learning what a great community we have with a lot positive people patting us on the back and saying thank you very much for doing this and I'll try to be there. I invite the community one last time to come to your ward and meet with some more positive residents, get an opportunity to share positive things about what's going on. We're not negating negative things we're only increasing the value of Euclid, so come out, we want to hear what you have to say also.

Ward One, Holzheimer Gail's meeting is on June 8th, this Thursday at Church of the Epiphany. Ward Two will have their final one on June 15th and Ward Four, Gruber's Ward, will have their second one on June 7th and Ward Three begins on July 6th. If you want to an atmosphere where there's no crying there, there's only positive things, this is where you need to be and I invite you all out there. Thank you.

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

COUNCILMEN'S COMMENTS

President Gudenas – We have about 10 minutes left on our tape, Councilman Gruber you're number one and we'll see if we make it.

Councilman Gruber – First of all I would like to thank everyone for their attendance on Memorial Day. It was a wonderful event, a good turn out as it always is. Also I would like to near the end direct a question to Director Gulich about some road work that is going to be done at Glenridge and Delaware in the near future. I would also like to ask Fire Chief Cosgriff if he would like to comment on a letter that we received from him about two firefighters in the line of duty that performed above and beyond. If you could take a minute or two to compliment those two firefighters or three.

Chief Cosgriff – I don't have the letter in front of me at this point in time.

Councilman Gruber – Well I'll give it to you. We'd like to commend Adam Reichman, Jeffrey Mann, Jason Northup, Tom Terbanc, Lt. Doug Fike for outstanding response to a motor vehicle accident that they had. In no uncertain terms they probably saved their victims life, is that correct Chief?

Chief Cosgriff – That's correct.

Councilman Gruber – So accommodations to you and your firefighters. The Council Meeting before this we had some complaints about sewer problems on 196th St. and I've got a report from Hank Gulich that the young lady that spoke at the podium about the sewer problem that Truck 200 was at that address once in 1992; twice in 1995; once in 1998; once in 1999; twice in 2000; once in 2003; twice in 2004; twice in 2005 and once again in 2006. In every case the home's lateral connection was blocked with tree roots and/or paper. None of the cases was attributed to the city's main. This happens a lot so remember that we do have Truck 200, which is a service provided by the City of Euclid, so please give that a call if you need it.

I'd like a belated Birthday Wish to Frank Ilcin. Director Gulich, I would like you to comment on Delaware and Glenridge please.

Director Gulich – All the Indian Hills residents are aware we've done two years worth of water line improvements up there. Currently we're finishing up on Delaware Dr. with the installation of a new 12" main. That main is going to be connected up next week to the 48" distribution main. We've had trouble with fire flows up there in the past. We've got a huge water main over there. We're relying on a system of back-feeds up there that is quite complicated and gets even more complicated as soon as a few leaks are introduced to the system. Michael Benza report has demonstrated the installation of this regulator will be a cost effective way to improve the flows up there. The only other alternative would be to run yet another large main up from Euclid Ave., in the cost of multiple millions of dollars. I couldn't tell you how much this regulator is costing us, it is part of an overall package. To install that next week, Monday is June 12th, during the week of June 12th, probably for the better part of one day we will have to close the intersection of Delaware and Glenridge, traffic from each direction. Currently our Traffic Supt., Mr. Carlo, is working up the signage we'll need. I talked with both the Police and Fire Chief and either tomorrow or Wednesday we'll meet with them, meet with the contractor, meet with the Cleveland Water Dept., make sure that repair is expedited as quickly as possible and that all the safety needs are met while we're doing the installation of this regulator at this intersection. We'll do all the prep ahead of time, keep the traffic open.

President Gudenas – You want to run out the tape, don't you?

Director Gulich – I think I made my point. We will need to do an inconvenience up there for a lot of people. It is going to have a lot of good, long term good effects.

President Gudenas – It is now June 12th.

Councilwoman Holzheimer Gail – I wanted to thank the Joint Veterans Council and all the people who put together the Memorial Day Parade and the graveside services for our Veterans. It really was a wonderful day thank to the City staff who helped make that possible as well.

We did the ribbon cutting at the mini-station on 260th, the old fire station and that was a nice event as well. I'm looking forward to the programming that will take place out of that mini-station to benefit the community.

Wanted to invite everybody to the Bridging Community Connections. It really is a good opportunity to bring up the positives of the community and it helps all of us to talk about that. I was able to attend a very positive, I think, event in Ward 1; that was a beach club crawl. Six of the beach clubs along the Lake got together this past Friday night and opened up their beach clubs to the neighborhood and we went from one all the way to the other through the night, island hopping. Each beach club had a different theme and it really was a wonderful opportunity to get to see all the beach clubs. People are so proud of what they have and really hear a lot about the positives of their neighborhood. I appreciate the opportunity to take part in that and thank all those people who worked to put that together.

One quick question, there's going to be a Saturday inspector. How do we get in-touch with them if there's an issue with a garage sale or what should residents do?

Manager Petkovic – I will e-mail you the city's phone, so you can contact that inspector by telephone. He has the city's cell phone. Or, if you have to, you can call the police station and they will get a hold of him on the service ban. Police Dispatch has been notified already.

Councilwoman Holzheimer Gail – Just another reminder that garage sales should be left in the garages or to the rear of the house.

Manager Petkovic – Now that we're on that subject, the Housing Inspectors are keeping the signs that they pull from the poles, or from the tree lawns, in their cars for 30 days. If the residents would like to have them back, please call the Housing Dept. at 216-289-2700 Ext. 3904 and give your name and address so we can return those to you.

President Gudenas – We're not returning them for free are we? That's quite a delivery service.

Manager Petkovic – They can come to City Hall and pick them up.

President Gudenas – I hope that we have more than one cell phone. You said the city's cell phone.

Manager Petkovic – That's for the Housing Dept. only. We have one for the inspector that's working on Saturday. He will have that in his car, definitely.

Councilman Langman – I would like to plug my neighborhood association, the Upson Neighborhood Association. We raised quite a bit of food on Memorial Day and it was a good time by all. It got me out of a suit and tie a little quicker than some of my colleagues, and then I was able to go up to the mini-station. It was a very fine event. I want to thank Tod Guntner, Joe Bartel and his family for cooking up tons of hot dogs for everyone in the area.

Director Pietravoia, I'm going to ask you again, where is the report on the current operation of the Housing Dept. that I've asked for now a couple of times?

Director Pietravoia – We are preparing that report. I did want to have the opportunity to review it as well with our new employee that's starting a week from today. I guess I can promise you that I will have it to you by the next Council Meeting or just before the next Council Meeting.

Councilman Langman – I'll mark that down as a promise. The other item revolves around Shore Center and the Dunkin Donuts, Carter parking lot; when is the traffic count going to be finished and the survey done so we can get moving on that project?

Director Pietravoia – We did complete the count which was done by our own staff and provided that to the consultant. That was about a week ago. We expect that we're probably going to have a report from the consultant in about another week. I hope before the final council meeting before recess.

Councilman Langman – So based on that information when can we expect some new asphalt in that parking area and hopefully a reconfiguration of the aprons?

Director Pietravoia – Not knowing what the results of the consultant work is going to be, it is difficult to answer that question. I know there's an urgency here and the owner of that property knows there's an urgency. They have already aligned contractors to do the work. We're just waiting the outcome of the driveway situation on Babbitt Rd. The rest of the work is pretty much lined up for the resurfacing, the landscaping and fencing of the parking lot.

Councilman Langman – Because we don't want to be re-active and wait until something happens at that intersection and then try to rush through changes; we need to make progress on that before an accident happens.

Director Pietravoia – I couldn't agree with you more.

Councilman Langman – With that, Mr. Chairman, I wish everyone a good night.

President Gudenas – We're going to take a one minute break, just to change the tape.

Councilman Lisy – The message I've been hearing lately is community involvement. With these Bridges programs, it is getting out and meeting your neighbors and that's why I was glad to support the legislation for the Euclid Youth Soccer Organization. One of the things I realized with that organization is that playing soccer with all those different families, there's people that I normally would not have met except through the soccer program. I'm meeting all different types of people. People I would never normally come across in my everyday life, except with my children, and the different activities we're in with soccer, softball and swimming.

My message is, get involved. We have the Lakefront Community Festival, there's going to be another opportunity to go out and meet your fellow neighbors in the city. We have the Bridges programs in each of the wards; another opportunity to come out and meet your neighbors. Because once you know who your neighbors are, I think that will really help you realize what a wonderful community that we have here.

Director Will, with respect to sign-ups for the different events; what's coming up right now we have the swim teams and football coming up.

Director Will – We're doing registration right now for our Flag Football; Tackle Football; Cheerleading for our Football programs; Neighborhood Swim Teams and we still do have some openings; Memorial Pool Swim Teams and very limited spots in our swimming lessons. All the other youth sports programs I'm happy to say are filled and have already begun.

Councilman Lisy – Most of these organizations are parent-involved organizations and we have a lot of dedicated parents in this community that are really the backbone to these organizations and anything to really make these organizations successful they need participation, they need parent involvement as well as student involvement. It is a wonderful thing. I'm looking forward to the wine tasting on Saturday June 17th during the Festival. That is going to be a wonderful event to just get out and meet the other neighbors within our city. We have an award winning list of wineries attending this event. I was really impressed to see the type of wineries that we have coming to this event.

One last item, the Memorial Day events are just outstanding. The Mayor, Kirsten and I can attest, we were watching this Veteran and he would not, he had so much pride that no matter how hot it was out there he was not going to take a knee or sit down during the event. It was just a moving event just to see the pride that our Euclid Veterans have for what they've done in the past and we all owe them a round of thanks. With that, good night.

Councilwoman Mancuso – A few weeks ago we passed an ordinance that asked us to look at our health care and how we are doing it. It has only been not even a month and I've had 4 phone calls on what's taking us so long. For the public, I will say, we spent the month of May actually writing a request for proposal for a health care consultant. That should be going out in the next week or so to be posted in the Plain Dealer, I believe for two weeks, which is part of the public process. We will then also have it available to vendors who wish to respond to this request for proposal which will ask some of the questions that we feel need to be answered to give us a good look at our health care.

Once a deadline has gone by where they have actually responded which I believe we have set at 45 days, we will bring them back in and with administration and council's support, we will go through the request for proposals. We will then decide which vendors we would like to come in and we will have a group either of the entire council or specific numbers who have an interest to bring these folks in. We did not forget anybody. We did not forget about the ordinances. We've been working very hard on them. It is no small chore to get people to sit down in one place and go over this type of material. It is very detailed. We are moving forward.

The second thing is, I would also like to say congratulations, it was actually your Assistant Chief who wrote this letter about the guys which is probably why you didn't have it in front of you Chief. They did do a very good job which speaks to the education and the on-going continuing education that the guys have and are using. They do need to be recognized because there are many places that don't have this level of hospital care for their residents. While we complain about our taxes, we are actually receiving very good care from the guys that are out there on the street. Thank you. With that, I'll say good night.

Councilwoman Walsh – I couldn't agree with Diana Ross more, but I think we've been really active in Ward 3 and going into Ward 4. Yesterday at the spur of the moment we got out there and the weather was perfect and we took care of 24 sections around the trees on Euclid Ave. For that I would like to thank Jim & Kathy Slogar from Ward 4; Jim Walsh from Ward 1; the others who came along. We raked, we mulched, we put in a few flowers and we cleaned the RTA bus shelter. The trash bin, I don't know whose responsibility that is, but it does need to be emptied. I think we've done a little niche in beautifying and we did the Historical Society and hibiscus are not supposed to be planted outside, so we have to take those in October. We went by yesterday and they look absolutely beautiful.

A special thanks to a Ward 3 resident who is the owner of the Northeast Appliance store on E. 185 Street. I went in there Saturday and we negotiated and Imani Church for their Hunger Center will now have a refrigerator. People are really good. It is amazing that how when you start to talk to somebody what their hearts and their pocketbooks will come out with. Imani will have its third food distribution and this time they'll be able to take care of their perishable food and the refrigerator will be delivered sometime this week.

Lakeland Civic Association is going to have their garage sale on June 17th. That's all the good news.

Now the bad news; the poor man's power point, which you probably can't see from home. It has been a long time but I went out and I got pictures of the newspaper boxes because I don't quite think everybody understands what I'm saying. These are Euclid's. These are Cleveland's on Prospect Ave. Cleveland's ordinance says, that they can only have 5 boxes at one site. All the boxes have to be white. All the boxes have to be weighted down and maintained. The name of the newspaper company has to be on the back of the boxes. All of this perfectly legal; this is their ordinance. The best part that the Council President will love, they get \$25 a box per year to go into their funds. I'd like to pass this over to the administration and this will be my first legislation because these things by the bus shelter and these things by Best Cuts, and on Euclid Ave., in different spots on Lake Shore Blvd., we are not second class citizens in Euclid and we do not have to accept what every other suburb doesn't take. We want to look like Prospect Ave., in front of the Y. With that, I think I will say Good night and God Bless.

President Gudenas – Thank you very much. We look forward to that legislation so we'll need a copy of Cleveland's. You have that, great, very good. Cleveland apparently seems to be a little more firm. We'll look into that.

I'm going to back track a bit where we started meeting today. One is the presentation from Norman Henderson about our website. He has done a fantastic job and I'm going to consider this placed into Councilman Lisy's Technology Committee. We need to figure out how to implement these things. Many are very simply things. Some are going to take some additional software, so we can do on-line forms, such as the survey, filling out applications for building permits, paying parking tickets and the like. Also the Animal Shelter, his recommendation is tying in Petpals, photographs of the pets, linking to websites; tying into the School's website; special events; city newsletter; signing up for e-mails from the City of Euclid based on the interest that you have; different photography that ties in our city better than what we're doing now. A very good common sense things; in fact at the very end he took some of those ideas and created some sample pages on what our city website would look like. I think these are all very good suggestions that we need to work on implementing that will help all of us do our jobs better because as residents have questions be it on Delaware, on the street repair, they can check this information out much quicker on a website that is organized according to their needs.

Number two, going back to the meeting, I remember this cartoon which most everyone does, it is Charlie Brown and Lucy and it is the old favorite story where Lucy's holding the football and telling Charlie Brown to kick it and Charlie Brown knows what is going to happen, he knows that football will be pulled out at the last second, but Lucy always says, no not this time, this time I'm going to hold it, don't worry. As we know, at the last second, she pulls it out and Charlie Brown never learns his lesson going on forever and ever.

That's sort of what I'm trying to avoid here at our Council Meetings. I've seen enough personally where our city council has gone ahead with various projects and proposals and the like without enough documentation. With just saying this time you don't need to trust us, the numbers are good, everything will be fine, it will all work out. As trustees for the citizens of Euclid, when we are going on an ambitious program and I bring up the jail specifically, we really need to know that if we're going to make the renovations which all sound good, they should be documented. We really need to have the numbers and we need to know where those numbers

came from and that we can have reliability in those numbers and that they are not just a hunch and we're not told, don't worry this time the numbers will work out, trust us.

We want to proceed with these projects. They all make sense, but we really need to know what we're getting into. All I know is nothing ever works out as planned. Not just with the City of Euclid, with any government agency. Someone else will add on additional things, soon, as we seen with the senior center, we need fire lines, we need this we need that, suddenly a \$2 million project is \$3 million project. My only point on that, we are going to have some disagreement here and that's, our job is not to have disagreements, our job is not to agree all the time, our job here in City Council is to make sure that we have good information and we have to require sometimes that we have that good information to make good decisions. We ask the Directors to please consider the chairmen of the various committees; an example would be the Pepsi contract, the Chairman of the Parks & Rec Committee should have been more involved so we could have avoided many of the situation today and possibly, maybe not, but possibly gotten a better arrangement for the taxpayers. And at the same time, if you want the City of Euclid to approve a contract, we need to actually see the contract. We have to have a copy of it, so we can read it, then we can vote on it. That's why I voted no today. I don't want to go into this precedent that we're just going blindly go along on whatever comes our way and just assume everything will work out. Maybe it will, maybe it won't but I'd look at the job, at least from my point of view is that I need to at least read the thing, ask some questions and have some time to look into it.

Surprises, phone system is another one. That's why we're having a special meeting. It's \$54,000, might have to do it, but at least we should have had the invoice, the bill, the detail, so we know what it is that we are paying for. There was plenty of time to present that. So, my job is not to argue, to quarrel, to cause fights, and anybody who thought that is what I was doing, I'm sorry for that. I'm here to make sure City Council has good information so we can make good decisions so that at least if you disagree with us, you'll know how we made the decision.

Councilman Conway – Earlier Councilwoman Mancuso made a comment about sometimes we pass ordinances and resolutions and you don't hear much about them, so that actually sparked a question for you, Director Pietravoia. Has there been any movement with Century Corners? I know earlier we had passed a resolution about looking for a broker to try to move that property. Has there been any type of movement or any comment on that?

Director Pietravoia – There has been a lot of activity. We have at least one party that we hope to be bringing at the June 19th meeting that's interested in buying two acres at that location. We've had several others that if all came to fruition would actually fill up the land that's there. I've learned over the years in this business, you can have a dozen different projects and if 2-3 of them stick, you're doing pretty well. We hope to bring at least one before recess, possibly another one over the summer months.

Councilman Conway – That sounds very encouraging and hopefully some of those will stick. My plug for the Lakefront Festival. I know a lot of hard work has gone into the Festival for the planning and I think it is really going to be a fantastic opportunity and something we can all be very proud of. One plug that I'll make tonight for the Euclid Hunger Center is you will have the opportunity to bring canned items to the Festival. We will have the van parked there, somewhere near the Henn Mansion. So, please consider the Hunger Center when you're coming out to visit us at the Euclid Festival this year.

Wanted to take an opportunity to really commend the Citizens Committee for all their hard work in getting out the survey. It certainly isn't an easy thing to put together a survey that's going to generate, and be able to make recommendations as to what can be improved. But they've worked very hard and I commend them for all their hard work. One thing I would ask them to consider and I don't know if they've done so already is to potentially have a presence at the Lakefront Festival. It will be a great opportunity to see quite a few people coming through and have an opportunity to fill out even more surveys.

Also for all those residents who did complete the survey in the 90 degree heat on Memorial Day, I commend you as well for taking that opportunity to participate in the process.

One final note, I look forward to meeting Mr. Beno and congratulations on the new hire in your department Director Pietravoia. Thank you and good evening.

Councilman Delaney – Director Pietravoia, I see the banners behind us. I understand you'll be taking suggestions and here's mine. Euclid's Corporation, 1931, we're celebrating our 75th

Anniversary. I think it would be important, especially if you're going to do some sort of historical model. I would like to see that somehow put in there.

Also it just came to mind, it reminded me, former Mayor Oyaski on Memorial Day, that this building is also 20 years old and maybe some sort of static exhibit, whether you like it or agree with it or not, it is 20 years old and this is the anniversary.

I had a conversation this afternoon with Bill Doty. He says that he still has yet to receive a contract to begin his work at Shore. So, in order for that to get going as soon as possible, I'd like the administration to contact him. I know you all have his numbers, his presentation. He's waiting for the go-ahead, the green light and he needs that from the administration.

Director Will, I had a brief conversation with you this afternoon at the Board of Control, but I want to bring it up for our volunteers that are interested in helping. We've got this wonderful flyer from the Hunger Center and I commend them, they always do a nice, nice job. We have the Euclid logo or logo in process for what we have there. What I'm noticing right off the bat is all these different posters have kind of ignored a rule of marketing which is something that we talked about in the very beginning, is that it can be a little bit confusing. What we need to do is we need to have a consistent theme; we need to have consistent posters. For instance our Hunger Center has just Saturday the 17th, so some residents may think that it is just one night. I know that they all work very, very hard and this is all great stuff and a lot of times people get frustrated. It is not criticism, I'm just trying to build on this and move forward.

Also, the importance of a press release. I have here the Friday magazine from May 26th that talked about the World of Festivals this summer and touched on all the festivals around our area and didn't mention us, which is something that I hope we can reach back and get and I will leave this copy with you as I said I'd bring it in.

Capt. Repicky, I was hoping Chief Maine was here so it could be consistent. Every year the Cleveland Magazine comes out with rating the suburbs and once again we're 65 out of 66 in crime. I wondered if you had anything to say about that or opinion on how we report our crime.

Capt. Repicky – Unfortunately I didn't get that edition. I believe the Chief does have some comments and I'll relay it to him at the next meeting.

Councilman Delaney – Thank you very much, I'd want our residents to understand how this is tabulated, how we report crime, how other communities report crime, sometimes they are not that consistent.

I know it can't be said enough, we've all talked about Memorial Day and the Veterans and its one of the most important ceremonies that we do outside of our duties, it starts at 7 in the morning. What I'd like to mention with our Veterans is we have a national model studied around other communities. With all of our different Veterans associations we have Chapters of the American Legion, the VFW, the Jewish War Veterans, the Korean War Veterans, the Vietnam War Veterans, we have our own Euclid Vets that we're all very, very proud of and the Polish American Legion. The umbrella organization on top of that is the Euclid Veterans Council and every year they switch off who will marshal the parade. This year it happened to be the Polish American Legion. I've always been very, very proud of how organized our Veterans are. This year was their 76th Memorial Day. A lot of our residents only get to see the parade, but there's very, very moving ceremonies as all of Council has said. Mayor, I was wondering if we could begin planning for next year, this year and perhaps we could get the video crew to follow us on this day so they can see the 21 gun salute that goes on at the Euclid Cemetery, goes on at the St. Paul's Cemetery; that goes on at the WWII Monument at Recher Hall. We have the Peace Monument Ceremony after the parade and once again thank you Mayor for restoring the plaque at the Euclid Vet's Club that we know as Tizzano's in the turn around cul-de-sac right there.

Very important sites in Euclid; very important landmarks. It is all something that should keep us all a reminder in the front of our mind of the sacrifice that we all have and what we are all grateful for. With that, I'll close.

President Gudenas – This is the 75th Anniversary, almost the 76th if this meeting went a little longer. But we should check out the date when that 75 years was. It is certainly deserving of a celebration in Euclid. With that, we shall move to adjourn. Remember at exactly 5:00, not a minute later, we'll have the Special Council Meeting regarding the phone system.

ADJOURNMENT

Councilman Langman moved to adjourn. Councilman Liszy seconded. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council