

**COUNCIL MINUTES
DECEMBER 4, 2006**

The regular City Council meeting was held on Monday, December 4, 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.

Others Present: Mayor Cervenik, Law Director Frey, CS&ED Director Pietravoia, Service Director Gulich, Police Chief Maine, Fire Chief Cosgriff, Zoning Commissioner Beno, Sgt.-at-Arms Novosel, Clerk of Council Cahill.

Invocation was given by Pastor Joseph Saliga of The Vine Church.

LIQUOR PERMIT

Councilman Langman move to receive without objection a request for a transfer of a C1, C2, D6 liquor permit from Tops Markets, to Daves Supermarket at 22501 Shore Center Dr. Councilwoman Holzheimer Gail seconded. Roll Call: Yeas: Unanimous

COMMUNICATIONS

Council has received the following communications:

A memo from Joseph Koskovics, Chairman of the Euclid Community Television Cable Commission regarding Euclid Community Television Commission report submission and review of By-Laws and Rules & Regulations.

A memo from Director Frey regarding the Capital Trust/Willo Arms bond legislation.

An e-mail from Director Pietravoia stating that Mr. Calabrese will begin rock crushing on December 5th at 8:00 AM, monitored by the City.

COUNCIL MINUTES

Councilwoman Holzheimer Gail moved to approve the Council Minutes of November 20, 2006. Councilman Lisy seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik swore in Capt. Repicky as Acting Police Chief.

Mayor Cervenik presented the Villa Angela-St. Joseph Lady Vikings Volleyball Team with Res. 203-2006, in recognition of their distinguished performance in the 2006 season.

Mayor Cervenik presented Officer Roose and members of the Euclid Police Explorer Post 18 with Res. 204-2006.

Mayor Cervenik introduced Lyndsay Miller, who is raising funds for The Kingdom Assignment to purchase Christmas toys for the Toys for Tots program.

Mayor Cervenik announced that Ms. Melody Stewart was successful in being elected to the Appellate Court and therefore needs to be replaced on the Planning & Zoning Commission. Mayor Cervenik stated the new appointee will be Madeline Scarniench.

Mayor Cervenik announced Breakfast with Santa, Saturday, December 9th at the Lakefront Community Center from 9:30-11:00 AM. Tickets are \$2 and includes, juice, donut holes and craft projects.

Mayor Cervenik is hosting an Open House to thank the businesses throughout the City of Euclid for the contributions they've made to this community during 2006. It will be at the Henn Mansion from 4:00-6:00 PM on Thursday, December 7th.

Director Gulich – We may have caught our first blast of winter this morning, but we haven't forgotten about the leaves. We were hoping to catch a couple more good days and get those few piles that are out there yet. As soon as weather permits, we will have the leaf crews out again. If they are out there, please be patient, we will get them,

weather permitting. If we do catch some nice weather in the next few days, please try to refrain from putting more out there. If you can bag them, that would be appreciated to. We never know when the weather will make its final turn for the worse and once they're frozen lumps, it is pretty hard to pick them up. They are out there now, please be patient, we'll get them as soon as the weather permits. Thank you.

Chief Cosgriff – This is the time of the year when I like to remind all Euclid families to pay close attention to Fire Safety during this upcoming Holiday Season. During the 2005 Holiday Season, two deaths and more than \$200,000 in damages were reported in Ohio as a result of fires starting in or around Christmas trees. Three factors pose an increased fire threat during the holidays, that being decorative lighting, the use of live Christmas Trees and unattended children. Anyone needing more information can go to the Ohio State Fire Marshal's website and click on Holiday Fire Safety Tips. Or they can call my office at 216-289-8401, if they have questions regarding proper use of decorative lighting or care for a live Christmas tree.

Director Pietravoia – A quick announcement to make regarding the Dave's Supermarket. There was a minor error in the PD but an important correction to be made. They noted that Tops would close on December 8th and that Daves would reopen in 2007. In fact Daves will re-open on December 17th in the Tops store. So the owners of Daves just asked me to make that announcement and that correction this evening and of course encourage everyone to continue to support Daves. They will continue to stay open at their current location through the 16th and Sunday morning on the 17th, they'll re-open at the former Tops store.

President Gudenas – We also received the monthly report from the Police Dept. for October and I just have one question on page 3. It shows Juvenile Complaints increased by more than 30% from about 1100 year to date last year to over 1500 this year. Would this be because we're cracking down, spending more time or part of the extra ordinances we put together; or, is it just the way the conditions are in the city?

Chief Maine – I think it is a combination of both. We have tried to target juvenile type complaints as one of our strategies and one of our goals. But, I think there's also some increased activity in the city, so probably both.

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Police Report of October, 2006 and Board of Control Minutes from 11/13/06 & 11/20/06. Councilman Conway seconded. Yeas: Unanimous.

Re-Subdivision of 20451 – 20561 Edgecliff Dr. - Council should approve or overrule Planning & Zoning Commission's approval to allow the re-subdividing of Permanent Parcels 642-01-095, 642-01-096, 642-01-099, 642-01-100, 642-01-101, 642-01-102, located at 20451 through 20561 Edgecliff Drive, to construct 10 attached single family homes, and 4 free standing homes. Each home to be built on an individual lot with common access to a shared open space area. (The Shores of Edgecliff) **See Res. 206-2006.**

Director Pietravoia – Before we act on this item, I was going to recommend that we consider it along with #2 on the Agenda. They really are pretty much the same item. It is my belief and I've conferred with the Law Director we don't really need a separate action by Council on this first item listed. They are one and the same as item #2 on the agenda. We can discuss it as part of the change in the development plan.

President Gudenas – So you're saying wait until it is #2 on the Agenda?

Director Pietravoia – Yes. Thank you.

Lot Split – 27100 Euclid Ave. - Council should approve or overrule Planning & Zoning Commission's approval to allow a lot split creating a 338.47x245.00 irregularly shaped lot at 27100 Euclid Avenue, Permanent Parcel No. 648-48-003. **Approved**

Director Pietravoia – As we've been discussing at prior council meetings, we've been working with Dr. Gill who intends to build a medical office building at this location and open a new medical practice here in the City of Euclid. This item was acted on by Planning & Zoning at their last meeting and was approved unanimously by Planning & Zoning. The illustrations that we just handed out, show the location at the corner of Euclid and Tremaine Dr. where the two acre parcel is being sub-divided. I would suggest that you look at the second map in that attachment that we just handed out because it actually shows the remaining area. It presently exists as a single slightly larger than 8 acre parcel. The aerial photograph was showing potential ways to subdivide the properties, other than the Dr. Gill parcel.

President Gudenas – Just to clarify, the aerial photograph has sub-lot 2 at 5.72 acres, sub-lot 3 at 4.37, which would be close to 10 acres. On the drawing, it shows that same land about 8 acres.

Director Pietravoia – The 10 total was considering if those had been sold as two larger parcels without the 2 acre parcel being created for Dr. Gill's project. If you look at the second drawing, it also shows a total of 10 between the Dr. Gill parcel and the remaining area.

President Gudenas – The drawing is a little different than the aerial. The aerial shows sub-lot 3 almost coming to the line of the new two acre lot which would prevent access to that little parcel, which is hard to describe at home, but there's an irregular shaped parcel that wouldn't have access to the road, but on the drawing it shows that there would be access to the road.

Director Pietravoia – The aerial again was just meant to be a conceptual illustration, whereas the drawing is actually a legal survey drawing so that is how the parcels will be split up.

President Gudenas- That area right around what's labeled C3, is about how wide would that access area be?

Director Pietravoia – That would create a frontage of approximately, I'd say about 40-50 feet on Tremaine.

President Gudenas – What would the city's plan be for that parcel that would have that access there that would run, it seems like it would only be about 60 ft. wide or so.

Director Pietravoia – That area would essentially serve as the driveway into a potentially larger parcel. The next item that I hope to be bringing to Council is a company that is interested in that back portion, which is the southern most portion off of Century Corners parkway. They are interested in about a four acre parcel there. That would leave approximately a 2 acre parcel that would front on Tremaine Dr. and the driveway would come out of that narrow portion. But, there would be a total of about a two acre developable parcel there.

President Gudenas – Your Development Department feels that the land is usable the way it is chopped up in the future?

Director Pietravoia – While that may end up being the last parcel that gets sold at the development, we do believe that it would still create a developable parcel. The U-7 regulations require a minimum of 2 acres for development site. This would be a little bit over 2 acres with access off of Tremaine. There's some uncertainty here, there is a potential that the party that is interested in 4 acres could also ask for an option for later expansion on the remaining land that's available there. At this point their thought is that the four acres will provide plenty of room and even some expansion space for their current business.

President Gudenas – The amount they are paying for the two acres?

Director Pietravoia – We had a recent appraisal which we'll go into more detail when we bring the development agreement to Council. But the appraisal indicated the land is valued at approximately \$50,000 an acre, that's assuming we're selling it directly.

Councilman Gruber moved to sustain Planning & Zoning Commission's approval of the lot split at 27100 Euclid Ave. Councilman Delaney seconded. Roll Call: Yeas: Unanimous.

Councilman Conway moved to waive the 24 hour notice and place on the agenda Res. (248-06) which is the members of the Euclid Public Involvement Committee. Councilwoman Holzheimer Gail seconded. Roll Call: Yeas: Unanimous.

COMMITTEE OF THE WHOLE

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

Mr. Roy Larick – 23745 Lake Shore Blvd. I'm here to talk about #10 tonight, the Resolution in support of the Euclid Township Bicentennial that comes up in 2009 and 2010. I'd like to give you just a little bit of background on that. It is a very important celebration coming up for three reasons. As you may know, Euclid Township was one of the first surveyed in the Western Reserve, was the largest in the Western Reserve and had an elected government established quite early, that is in 1809.

What this means is that in the later part of 1809, the Township residents got a Charter from the State of Ohio allowing them to hold elections to levy taxes and to pass ordinances. I want to tell you that you and all of the other city councils from Cleveland Heights, Richmond Heights, Lyndhurst, East Cleveland, South Euclid, Euclid, relate to this act in 1809. This represents, literally, the origins of elected government on the east-side of Cleveland, the large area being from E. 140th Street at the lake due south to Cedar & Fairmount intersection and then east to present Beachwood Place and then north to the lake. Once again, the largest Township in the Western Reserve, all of the elected governments presently relate to this Charter and that first election on April 2, 1810.

So it is time to celebrate this 200 years later. The way that I see this along with the Landmark Commission and the Historical Society is that this should be something Township-wide. That is, we should lead it, but we should appeal to the city governments and cultural institutions throughout the old Township in order to make a bang-up ceremony here. I think we should do this in the spirit of regionalism. I don't even like to mention the name, but you all know what I mean. The east-side has changed, we're now the inner-ring and we stand to gain by cooperating. It is difficult to do this but something that is a legacy, historical and should be fun, should be a light-hearted historical celebration, is one means I think for us to enter in with some alliances, some good relationships with our counter-parts on the eastern inner-ring here, all the way to Cedar Road. It is in the spirit of regionalism that I propose that Euclid, the City, leads a celebration that is participated in by all.

The other thing about this that I think is very good for us is that as far as I know we are due to be the first bicentennial for a chartering of a Township to come up among more than 200 townships in the Western Reserve. I'm sure that a number of these would be celebrated, but I would like Euclid to actually have the model, make the model for these celebrations that are going to come up, one right after the other, beginning in about 2010 to about 2020.

Lastly, I'd like to say that this important for us to carry on a half-century legacy. Some of you here are old enough to remember, were around 4, the sesquicentennial celebration of this same event back in July, 1959. That was done by the City of Euclid itself. It was a very different time. Euclid, the City, was flushed at that point. I've past out to Council and the Mayor a few pages from this very nice booklet that was published in 1959 and it was really lavishly done. There were full page advertisements from about a dozen of the big industries in town, you know who they are, or who they were. This represented a time when the City of Euclid could actually do a celebration for itself without the help of anyone else. I don't know that we can do that these days. I don't want to do it these days for reasons that I've already mentioned here. But nevertheless, in 1959 there was a celebration that played out over a couple of weeks. I past these materials out so you could see if you counted the names, there are 220 names on more than 20 committees that helped put this event together back in 1959. Many people, if

you're older than 50 years, 55-60 years, you certainly remember this event. I want to do this again. I don't think I can assemble 220 people to do this these days but we have computers and the internet to help, right? So I would like to close here by saying that it is time to do this, this is a great event and we have three years to plan it, I appreciate your support in it. Thank you.

Mr. Matt Sarver – 26550 Shoreview. I'm going to piggy-back a little bit on what Dr. Larick was talking about. I am before you this evening to urge passage of #10 on tonight's agenda. As Dr. Larick mentioned, as you do know, 2009 will mark the bicentennial of the founding of Euclid Township. In 1809 the residents of Euclid Township did in fact receive a State Charter allowing it to create ordinances, collect taxes and to hold elections. The first of which did occur in April 1810.

The Euclid Landmark Commission along with Euclid Historical Society are currently in the process of organizing a series of celebratory events to commemorate this extraordinary occasion. These events will spotlight Euclid Township and its Charter and will take place at various historically significant Euclid Township venues throughout Euclid, as well as surrounding communities which lie within the footprint of the original township.

Passage of #10 will allow us to move forward with enhanced credibility and legitimacy as we seek to secure further collaboration with the seven other municipalities which made up the original township, as well as the Cleveland Heights Landmark Commission, South Euclid Historical Society, Cuyahoga County Planning Commission and the Ohio Humanities Counsel to name a few. Additionally it puts us in a good position to pursue possible partial funding through the Western Reserve Heritage Area Study Act.

Many of our seniors do fondly recall the sesquicentennial celebration way back in 1959. We intend to make the bicentennial celebration equally memorable. The support of Council as well as the administration are vital to the success of this most prestigious endeavor. To that end, we ask your support in preserving, promoting and celebrating our Euclid heritage. Thank you for your consideration.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. To dovetail on top of the dovetail like Dr. Larick said. I was here for that 1959, we just moved into the city in 1956. You know what a warm feeling that gave people? That you care about your city, they had wooden nickels, people wearing handlebar mustaches. Let's get some enthusiasm going about our city. This is our city. Show people how much we care about it.

#2, let's show people how we care about lot splits, doubling up on houses and let's say enough. Recent history, Wells Place. You wanted to put 28 homes there, forget it. Further back, the golf course. That's why we have a golf course. The builder wanted to put up 3 and 4 family abutted homes, less space, 40 ft. wide lots in this city hurts us. Enough of it, one is enough. Way back in history when I was a kid they wanted to put apartments up because we'll make some money. Until everybody realized they were going to use the services of the city again. Then it wasn't a bargain. Make this a bargain for the citizens, say no. Thank you.

Mr. Mike DiDomenico – 24770 Farrington Ave. #2, which is a resolution requesting additional housing units at Edgecliff. First I'd like to point out that on the top part of this, the resolution calls for 10 attached single family homes and 4 free standing homes. The resolution printed further down says 11 to 14 homes. The explanation says 9 new homes and 8 attached pairs. So however many you really have, I have no idea.

Overall I'm against the idea of anymore attached housing, cluster housing, duplexes, apartment, whatever you want to call it. What we need here in Euclid is larger, detached single family houses. I know that it is only a 2 acre lot, but its my recommendation, like I said years ago when we were talking about this, put the fewest number you can. So I don't know what's already built there, but maybe you build three more large houses, single family and give people nice lots, we don't have that. All you have to do is drive up to Richmond Heights, drive through Richmond Bluffs which is across the street from the airport or Rushmore which is the top of Highland Road hill. Or if you go to McDonald's there's already a few years old, but, kind of behind McDonald's off Highland Road there's another development. Large, single family detached housing. We have enough packed stuff in. I realized Councilwoman Gail got back to me on my e-mail. I know the developer says he wants to go after empty-nesters. We have plenty of

that. There's plenty of available product for empty-nesters. We don't have a product for families to get a bigger house. They're moving to Chardon, they're moving to Painesville Township. They're moving all out everywhere and I know three houses aren't going to make a lot of difference, but it's a start. It's resolution it doesn't carry any real weight because it is not an ordinance but please vote no on #2.

President Gudenas – To clarify, I believe there are 5 homes there now, two attached, three singles, that's 5 and their proposal is for 14 total which would mean 9 more. So that's how these numbers sort of fit together.

Mr. Tom Cooke – 25641 Edgecliff. I will be addressing #8, the acquisition of 10 new police cars for the Euclid Police Dept. I am in favor of the purchase of the 10 new police cars as requested by the Police Chief for the following reasons. A police officer, like a carpenter, a plumber, an electrician, auto mechanic, doctor, nurse, firemen, or any other profession in this world is only as good as the tools he or she has to work with. It doesn't matter how good a professional you are if you don't have the proper tools or your tools are to old or outdated, or worn out, you cannot operate at maximum efficiency.

These cars are not luxuries for the police officers. These cars are basic required pieces of equipment that are necessary for police officers to keep you and me safe, our children safe, our seniors safe and our entire community safe. I will continue to remind this Council, this Administration and this community, security where you live, security in our schools, security where you play, shop and go to work, is the single most important requirement for fulfilling all of these activities I have just mentioned.

Euclid can have the best schools in the State, but families will not move here if Euclid is viewed by outsiders as dangerous and unsafe. A brand new community center means nothing if you have to worry about getting mugged in the parking lot. Or, if you have to come out of your brand new community center only to find that your car is missing or your car windows are smashed and whatever you have inside is now gone. The basic criminal mindset is very simple. Criminals migrate to where there is little or no police or law enforcement presence so they can carry out their dirty deeds. The more police presence in a given area, the less likely a crime will be committed. Funding for community law enforcement, funding for the police department for capital improvements, funding provided to police for continuing education and training, all of these areas should be the first place where money should be spent when available and the last place monies should be cut in times of financial uncertainty.

Police are a lot like health insurance. Everyone complains about the rising costs of health insurance until they need the services of an emergency room or long term health care. Then the only thing a patient can think of is how fast can they be treated and they don't care what it costs. Their only concern is that the best health care possible is being provided. Police are viewed in very much the same way. No one wants to spend money on police when the only real contact the average person has with police is when they get a ticket for a moving violation. However, if the security of your property or the well being of your loved ones is being threatened, the first thing you do is pick up the phone and call the police. You really don't care what it cost to get them there, the only thing you have going through your head at the moment is how fast are the police going to get here and what's taking them so long.

Members of Council your primary responsibility to the residents of the city of Euclid is to assure the residents that their safety, well being and security of their property is always at the forefront of your decision making process. A vote for item #8 would confirm your continued concern for the residents safety and security. Thank you.

Councilwoman Walsh moved to rise and report. Councilwoman Mancuso seconded.
Yeas: Unanimous.

LEGISLATION

Res. 205-2006 (238-06) UDE ConsciousNest

A resolution granting a Use District Exception, pursuant to Chapter 1375 of the Euclid Codified Ordinances, to Allyson S. Harris/The ConsciousNest, LLP to allow a UR-1 (School) use in an R (Institutional) Use District at 20150 Lake Shore Boulevard, Permanent Parcel 642-20-012. (Sponsored by Planning & Zoning Commission)

Councilwoman Holzheimer Gail moved for passage, Councilman Lisy seconded.

Councilwoman Holzheimer Gail – This is a first reading. We have had a very successful public meeting and I want to thank Mr. Jim Slivers and Mr. Jim Grinstead who helped put that together at Holy Cross Church. There were some miscommunications, misperceptions based on lack of information and once the groups got to sit down and hear each other and hear first hand what was planned for the building, everyone was put at ease. The ConsciousNest is anxious to move forward. With that being said, if there is no objection, I would like to waive the three readings and hear this this evening.

President Gudenas – Would that be all right with everyone else? We'll take a vote on waiving the other readings then we'll finish up with discussion.

Councilwoman Holzheimer Gail moved to waive the three reading requirement. Councilman Gruber seconded. Roll Call: Yeas: Unanimous.

President Gudenas – Can you explain, will this group actually be the owners of this home? For those at home, we're talking about the old Knights of Columbus home across from Holy Cross Church over on 201 & Lake Shore Blvd., on the south side.

Councilwoman Holzheimer Gail – The two partners, Allyson Harris and Rebecca Barbarino are both here in the audience this evening, known as the ConsciousNest, they have purchased the building and they are looking forward to moving forward. They are planning a holistic and they can explain it better than I can, a holistic learning center but they plan on classes like yoga and art, all kinds of different adult and teen perhaps learning opportunities. They have applied for a 501C3, non-profit status, the application is into the State. They don't anticipate any problems with that.

The residents concerns with noise or perhaps to many people being there at once were addressed. Planning & Zoning did put a restriction that they cannot operate past 10:00 in the evening at the request of the residents. Both women have roots in the Euclid area, live just in the Cleveland area, have been active with Boy Scouts and many community activities in the community. If there are specific questions for them, I will let them answer it, but would urge Council's passage this evening.

President Gudenas – To clarify, this is not a zoning change but what we call a Use District Exception which applies only for this one specific use. If this use is no longer there, it cannot automatically convert to anything else but would go back to the zoning that's in place today. Is there any renovation planned for the home?

Councilwoman Holzheimer Gail – The previous owner did do major interior work, the inside was completely redone. I don't know if there is any major changes planned. I think there is a little painting that is needed on the outside and landscaping.

Councilman Delaney – I'm curious as to what the occupancy, the number of people that can be in that building.

Asst. Director Beno – The subject property has about 25 parking spaces. The occupancy was discussed at length at the public hearing and its not expected that assembly uses of that space would ever go beyond the approximately 25 person range.

Councilman Delaney- Do we know how big the classes are expected to be? How many classes are going to be offered at different times of the day?

President Gudenas – Please step up so we can have everyone hear at home, otherwise they will hear Councilman Delaney and nothing else. We don't want that. Please state your name for the official record.

Mrs. Rebecca Barbarino and Mrs. Allyson Harris.

Mrs. Barbarino – As far as the classes go, we're not anticipating any classes being any larger than 25 people. There will be evening classes. We already established we would be knocking off classes at 10:00. Nothing starting before 4:00 in the afternoon. We were

hoping in the future to have classes, maybe in the middle of the day for seniors, but no classes will be in or out during the time the schools are letting out in that area. We all have children and we don't want anything more that's going to impede their safety. Does that answer the question or do you have something more?

Councilman Delaney – No, very good. We have, you mentioned, working with the seniors. We have the Senior Citizen Center, we have the Shore Cultural Centre, which is ideally suited for this kind of programming. Did you search for those square footages at all?

Mrs. Barbarino – We wanted to do was something a little more, I know Shore has a lot of things going on that are really, really neat. What we wanted to do is more of a yoga and the arts rather than just a whole lot of everything. So we're more of an art and holistic center. We're not trying to really compete, we can't really compete with Shore and we're really not trying to, we're just trying to give something to the community.

Councilman Delaney – That's great. Now, you are both Euclid residents and you know that Sunday is busy on those corners. You're going to have hours on Sunday?

Mrs. Barbarino – It would be very unlikely. If there were anything going on on Sunday, it would be most likely an all day thing. So they would come in early and leave at 4:00 or 5:00 o'clock. It wouldn't be anything that would impact the churches in the area, I don't think.

Councilman Delaney- Best of luck to you, it sounds like a good program. I know a lot of the residents were concerned in the very beginning and I hadn't heard anything since your meeting. So other than it must have gone very well, I'm sorry I missed it. Congratulations, Good Luck.

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

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

Passed.

Res. 206-2006 (239-06) Shores of Edgecliff

A resolution requesting a change to the previously approved Development Plan for the Shores of Edgecliff, increasing the number of units from eleven (11) to fourteen (14) homes. (Sponsored by Planning & Zoning Commission)

Councilwoman Holzheimer Gail moved for passage, Councilman Langman seconded.

Director Pietravoia – Before I make my remarks, I would like to ask Asst. Director Beno to give the report from Planning & Zoning.

Asst. Director Beno – As stated before, this is an amendment to a prior subdivision and attached single family development plan. The proposal is to go from three single family houses and eight attached units to four single family houses and ten attached dwelling units for a total of 14 dwelling units.

The sets of variances are very similar to the prior variances with only a relatively minor increase in the overall density of the project. The project does feature common open areas and access to the lakefront.

President Gudenas – Do we have a projected price range for these homes?

Director Pietravoia – I can comment on that and Alexis Boothe is here representing the Coral Company if we have any questions that we want to ask directly. The price point in this proposal is in the upper two hundreds, low three hundred range. As compared to the larger attached units, the two that were previously built and that are still standing unsold on the property; which were in the upper three hundred, into the four hundred range.

President Gudenas – When we say upper, about \$270,000 and up?

Director Pietravoia – Closer to the \$290,000-\$300,000. You might want to get a comment from Ms. Boothe her.

Ms. Alexis Boothe – With the Coral Company. Mr. Pietravoia is correct, we're looking at upper two hundreds, around \$290,000-\$300,000 starting point for these units.

President Gudenas – Are we still at the 25% tax abatement, or has that changed?

Director Pietravoia – Presently we are still at the 25% tax abatement. There are a couple of other steps that will need to occur both by Planning & Zoning and City Council. I know that the Coral Company does plan to come back with a request to increase the amount of the abatement.

President Gudenas – Normally for new construction, we're at 100% so this is an exception at this point. The other homes that are already built at the higher price, will those prices remain the same, or will they be adjusted? The two attached homes that are already there.

Ms. Boothe - The two attached homes that are built already. We will most likely be reducing those sales prices as well.

President Gudenas- How are you sure that this time this group of attached homes will sell, compared to the other ones?

Ms. Boothe - The only thing we can do is respond to the market and what we've heard and all the comments that we've heard from prospects that have come through are that the homes are simply too big and thus are too expensive. What we've done is we've made the homes smaller, still providing what people are looking for, master suite on the first floor, that seems to be the number one priority. That's what we've responded. We've come back with a more appropriately sized unit that people seem to be more receptive to and we believe that these will sell.

President Gudenas – When you say smaller, what is the range of square footage for these homes?

Ms. Boothe – The unit roughly 800 sq. ft. but there is an area on the second floor that has an additional 600 sq. ft. that's not going to be finished when we sell it, but it is an option that can be finished.

President Gudenas – Just to clarify, not 800 but 1800.

Ms. Boothe – 1800, I'm sorry. That will get the unit up to 2400 sq. ft. if they choose to finish off that area.

President Gudenas – The smallest would be 1800 sq. ft. with unfinished area which could total 2400.

Ms. Boothe – Correct.

President Gudenas – So they're not necessarily small by Euclid's standards but smaller than, you had started off at what size?

Ms. Boothe – The current units, the ones along the lake are about 2700 sq. ft. and the ones, the attached units we currently have are about 2600 sq. ft.

President Gudenas – Will they mostly be three bedrooms?

Ms. Boothe – They are standard two bedrooms with an optional third bedroom. It will either be a third bedroom or an office on the second floor. There will definitely be two bedrooms minimum with an optional third bedroom and that does not include that

optional 600 sq. ft. I mentioned that could be finished off as potentially a fourth bedroom if someone wanted to.

President Gudenas – Would you be building any models like you did before showing the new floor plans?

Ms. Boothe – Yes we will. We will need to build a model. As most of us know, Cleveland is a very touch and feel type of market, people need to see these units before they buy them so we will be building a model.

Councilman Conway – Just to elaborate on the Chairman's point, if this passes tonight with the proposal of 9 additional units, will you only be building the model at this point? Or will you be building several of these right away from the get go?

Ms. Boothe – We will be building one of the buildings with two attached units. One of them will be built out as a model, but the other one will be built as well. It will be built to studs or drywall and when we get a buyer, then we will finish it out for a buyer.

Councilman Conway – Do you know which of the properties listed on the plan that you would use as the model?

Ms. Boothe – We are still internally debating that. What we think would be the most desirable units and what we will build as the model will be the two that are on the southern part of the site, 20451 & 2; 20461. Before we start building, if we get a prospect and they say no we really want this other one on the north side, we will build that instead. But that's the unit that we will most likely start with.

Councilman Conway – I think the next question I have is actually for Director Pietravoia. It seems as if the one unit is listed as a single unit building. Does that separate the requirement to have over 2,000 sq. ft.? Will this need a variance? I know we have 2,000 sq. ft. for new construction normal for single dwelling housing, but does this single unit building listed here in this ordinance, will this need to come through as a variance? Or do I misunderstand how it is written?

Director Pietravoia – We actually interpreted that the entire development given that new regulation would require a variance. So they did go before Planning & Zoning at the last meeting and did obtain a variance for all the units including the single one that you were pointing out.

Councilman Conway – You've heard some of the residents tonight talk about maybe using this parcel of land to fully develop it as single housing. Has that plan ever been flushed out by the Coral group?

Ms. Boothe – We looked at it in the early stages when we first purchased the property and we did not think it was a feasible plan at the time. It has been brought up since then. We did look at it again and we still don't think its feasible. In order for it to work we would have to build single family homes over the whole entire site and I don't think that's the most desirable method or way to develop this site. We want to maintain that open area in the back towards the west. We want to maintain that green space rather than cover it with buildings. With the number of single family homes that you would be able to get on the site, they would wind up having a price point, that again we feel would be unobtainable, that's one of the issues that we have. We want to try to keep that price point down. We have looked at it again and we don't think it's feasible for this site.

Councilman Conway – When you were doing the research, I know you did quite a bit of studying as to what may sell there, was there a demand from many of the people who came to visit these sites, obviously we had the three units on the lake, which are a little bit separate because of the lakefront appeal. But people would be curious and said like this is a great location, single housing is what we'd prefer versus the attached homes; was there any kind of feedback that you received at all?

Ms. Boothe – Single family housing and detached homes was never mentioned. What was mentioned was the size. We build attached housing all over, there's other cities in the area, and it has been very successful and it has become a product that has become in demand and we think that will be successful here as well.

President Gudenas – So the amount of green space as before remains the same, roughly?

Ms. Boothe – Yes, roughly.

President Gudenas – There is a large section that borders the ravine there and it is all the trees, so that stays. That was one of the reasons this was somewhat accepted by the neighborhood is that you wouldn't have the homes over looking the other property nearby.

Councilman Delaney – Lakefront access was mentioned before. What will be the access to the lakefront for these homes?

Ms. Boothe – Currently we built a deck that actually protrudes out over the cliff there, that's for the residents and it provides access to a private beach down at the bottom.

Councilman Delaney – What about public access? I know that the city does own the water outfall that is there.

Ms. Boothe – This wasn't originally approved to have public access on it and it is not meant to have public access now.

Councilman Delaney- Well originally we weren't going to have three homes on the lake, we were looking at different plans as you and I have both been through this from the beginning. So basically we're talking about a private beach for just this development?

Ms. Boothe – Yes.

Councilman Delaney – Now, as I've been through this in the very beginning, Coral Group was to consider the investment the Euclid taxpayers made in this purchase. The abatement of the previous building and then to develop it. I'm disappointed that residents on either side and close proximity couldn't walk through, walk around, get to the beach. Once we are at the low water mark, it is all owned by the State of Ohio anyway. How about there was plans for maybe a three unit attached and why did the Coral group decide to go just with duplexes?

Ms. Boothe – The three unit attached plan was rejected because we met with many of the residents, we had a meeting, Councilwoman Holzheimer Gail was present at that meeting and there was some concern mostly with those units, with the height of those units. The residents weren't very receptive to it, so we listened to what they said, we went to Planning & Zoning, we listened to what Planning & Zoning Commission members said and we went back to the drawing board and we came back with a product that responded to the feedback that we heard from the residents. That's why we no longer are proposing the three story units. We still think that they would be very nice, they would have had roof decks and would have provided some really very lovely views over the lake, but again, we listened to the feedback and we responded to it, we feel appropriately.

Councilman Delaney – Well considering this has been quite a compromise plan considering where we started with. All along I felt that there should be more inclusion from the neighborhoods that are surrounding and perhaps even south of Lake Shore Blvd. One of the mistakes is that our city was built out historically, was that we allotted just so few private ownership to our lakefront. It kind of translates into that property value. One of the hopes that I had that we could find ways to get more people to our lakefront to enjoy it as they should, as I mentioned the significant investment of this parcel from all of the Euclid taxpayers. I'm also not comfortable with the fact that we have lakefront parcels that we do have any tax abatement on. I think we offer a lot. I think all the citizens should be considered. I know this brings value. You are a very high quality builder. I think I was one of the first ones on Council that recommended Coral from the

beginning. As it stands now I will maintain my opinion that more effort should have been put into planning more access to the lakefront for residents other than just the few that will live in these new houses. Thank you.

Councilman Gruber – I, too, was here since the beginning of this process and I keep almost everything and I went through all the proposals from all of the companies and I have the Coral groups. In the beginning proposal your estimated sales price was \$250,000, which is about where we're going to be now. Somehow they got to almost \$400,000. We've lowered the square footage, we've lowered the prices.

At the time when we were having the debate, and this was from the minutes of the meeting, this was from Mr. Rubin, talk to the Mayor, members of council and the communities we've developed and I'm confident that in all cases what they'll say about the Coral Company is that we don't promise any more than we can deliver but we always deliver what we promise. I'm not seeing this here.

Also there was a quote that we could build out and sell out in 12-18 months, that didn't happen. The single family homes which are more desirable of course, from the side when you come down Edgecliff, aren't very desirable, they have small windows, it looks like the side of a barracks from what people have told me and I've noticed that myself. But, it's not gone the way it was supposed to go I don't think. I don't think the marketing was aggressive enough. I look in the paper, I look at the website. I know when they came they gave us nice brochures, but I don't know if we have one, I've never seen one for 205. I have to agree with my council colleague, we did put a lot of time and effort in it and I think you might be coming up short. They are over-priced. They are beautiful units, I've been in them. But, maybe we didn't do enough market research, I don't know. But I can't go along with the new proposal. Thank you.

Councilwoman Holzheimer Gail – I just want to clear up a couple of things. When the city sold the property to the Coral Company, I don't think there was ever discussion of public access to the lakefront. It is private property. The 205 & 206 does have the ability to join a beach club which gives them access to the lake. I know there were discussions with the neighboring beach club that didn't pan out of joining. To my knowledge, I don't believe there was ever discussion of keeping that access open to the lake or the general public once we sold the property to Coral.

I know you were marketing. There were open houses and I would ask Alexis Boothe to address that, but there were many open houses and I think you had a good turnout, a lot of work with Realtors. Perhaps you can address the market research, why you think this will sell now. I think we're in it this far, we need to have a successful completion of this project. They have been very receptive to the residents. The initial plan of the three attached units was not received very well by the residents and they revised their model to show that.

If I had my way, there would be single family homes there, but I think at this point in the process, I'm just not sure that's feasible. Ms. Boothe addressed that at a previous meeting and this evening. I would just ask to address some of those issues so that people know the work that has gone into it. Obviously the market all over northeast Ohio is not what it was when we started this project.

Ms. Boothe – I'd be happy to address your questions and also Councilman Gruber. You are absolutely correct, when we first started, we aimed at \$250,000 sales price. Unfortunately what happened in the design process was the homes got to big. We designed something that we were hoping would sell for families and it didn't. If there is one thing the Coral Company is not, we're not infallible, we make mistakes. We do what we promise and we try our hardest to deliver up to that, but mistakes do get made.

This was a product we were hoping, thought would sell and it didn't. What we're going to do is we're going to listen to what all the people said, the market and we're going to respond to them rather than just stubbornly sticking with what we thought would happen, we're going to adjust. We did a lot of marketing. We did very heavy marketing when we first started the project. We did advertising in all the papers. We had lots of open houses. We had lots of brokers, we had a lot of people coming through, we had good traffic. Everything we heard was that it was just to big, just to big. We are responded to that and we think that we're doing it in a positive and I believe that these units being more appropriately sized will sell this time.

President Gudenas – A little more background information, this happened before my other term on City council that one day, low and behold, the city became the owner of the former Manor apartment building that was done there. It really wasn't the priority on anyone's list up until the moment the City of Euclid bought that property. If I remembered right, the city never hired an appraiser to really represent the city. Somehow we ended up spending, if I remember right, \$600,000-\$700,000 on this property. Then there was another \$300,000-\$400,000 for demolition. The taxpayers had over \$1 million invested in this little two acre some parcel, which was a huge amount of money.

Then, I went on City Council, those were tough times for the city and there is still tough times and it was decided that the City of Euclid really should not be subsidizing that lakefront development and actually losing a substantial amount of money. At the same time it was decided that we should try to preserve as much green space as possible for that neighborhood because there is a significant ravine there and beautiful trees there and the like that would be a shame to bulldoze. The previous plan that the City Council had looked at had an entire area bulldozed into as many single family homes as possible, still with the market in the City of Euclid, the city would have lost a substantial amount of money and cut up that area into your typical big boxes, with your typical giant two car garages.

So we went out for proposals. We had several different presentations made. City Architecture worked with the Coral group. We had a lot of meetings at the end of the day, we did want public access but it seemed that was something impossible to do to appease the neighbors in that area because they were concerned of all kinds of people coming and going. And the future home buyers there having a public right-of-way running right through their backyards would have been a concern for the sales of the property. So, that was discussed at many public hearings and it was decided as best we could, we preserved the trees, the lakefront itself, the beach area is owned by the State of Ohio, so that remains open to everybody. But the access point would not have been through the backyards of those homes.

We did have a different plan, which had a different lay out but somehow a compromise was made and we ended up with this plan. Councilman Gruber is correct that we initially wanted the homes in that \$250,000 range but again somehow by the time the ground breaking took place, they went over \$400,000, which seemed much higher than the market would bear at the time and that's what we're finding today.

So, we're back at it. Again, the key part here is we're trying to preserve the taxpayers money so we get back as much as we can. We sold the land for about \$650,000, compared to the million dollars invested by the taxpayers. We are already behind. We're trying to make up that with the income tax collections that will come in from the homes, from the rising property values in the neighborhood and of course not having full 100% tax abatement.

In general, the plan, the homes are good, there's going to be a lot of landscaping, good green space. It certainly still will be the beginning of hopefully establishing a different market here in the City of Euclid for empty nesters and single people and others that don't require the big yard and all the other amenities because that has worked in other cities. So that's how we got here today. It wasn't by some master plan in the City of Euclid, it was by a decision by a former Council that we're now still dealing with to make it work.

Councilman Gruber – Director Pietravoia, were we reimbursed from the County for the clean-up cost on that property?

Director Pietravoia – My understanding is that we were one of the first communities to take advantage of the Brownfield Redevelopment Fund through the county, so they did pay for a substantial portion of the clean up there.

President Gudenas – I did not forget that we got that. That's why I said taxpayer money. We assume that if the money comes from the County, its free money. It is still taxpayer money and there's only so much taxpayer money the City of Euclid is entitled to. We go after taxpayer money for a project like this, we don't get it for other projects because they say you already received your share for this project. Just like with Issue 2, I was talking to someone in the City of Cleveland Water Dept. today about their plan for the City of Euclid and why don't you go after Issue 2 money for your waterline improvement City of Cleveland Water Dept. They say we intentionally don't go after that because we know

we will compete with other cities. If we get our money then it means the City of Euclid or other city will not get their money. That's exactly what happened. If I remember right, that was probably the last grant the City of Euclid received for any kind of Brownfield improvements in the City of Euclid. Director Pietravoia, any comments.

Director Pietravoia – We've had grants that have funded the actual Phase I and Phase II studies of the various properties. Eventually that may lead to other grants through the Brownfield.

President Gudenas – It has been quite awhile and my concern is that it is taxpayer money and we have to respect all taxpayer money or we get cut off on our end. Anyone else?

Councilman Delaney – I just want to clarify that from the very beginning that was always, as far as access to the lake, it was something that I asked Mr. Rubin when we were considering all the options for the property. He did agree that would be considered. I'm on the record for that at that Committee Meeting. I think I elude to several e-mails and there were two meetings at the Shore Cultural Centre that I attended and brought up that very topic. I believe that it was possible. I think it is a good idea to have our neighbors and fellow residents coming by and meeting you and waiving and saying hello. It is a good thing.

As far as the difficulty with selling this property, I think also if we remember about what was said in the very beginning, is when Mr. Volpe the architect who helped design this proposal had then asked that very same question about the compromise in putting single detached houses mixed with attached houses and he said it would be hard sell. I think that's what we have here is a hard sell right now. If we would have stuck to one plan, we probably would have a much, much different resolution and you probably wouldn't be here tonight. I do remember him specifically saying that it would be a little bit more of a challenge to meet this property.

Councilman Gruber – And the fact of the matter is if we had a product that would have sold and those houses would all have been filled, we would be reaping benefits from that property that we haven't.

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

Roll Call: Yeas: Holzheimer Gail, Langman, Lisy, Mancuso, Gudenas

Nays: Conway, Delaney, Gruber, Walsh

Passed.

Ord. (247-06) Bonds for sale of Willo Arms

An Ordinance authorizing the Capital Trust Agency to operate within the boundaries of the City of Euclid, Ohio; authorizing an agreement between the City and the Capital Trust Agency and authorizing execution and delivery of certain documents and instruments in connection therewith; approving a form of Interlocal Agreement for the issuance of multi-family housing revenue bonds, and providing and effective date. (Sponsored by Mayor Cervenik)

Councilwoman Walsh moved for passage, Councilman Lisy seconded.

Director Frey – Bob Labes from Squires, Sanders & Dempsey is here, has a good deal of information regarding this agreement. I will indicate that Mr. Labes has forwarded an e-mail to me which I sent on this weekend to City Council talking about this particular issue. It is important to know that this in no way affects our ability to issue debt for municipal purposes. We are merely a governmental conduit necessary for this non-profit organization to acquire the financing through the Capital Trust from Florida that will actually be issuing the bonds. But I would ask the Council to waive the rules and allow Mr. Labes to address any question City Council has on this matter.

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

President Gudenas – Is there anybody here from the buyer of the property, Provident Housing Resources?

Director Frey – I'm not aware that anybody is here, Mr. Chairman, other than Mr. Labes whose firm is representing the purchaser of this property.

President Gudenas – Can we know exactly who is this purchaser because we've never heard of them before? Where are they located? What have they done before? What are they about? What are their plans?

Mr. Labes – As the Law Director indicated, I'm a partner at the law firm of Squires, Sanders and Dempsey practicing law in the area of municipal finance. I have worked with several of the transaction participants involved in this transaction on other matters located throughout the country and I was contacted to serve as the borrowers local counsel. As the Law Director indicated the borrower is the Provident Foundation. Their primary offices are located in Baton Rouge, Louisiana and Memphis, Tennessee. They are a non-profit corporation that is in the business of owning and operating senior housing facilities, affordable multi-family housing, rental facilities and governmentally assisted facilities. And they own and operate approximately 10,000 units, I believe they are now in 17 states, if I recall correctly, this will be their second facility that they would own in the State of Ohio. The property would be managed going forward by the Carlisle Management Group, which is a locally based company with its headquarters on Chagrin Boulevard in, I believe that's probably Pepper Pike where they are located, the Carlisle Management Group.

Based on my conversations with the individuals from the Provident Foundation, it is their intention to keep as many of the current employees at the property continue to be employed at the property, the maintenance staff and the like would continue to be employed. And quite frankly from the perspective of the residents at the site, all of the residents of the City and the Administration of the City, this transaction, which is essentially the sale of the Willo Arms Apartments from the current owner to the Provident Group would, there would be no changes that would be noticeable to anyone with the exception of the Provident Foundation intends in the near term to spend somewhere between \$750,000 and a million dollars on various capital improvements. It's my understanding that the, a portion of the parking lots at the Willo Arms Apartments have been repaved and re-stripped in the past few years, but that they did not complete have not yet completed that process. The new owners at the outset would complete the repaving of the parking lot, make a variety of landscaping improvements and other improvements that they would characterize as curb appeal improvements.

Going forward they intend to set aside, if you're familiar with new construction of rental properties, the standard in the industry when one builds a rental property is that the owner should be setting aside about \$200-250 per unit per year as a replacement reserve fund so that capital repairs can be made to the property. The Provident Foundation intends to set aside approximately \$415 per year per unit in their replacement and reserve fund so that they would build up what would be considered a larger replacement repair reserve, which is due to the fact that, as a I understand it, by all accounts the property has been very well maintained by the current owners over the years; but it is a 40 some odd year old property so the Provident Group believes it would be prudent to have a healthy reserve built up.

President Gudenas – And the Willo Arms has 740 units so that's what we're, as you mentioned, we're talking about the sale of the Willo Arms Apartments. And if you mention \$750,000 some to a million investment, that's still only about a little more than a thousand per unit.

Mr. Labes – Correct. The Provident, it's my understanding that the Provident Foundation engaged a third party to come in and make a what is called a physical needs assessment of literally every unit in the property. The current owners provided them access to do that and the report that came back was again that the current owners have done a fine job of maintaining the property so only a relatively modest amount of improvements were required to the property at this time in, in the eyes of both the independent third party report and the Provident Group who is purchasing this as well as the lenders who are financing the purchase.

And again, really the reason why there is a matter before this Council this evening is because of the fact that the current owners are selling the property to the Provident Group because the Provident Group is a non-profit corporation with a 501(c)3 status under Federal Tax Law. Federal Tax Law permits the issuance of tax exempt bonds to finance the acquisition, which will enable the owners to have a lower interest cost because of their non-profit status.

I was originally contacted about this project about 8 or 9 months ago and at that point in time when I spoke with the participants involved, we had contemplated that Cuyahoga County would issue the tax exempt bonds for this project, which is something that happens on a regular basis in the county for projects located throughout the county. I myself have worked on many tax exempt multi-family housing bond transactions issued by Cuyahoga County for projects in the county though none located in the City of Euclid previously.

I received a call more recently that the Provident Group at the same time that they are buying the project located in the City of Euclid is also buying a project located in Orlando, Florida and they want to combine the financing of those two. The Capital Trust Agency is a Florida agency that has the authority to issue bonds similar in Ohio to the Ohio Housing Finance Agency or the Ohio Water Development Authority, a state agency located in Florida that has the ability to issue bonds. Unlike Ohio issuers where our territorial jurisdiction is limited to projects in the State of Ohio, this Florida issuer can issue bonds for projects located anywhere in the United States so long as if the project is not in Florida the local government where the project is located enters into an agreement with the Capital Trust Agency, which agreement says that we the local community understand that you the Capital Trust Agency are going to be issuing the bonds and that you the Capital Trust Agency will be responsible to make sure that the bonds are repaid and that you the Capital Trust Agency will bear all the financial costs associated with the bond issuance and that all, we the local community are doing is acknowledging that this bond issuance is going forward. Because it's an agreement between the City of Euclid and the Capital Trust Agency in order for the Mayor to execute the agreement on behalf of the City, we're here asking that City Council give the Mayor the authority to execute that agreement.

President Gudenas – It's just unfortunate we didn't hear about this until about last Thursday or so and we normally would prefer to know who it is we're dealing with and it's highly unusual that neither the buyer nor the seller would attend our meeting. We don't know who the Provident Housing Resources Group is.

Mr. Labes – And I guess I would, I should apologize on behalf of the buyer to you and to all of Council. When we were, when we through the Law Director requested of the City that this matter be placed on Council's agenda, I indicated that I thought as the local legal counsel to the borrower that my attendance would be sufficient and I should have not been so presumptuous in reaching that conclusion.

President Gudenas – Well, the City of Euclid has had some very good apartment owners and some very bad apartment owners. We don't know where this group fits in. Are they, is this Provident Housing Resources affiliated with any other group or organization?

Mr. Labes – No, again, they are a stand alone organization that on their own operates, I believe the figure's approximately 11,000 units throughout the United States so they are, they're not affiliated with any denomination or any other organization. They are an independent 501(c)3 organization.

President Gudenas – Who formed this group?

Mr. Labes – The original founders are five individuals who come from varied backgrounds good, bad or otherwise. Two of them were in the same line of work that I'm in. They were former bond attorneys. Three of them have different backgrounds in the health care and/or affordable housing field and they have a Board of Trustees that also provides oversight and guidance for the operations of the organization. The two principals are actually two brothers named Steve Hicks and Donovan Hicks, who are, I don't know if it's because they are brothers or in spite of the fact that they're brothers,

one is in Baton Rouge, Louisiana and the other's in Memphis, Tennessee, which is the two primary locations where Provident has office facilities.

President Gudenas – Is there...

Mr. Labes – And again, the local management the day-to-day management of the property will be handled by the Carlisle Management Company, which again is a local organization. So while one would hope, and again, it is the intention of the Provident Group that any current tenant in the building who are in the project who lives at Willo Arms any current tenant who pays their rent and abides by the rules that those tenants will continue to stay. The Provident Group is not looking to change the tenant mix or to change the population base; but should there be problems that arise at the facility, the first line of contact would be with the onsite property manager and then the second line of contact would be with Carlisle Management just down on the road on Chagrin Boulevard in Pepper Pike. And the hope would be the City would never need to be in contact with the Provident Foundation, obviously, or Provident Housing Resources. Obviously, they'd be happy to be in contact with the City should that be necessary. But again, the idea is locally based management that is their operating methodology is that they bring into projects some of their national expertise and some of their national experience but the hands-on day-to-day management they keep local.

Councilman Langman – Law Director Frey, I sent you a question today and you responded about 3 o'clock and I don't know whether you had a chance to gather any other information before I left work.

Director Frey – I do not have any additional information at this point. Summerwood Common is the only other development that we are aware of that was a housing development where the City acted in a manner similar to this. As Mr. Labes said most of these financing methods go through the county so there may be many others or others that occurred in the City of Euclid but that we were not parties to.

Councilman Langman – Well, I think at this point I wouldn't feel comfortable preceding tonight without some more information.

President Gudenas – Can we call this a first reading because it would be nice to know more about the group behind it, their track record, experiences in other cities 'cause this is one of the largest projects in the City of Euclid?

Councilman Gruber – And my past experience with Summerwood, which was the National Church Residence, they've been through five local property managers since they've been there and it's, it's really a difficult entity to get a hold of and to get anything done and I'm not saying that would happen here; but we really should look at who we're dealing with there. It's really a quagmire if you're not careful.

Councilman Lisy – I'm getting a little confused. Isn't this a deal between a private business, Royal Appliance, and Provident...

President Gudenas – Royal Management.

Councilman Lisy – Yeah, I'm sorry, Royal Management, not, yes, Royal Management and Provident?

Director Frey – Yes, it is, Councilman. Our role is not to challenge the sale of the property. Our role is to determine whether we are going to be the local agency that acts as the conduit for the issuance of the bonds. That's the extent.

Councilman Lisy – And so we're more of a pass through for them to get, take advantage of their non-profit status, is that a fair assessment?

Director Frey – That's an accurate assessment.

Councilman Lisy – And so my concerns were how does this affect our debt capacity and our Moody's rating and other issues rather than, it's a private transaction between two organizations. And we're acting as a facilitator in this and so does this affect our debt capacity?

Director Frey – That was, Councilman Lisy, the question that and why I referred this when it came to me to Gigi Benjamin from Calfee to be certain that it would not impact our ability to issue debt or our debt capacity in any way and she assures me that that is the case. It would not have any impact on the City of Euclid's ability to issue debt.

Councilman Lisy – And same thing with our Moody's rating that if something would happen to this issue or this issuance of this bond the City is not responsible for any type of fees or anything else associated with this?

Director Frey – We have absolutely no risk. We are not guaranteeing the bonds. We're not obligated on the bonds in the event of a default. We have no risk in the issuance of these bonds.

Councilman Lisy – And so we're just approving this ordinance to act as the facilitation.

Director Frey – That's correct.

Councilman Lisy – Thank you.

Councilwoman Mancuso – Would you clarify it for me again why, you said you started to go through the County and then you went with Capital Trust instead?

Mr. Labes – And the reason why the Capital Trust Agency is issuing the bonds again is that that is an instrumentation of the State of Florida and there are two properties being financed at the same time, an 1100-unit apartment complex in Orlando, Florida and the Willo Arms project and it is a more economically efficient transaction to have all of the bonds issued by one issuer at the same time. Under Ohio law we don't believe the Cuyahoga County would have the authority to issue bonds for a project located in Florida. So we have projects in two states, there really isn't an issue where in Ohio that could issue the bonds for both projects, but there is an issue where in Florida that could issue the bonds for both projects. But under Florida State Law, the Florida law says you Capital Trust Agency can issue the bonds as long as the host community or the host jurisdiction where the project is located agrees that they understand that you Capital Trust Agency are issuing these bonds and you enter into this interlocal agreement. As a matter of both Florida State Law and also looking at it from the Ohio Law perspective we could have come before Cuyahoga County as the host community because the project is located in Cuyahoga County.

In theory we could have gone to the State of Ohio and asked the Governor to enter into the interlocal agreement. The reason I made the suggestion that we have the City of Euclid enter into the interlocal agreement is that Cuyahoga County as a policy matter whenever there's a project in a local community, and I know this from my experience appearing before them, they want to know that the host community doesn't have any issues or concerns. So if we had taken this to Cuyahoga County, Cuyahoga County would have looked for a letter of support from the city. I thought that if Cuyahoga County was going to ask for the support of the City that the most appropriate way that we evidence the support of the City is to have the support of both City Council and the Administration. And so when that decision was made, the most logical choice seemed to be come to the City of Euclid and have the City of Euclid be the party to the interlocal agreement.

When I got the documents, the draft of the interlocal agreement and the draft of the ordinance the first thing I did was forward them to Law Director Frey and Gigi Benjamin at Calfee Halter and Griswold. She and I have worked on transactions for the past 15 years, sometimes I represent the local issuer and she's the bond counsel. Some times I'm the bond counsel and she represents the local issuer. Our paths cross quite regularly and Ms. Benjamin actually reviewed the documents on the City's behalf, made some what I thought were very wise comments on your behalf and in addition to the fact that the agreements on their or the agreement on its face intends to make clear that the City has

no liability. There's going to be a separate indemnification agreement that the borrower will execute and give to the City that says if by some chance somebody wants to raise some claim against the City of Euclid because of this transaction, we Provident will hold you harmless and defend and indemnify you the City of Euclid. And so there's also that.

Councilwoman Mancuso – Thank you.

Councilman Delaney – Director Pietravoia, this is the first I learned that Royal American had Willo Arms up for sale. Did we know about this earlier? Were they actively pursuing selling this property?

Director Pietravoia – We are in regular contact with Royal American. We were aware that they were either looking at refinancing or possibly selling the property, but it wasn't until fairly recently that I learned and the Mayor learned that they were actually going to execute a sale rather than just a refinancing.

Councilman Delaney – One of my concerns here is the Provident Group, I think that they've underestimated the need. We've had several large complexes sell we know from the K & D Group and the Netters Management Group and they've put as much as four times more into the units than what's being proposed here. I don't know if we mentioned putting this on to three readings. I think it'd be very wise. But in, Director Frey, in your email it says there's already been a public hearing scheduled for Tuesday, December the 19th.

Director Frey – Yes.

Councilman Delaney – If we set this for three readings, how is that affected?

Director Frey – That, excuse me, Council President, Councilman Delaney, that's part of the requirement of the Florida law for the financing that there be a public hearing. It would have no impact on our legislative action.

Councilman Delaney – So we are not having a public hearing?

Director Frey – No, the public hearing is part of the Florida regulations. It's not part of our, we're providing a location for the hearing to be held at. It's not a City hearing in the sense of, of the City presiding over. It's an opportunity for residents, tenants, I presume other perspective buyers of that property to come in and state any objections they have to the Capital Trust in Florida issuing the bonds for this project. So it's not a City of Euclid function at all and it would have not impact at all on our preceding or declining to proceed on this legislation.

President Gudenas – So no trip to Florida. But again, the question was if it went second reading or third reading, the impact would be what?

Director Frey – Mr. Labes probably can better answer that question. It's, I assume there's an issue of the timing of the sale.

Mr. Labes – As is frequently the case in real estate transactions, the parties to the transaction would love for the deal to close yesterday. That's not unusual. And again if I may make one slight clarification of what the Law Director said, it's actually Federal Tax Law that requires that the, it's a so called TEFRA hearing, which is an acronym for a Federal Tax Act. And while no one here has the pleasure of traveling to Florida, the Executive Director of the Capital Trust Agency will be coming up from Florida to what we all hope will be a warm and sunny Euclid, Ohio on the 19th of December for the public hearing so he will be here to conduct the public hearing as the issuer of the bonds.

If Council chooses to put this over to second reading and pass it at their next meeting, that is entirely within your prerogative and the parties involved in the financing will have to adjust their schedule accordingly. I certainly wouldn't want to suggest to you that you should feel bullied or pressured to rush this through. The parties were hoping for passage at first reading, but we'll accept whatever Council chooses to do.

President Gudenas – And the person coming at that public hearing is whom from Florida?

Mr. Labes – He is the Executive Director of the issuer of the bonds, the Capital Trust Agency.

President Gudenas – But nothing to do with the Provident Housing.

Mr. Labes – To my knowledge that is correct.

President Gudenas – Okay.

Councilwoman Walsh – I would like to know if the person, a person, a representative from Provident Housing could come to Council and answer any questions we might have.

Mr. Labes – If Council is so requesting, I will make every effort for that to happen; and if Council is, I'll leave it at that.

President Gudenas – Well, our meeting would be the 18th the day before. Would somebody from the Provident Housing Resources Group be at this meeting on the 19th generally?

Mr. Labes – Again generally, it's not, Federal Tax Law does not require it. I do not believe it was contemplated. There are a number of, in a transaction like this the list of participants involved is a few pages long and numbers well into the teens or more. I believe that there will be other transaction participants whether it's the financial adviser or the mortgage lender; I do not recall specifically who else was planning on attending this. Again my role is limited to that as the borrower's local counsel trying to help facilitate the local matters that are required for this transaction, such as, participating in this City Council meeting, helping to facilitate the title and survey work that needs to be done locally. I'm somewhat removed from the Florida financing part that's going on. I'm not really directly involved.

President Gudenas – Is there a group of information that could be provided to City Council about the Provident Housing Resources, Inc. Group? Their track record? Properties they've owned? Information like that that could be given to us?

Mr. Labes – Absolutely.

Councilman Gruber – Just a general question to Law Director, since this is a non-profit corporation buying this that will not change the tax status of that property right?

Director Frey- I don't believe it will have any impact on the property tax. It's still being operated as rental property so I don't think it falls under a, if that was the question on the property tax aspect, I don't think that makes a difference.

Mr. Labes – If I may Councilman, I believe that the purchase price is above that which is the County shows as the current assessed evaluation so presumably absent of inflation or deflation at the next triennial or sexennial reappraisal if anything it would cause an increase in the property tax values.

Councilwoman Holzheimer Gail – Just one other, just another piece of information that I'd like to see, I think it's equally as important to have some information from the management company of what their plans would be. I know Royal American's done a nice job of doing background checks, criminal and credit checks so we want, you know, I would like some information from the management company of what their typical process is. And I know, you know, maybe we're walking a fine line between getting involved with a private transaction, but this is our opportunity to hear from them and to get some assurances. So I think it really is in our best interest to get this information before we make a decision.

President Gudenas – Okay, so would it be okay to call this a first reading possibly approve it at the next meeting at a second reading if, as long as the information coming

back is sufficient? I see general agreement will that, so I would suggest that we will need information on Carlisle Management and maybe have a phone number for us to contact that person, ask questions or maybe have them available for the next meeting and as much information as we can about the Provident Housing Resources Group?

Mr. Labes – Certainly, I would be happy to do what I can to get you as much information as I can and make available whoever I can either between now and your next meeting or at your next meeting.

President Gudenas – Well, I would say sooner than before then.

Mr. Labes – Certainly.

President Gudenas – You know, if we could get it by the end of the week even as much information as we can. That gives us more time to look at it and ask questions and see if we need any additional time because we certainly want to cooperate with this transaction, but at the same time, you know, it's our role to look at the issues and concerns, the words that were mentioned earlier and make sure that we're not contributing to any potential problem in Euclid. Okay, all right, so we will look forward to that come to the Euclid City Council office.

Mr. Labes – Okay.

President Gudenas – And we'll distribute it. Thank you for your time.

Mr. Labes – Thank you for your time.

President Gudenas – You're welcome and we're right at the 2 hour mark so we made it to Item 3 and we will take a break and come back to Item 4 in a few minutes.

Ord. 207-2006 (246-06) CT Consultants, Inc.

An ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a contract with CT Consultants, Inc. (CT), 35000 Kaiser Court, Willoughby, Ohio 44094, for Building Official services at a cost not to exceed \$73,200.00 for the period of January 1, 2007 through December 31, 2007. (Sponsored by Mayor Cervenik by request of the CS&ED Director)

Councilman Gruber moved for passage; seconded by Councilman Lisy.

Director Pietravoia – This item and the next two on the agenda, actually, are renewals are continuation of funding into the next year. This particular one's legislation for renewal of our contract with CT Consultants who provides our building official services for the City of Euclid, our goal has been and continues to be to maintain the professionalism, expertise, efficiency and upgrades in technology in the department and with the help of CT Consultants we've been able to accomplish those goals; 2006, the current year that we're in was the second full year of our contract with CT.

We've also been able to maintain our state certification, which all of you know is very important. That allows us to do our reviews and permitting locally. Without that certification everything would have to be submitted to the State.

We've also maintained our timeliness in our review and permitting process, which I'll comment on further. The contract's that before you is proposed not to exceed \$73,200. That's based on an hourly rate as was shown in the attached contract of \$80 for plans examination and \$110 an hour for building official services. This is similar to last year. It represents a slight increase over the 2000, the current year that we're in, the 2006 rates.

Overall, the contract is about \$10,000 less. Our contract in the current year was for \$83,000; although our projected actual expenses are in the \$70-78,000 range for the current year.

President Gudenas – And this would be a good time maybe to address all three at the same time seeing as they're renewals for your department.

Director Pietravoia – We might want to discuss separately because the other two are totally unrelated for the Senior Programs.

President Gudenas – Okay, then we'll discuss the other two together.

Director Pietravoia – I think we can get through them quickly.

President Gudenas – All right...

Director Pietravoia – At this point I'd like to allow if Mr. Beno has any comments and then we'll open it up to any questions or comments.

Asst. Director Beno – CT does our engineering review, which reviews as well as our plant examination reviews this allows for a seamless transfer of documents and information for projects that involve both sets of reviews. CT was instrumental in helping us maintain our insurance rating this year when we went through a review of our insurance rating with the ISO Insurance Rating Organization. They made sure that our staff was up, including a review of all their certifications that are required as far as our insurance rating as well our State of Ohio ratings.

CT was also ahead of schedule in getting our department to pass the additional State certifications required to become a certified residential building department. In fact we obtained our certifications in December of this year. The deadline for the State of Ohio is May of 07 so we're several months ahead of schedule on becoming a certified residential building department as well as the current commercial building department. And if there's any other questions, I'd be glad to try to answer them.

Director Pietravoia – Mr. Gallagher's here as well representing CT Consultants.

President Gudenas – All right, I know that this was discussed last time to see if we could do some kind of evaluation card and the like for the people that use the Building Department to see what, you know, what their feelings are how we're doing, did we follow through with any of that?

Director Pietravoia – We met about 2 or 3 weeks ago with the Citizens Committee that's been established. We provided them with our ideas on how we might that accomplish that evaluation. They're going to be getting some feedback back to us and we're going to be working together on putting that system together with that Committee.

President Gudenas – Okay, that would be good. Okay, I see no one else.

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

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

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

Ord. 208-2006 (245-06) Breckenridge Contract

An ordinance authorizing the Director of the Community Services and Economic Development Department of the City of Euclid to enter into a contract with Breckenridge Senior Independence for the provision of Home Health Services and Nursing Services at a cost not to exceed Forty-Three Thousand Dollars (\$43,000.00) for the period of January 1, 2007 through December 31, 2007. (Sponsored by Councilwoman Holzheimer Gail)

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

Director Pietravoia – We've contracted for these services for several years now since 2004 specifically with Breckenridge. And we have here this evening waiting patiently Lois Calderwood representing Breckenridge Village and, of course, Margaret Hastert-

Wolf, our Senior Programs Manager. This contract renewal would fund two specific areas our nursing services and home health aid. They're specifically geared toward the 60+ residents here in the City of Euclid, who because of certain physical limitations, illnesses or otherwise are in need of this type of assistance. There's a pretty wide range of services that they provide, which we'd be happy to discuss or describe in detail if needed. This is somewhat of a housekeeping matter. We would like to continue with the same provider. They provided excellent service for the City of Euclid and we have the depth of their own staffing that we can take advantage of by contracting with Breckenridge.

President Gudenas – And this funding amount, are we able to meet the needs of all the residents that require this service, especially the home health care?

Director Pietravoia – Yes, Mr. Chairman, and Margaret and Lois might want to comment on this as well. I, you know, I have figures in terms of the number of units of service they provided in this past year to date and the projections are shown in the contract what they expect to do in the next year.

President Gudenas – But we're not turning people away because we don't have enough?

Director Pietravoia – Not to my knowledge. If you'd like to come forward to the microphones please.

President Gudenas – So we can suspend the rules to allow additional comments here.

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

President Gudenas – Welcome.

Manager Hastert-Wolf – Good evening and Mr. Chairman, members of Council and Administration, one of the advantages of the provision of services through Senior Independence to answer your question specifically is that Senior Independence has multiple sources of funding. Our funding comes from the Block Grant and is able to provide 40 hours a week of service. Certainly the need for home health care far exceeds, you know, our ability to provide health care or bathing services to all Euclid residents who need it; but Lois' agency is in a great position to use several different sources of funding that we don't have, namely Medicare and Lois you wanted, can comment further.

Ms. Lois Calderwood – Yes, we're also providers under the Older Americans Act for personal care services and have contracts for that with that agency. We're also provider under the Veterans Administration so we have again about 4 different sources that we seek so that we look for what might fit that person's situation both financially and with a qualified for their financial different funding sources.

President Gudenas – So do the residents pay for part of this service in addition to what the government provides?

Manager Hastert-Wolf – No. For services that the City of Euclid provides under the Community Development Block Grant we've maintained our donation policy.

President Gudenas – All right, so is this income qualified for who can use this service that you have to be a certain income or lower or is this available to any Euclid resident?

Manager Hastert-Wolf – It's available to residents who are assessed to be in need and in need is based on your physical limitations, your resources. By resources it can mean limited economic or limited family resources or availability to, you know, find another program. So what we try to do is find the best program through Senior Independence to meet a broader range of need and we don't have an income test, although we try and prioritize to those people who are moderate income.

Councilwoman Mancuso – And I think last year I asked you both the same question, is there any area where you see where we may not be serving our residents who need this at our current budget? Is there anything we're falling through the cracks that you're seeing over the course of a year as you're dealing with our residents?

Manager Hastert-Wolf – That's a question I probably could, if I weren't so tired, I could spend the whole evening talking about but perhaps Lois as well in serving the community what I would say that in home health care right now what often happens is that folks, not in Lois circumstance, but in other home care agencies they may fall off their eligibility for Medicare home care services and they are not properly, they don't know that there's other ways to get resources and so they're left without the care that they need because, you know, of sometimes other home care agencies will just drop them off of Medicare and we won't be, we won't know that they need the help or they don't know of us. So certainly getting the word out to those who need it is really important. I would say that just as the PBS series last Tuesday said that the 85+ population is the fastest growing in all the country that what we're finding is that often times that we are often times able to offer the single bath a week and there is, we had been, you know, trying to do the two baths but had to pull back on that because of the funding. And I would say there is an increased need due to the aging of the population.

Ms. Calderwood – I could concur with Margaret. I think no one program or even multiple programs are going to be able to meet all the needs of the fast growing aging population. And as you know, Euclid has one of the highest concentrations of people over the age of 65 in the County. Margaret's programs certainly seek to try to be as comprehensive and seek partnership with other agencies to maximize the services that are in place. I think that helps to fill the gaps. But there are ways that we have to pull back, for example, instead of giving several days of service a week to a senior we'll give one or two days depending on their, who has highest priority, has the greatest need. So we have to kind of manage it in that fashion and then fill the gaps by other funding that might come along that fits that person's situation and their financial situation. So I would say that probably we're not meeting all the needs, but with the funding that we have available we're maximizing what we have.

Councilwoman Mancuso – Thank you.

President Gudenas – All right, thank you very much.

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

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

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

Res. 209-2006 (244-06) Older Americans' Act

A resolution authorizing the Mayor for the City of Euclid to approve any and all documents to provide for the renewal of funding for programs under title III B and C of the Older Americans' Act for the Program Year 2007. (Sponsored by Councilwoman Holzheimer Gail by request of CS&ED Director)

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

Director Pietravoia – This is a, an extension of our contract to receive funding through the Western Reserve Area Agency for our meals programs. Periodically, they require us to do a full blown proposal in order to receive these funds. They've made a decision this year that through a resolution of Council they would continue our contract without an additional full blown proposal from the City so this would continue our funding through the end of 2007.

President Gudenas – All right, very good. I see nothing to ask here so we'll proceed with the vote on the resolution.

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

Res. 210-2006 (237-06) Real Estate & Personal Property Taxes

A resolution authorizing the director of Finance of the City of Euclid to take advances on the collections of Real Estate Taxes and Personal Property Taxes. (Sponsored by All Members of Council)

Councilman Langman moved for passage; seconded by Councilman Delaney.

President Gudenas – This is routine legislation that we have to pass so we get money coming back in.

Director Johnson – Yes, you have the option to not pass it and we don't get the money.

President Gudenas – All right, but you still have to pay it. It'll just sit somewhere else.

Director Johnson – Right.

President Gudenas – Okay, so this is fairly routine, we can proceed with the resolution vote.

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

Ord. 211-2006 (240-06) Ten Police Vehicles

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to purchase ten (10) vehicles for use by the Police Department at a cost not to exceed Two Hundred Forty Thousand Dollars (\$240,000.00), through the State Cooperative Purchasing Program. (Sponsored by Councilwoman Mancuso by request of the Police Chief)

Councilman Delaney moved for passage; seconded by Councilwoman Mancuso.

President Gudenas – And we received an email about this. Chief Maine.

Chief Maine – I think for all the reasons that Mr. Cooke said in his opening remarks during the public portion those are all good reasons why we should strongly consider passing this ordinance tonight. Second of all, I think the Council needs to remember that we forewent the ordering of any new cars in 2005 when the City was trying to tighten its financial seatbelt. We're behind in trying to provide a safe and economic fleet for the officers that work the road. I know that there are concerns about what's going to happen with the Capital budget but I think what we saw happen last year and that was the non-ordering of cars until late in the year ended up us not getting them until late this year. And we always run the chance because they only manufacture so many, of not being able to get the cars that we need. So for those reasons and a whole bunch more I would strongly urge the passage of this tonight. And I'll save any remarks for questions that may be arising.

Mayor Cervenik – I would like to note that the vehicles being replaced Car #12 is a 2003 Crown Victoria with 116,000 miles. There's another, Car #13 a 2003 Crown Victoria with 131,000 miles; 2001 Crown with 108, two more 2003 Crowns with 106 and 90,000 respectively; a 1999 Crown Victoria with 87,000, a '97 Dodge with 117,000 miles, a '99 Crown Victoria with 114 and then 2001 Ford Taurus with 60,000. I believe that one will be transferred and be used for training. So these cars are quite old and it's, we feel it's a priority that our police officers have new safe modern equipped cars when they're out on the streets.

President Gudenas – And to summarize the email we received last week I think it had 6 cars that were over 105,000 miles?

Chief Maine – I think that's the correct.

President Gudenas – And the others would have been less than that?

Mayor Cervenik – There's 6 over a hundred thousand yeah.

President Gudenas – Okay.

Councilman Delaney – Thank you, Chief, I didn't get a chance to respond to your email, but this is quite early for this request. I always remember that we passed this in previous years a little later in the year.

Chief Maine – Actually, Councilman, we have done ordinances similar to this before the end of this fiscal year. Last year we didn't because I know Council wanted to take a close look at the Capital budget and have some input in the Mayor's 5-year plan, but I think Director Gulich will affirm the fact that we have, we have may placed the order often in years past before the end of the year so that we can be at the top of the list so we can make sure that we get the cars.

President Gudenas – All right so just to summarize this past year 2006 I know we approved a bunch of police cars and I remember we added on 2 more at the end for the ones that were damaged. What was the end total of that?

Chief Maine – I believe we ordered 7 in that ordinance last year. The 2 that we added on were paid for out of the Law Enforcement Trust account. They were not out of Capital or General Fund money.

President Gudenas - So we had 7 plus 2 new cars a total of 9.

Chief Maine – Right.

President Gudenas – Then the year before...

Chief Maine – There were none.

President Gudenas – Which would be 2005, we had 0.

Chief Maine – Zero.

President Gudenas – Then how about, would you remember the year before that?

Chief Maine – I believe in the years previous to that they were either 5 or 6.

President Gudenas – Okay 5 or 6. I only mention that 'cause it's just like what we budget here it's a bit of a roller coaster. Sometimes we can get a whole bunch of things and hire a bunch of people and suddenly the money runs out and we're at zero and then suddenly there might be little more money then we go back up and we go back down and might thought it'd be nice to have a stable plan that we can sort of count on for quite a few years both with the Capital budget on items and employment issues which is coming up later. Because we get this roller coaster effect where we have some years where we're at zero because all the money was spent the previous years.

Mayor Cervenik – That is the exact reason why this Administration presented to City Council last year the 5-year plan for capital expenditures so that we're not going up and down. There will be changes from year to year as you note probably next year if everything goes okay, we probably won't need 10 police cars. We can probably go back to our 6 a year, which would reduce the amount that's in that 5-year plan. That's exactly the reason we put that plan together so we can follow from year to year what our capital

needs are; and if they change, we will change them together. So this is on, this is listed on our capital.

Councilman Lisy – And to the Administration, yes, it is on the budget but we just had a capital meeting, debt service meeting last Wednesday and it looks like we're going to have to be borrowing from our General Fund or moving money from our General Fund into our capital account to break even so we don't have big debts in the future. And that number was somewhere I think around \$250,000 and so it's nice to have a 5-year plan but it's also nice to have a 5-year plan that we're not running into the red in the future. Granted we may have the money in the General Fund to make that balance and so I'm not against the purchase of all 10 cars but looking at, we bought 9 last year according to the, we initially bought 9 and so and then with the 2 damaged ones so I think we're up to 11.

President Gudenas – 7 plus 2, I think.

Councilman Lisy – It says 8 and 1 so 8, 2006 patrol cars and 1 detective car so that's 9 so and I don't know if that includes the ones that were damaged, it doesn't...

President Gudenas – It does.

Chief Maine – It was.

Councilman Lisy – It may include the ones, okay. Still we do have some old cars and I do want to get them off the road and my question, I guess is there an issue if we make two requests to one order of 6 and another order of 4, is that possible?

Chief Maine – I'm glad to see that there's that spirit of compromise here. That was what I was going to suggest if Council, if it was going to be either yea or nay for the 10, I was going to ask if there was going to be a number that would be comfortable that we could at least put an initial order in now so we can get our, those first line patrol cars replaced and then when the budget, the Capital budget is discussed later on in February or March whenever it is it's determined that we can afford the other ones to go ahead and place the rest of the order then.

Councilman Lisy – I'm hoping it's a little earlier than that.

Chief Maine – Well, that'd be great; that'd be great with us.

President Gudenas – It should be, hopefully, earlier.

Councilman Lisy – And with those 5 purchases or 6 purchases, we have in our legislation that there's a car that will come out of the Justice Assistance Grant so that'd be 5 coming out of our Capital Fund and 1 coming out of the Justice Assistance Grant?

Chief Maine – I'd rather be 6 out of the Capital with 1 out of the JAG grant, but you're the ones that control the purse strings so.

Councilman Delaney – As I listen to the Mayor report on the cars, we do have 5 that are pretty old. And then the other 5, I think, were not quite 3 years old yet, although their mileage is 80, 90 I think I'd prefer to see those 5 go. I wasn't sure if the Councilman was talking about 4-6 now, but I say a minimum we should have the 5 replaced if we were to amend this legislation.

President Gudenas – Well, we did get the email from the Chief indicating that there 6 over the 105,000 so that seems a good starting point and then the others would be discussed in February once we see that, what the General Fund is because we know the General Fund's going to have to put money in to the Capital Fund to keep it going so could we entertain a notion of 6 for now?

President Gudenas – 5 plus the 1 from the grant, a total of 6? Will that be all right for now?

Chief Maine – If that's what the wishes of Council are.

President Gudenas – Well, we'd love to give you 20 cars if, the point is, again, we have this roller coaster effect then suddenly we might do all of them this year, but then next year we don't know what the economy will bring and our income tax collections and other need. We have the study coming for the Jail and the Police Station. We don't know what the need will be there and as we know, there's only so much money around. We'd love to give you everything you need, but...

Chief Maine – My only concern, Mr. Chairman, is that we're still trying to do a catch up from 2005 when we didn't order any cars. And according to the list that the Mayor just read, which came from Captain Repicky which was compiled with assistance from Mr. Zigman from the Motor Maintenance Department, there are 7 cars here that have an excess of 100,000 miles.

President Gudenas – Okay, I was just going by your email.

Councilman Gruber – Would a good compromise be 6 and 1 out of your grant? That would give you 7.

Chief Maine – That would be a good start.

Councilman Gruber – Is that acceptable?

Councilman Gruber moved to amend the ordinance to purchase 6 cars plus the 1 out of the Justice Assistance Grant; seconded by Councilwoman Holzheimer Gail.

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

President Gudenas – Is there any other discussion on Item 8 as amended?

Director Frey – If I might then, I think we would amend Section 1 to read that the Director of Public Services is authorized to purchase 7 vehicles for use by the Police Department at a cost not to exceed \$168,000 through the State Cooperative Purchasing Program. We would Section 3 as is meaning that 1 of those 7 cars would come from the Justice Assistance Grant.

President Gudenas – All right, so do we need another vote on that?

Director Frey – Well, that was the amendment I think you just made.

President Gudenas – All right, thank you for clarifying what we had just said. And any other discussion?

Mayor Cervenik – Only that, you know, as to the comments Councilman Lisy about putting, you know, supplementing the Capital Fund with General Fund money that is one option. Another option is to reduce the number of the expenditure line items on there and then there would not have to be any contribution from the General Fund. We have a number of different options that we're presenting to you during budget hearings.

President Gudenas – We look forward to them.

Councilman Lisy – That's exactly what I had in mind.

President Gudenas – All right.

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

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

Res. 212-2006 (242-06) Hiring Freeze

A resolution instructing the Administration to implement a hiring freeze for all departments funded by the General Fund to be in effect from the date of passage of this resolution to June 1, 2007. (Sponsored by Councilpersons Langman, Lisy Gudenas, Conway, Mancuso, Delaney & Walsh)

Councilman Langman moved for passage; seconded by Councilman Conway.

President Gudenas – And this is sort of a planning tool as the Administration is preparing its budget for the next year. We'd like to give some guidance on staffing levels so that those numbers could be implemented right at the beginning and what's presented to City Council and all we're asking is that we keep total staffing in the various departments at the same level as they were this year in 2006. Of course to account for any retirements to be replaced or any other positions that become available for other reasons. And is there?

Councilwoman Holzheimer Gail – I object, I don't think this is necessary yet. We have not even seen initial budget projections. Granted, yes, we are looking at supplementing perhaps the Bond Retirement Fund, but I think we've all expressed and desire to work together and be cooperative and this looks to me like drawing a line in the sand before we've even started the discussion. So it may turn out once we get the budget numbers that we don't hire anyone, but I think this is an unfair instruction before we even get any budget numbers.

Mayor Cervenik – The budget we present to you is going to be presented to you regardless of what you do with this piece of legislation tonight. The Administration's going to make a case for any positions that we do request including our need to increase the numbers in the Police Department and in discussions with my Fire Chief there really is a need to hire one additional firefighter as well. We, obviously, don't have those items in the 2006 nor the 2007 budget so until we have those budget hearings this resolution does not really affect too much of what we're wanting to do. However in two areas, Dispatch and also in our Jail, our Corrections, we have budgeted positions that we have not filled until the need has been made and we have a position in the, Dispatch as well as hiring another Corrections Officer due to the opening of the women's jail that we need to do and we can't wait 'til budget hearings over for that. It's not an increase in the money that we've asked. It's not an increase that Council approved in the 2006 budget; it's just a matter of waiting until we had the need until we hired that person to be prudent and save money. So if you do pass this tonight, I would like you to exempt those two positions from this legislation. We need, we needed to promote a Corrections Officer to a supervisory position based upon the staffing of that jail and we must replace that corrections officer with a new hire.

Chief Cosgriff – I also am opposed to passage of this resolution tonight and I would concur with Kirsten that it's a bit premature in that we have not completed the budgeting process. As I've told Council many times in the past, the Fire Department is not where I believe we should be as far as our manning is concerned. I base this opinion on NFPA 1710, which is the standard on what is considered to be an adequate fire response. Per 1710 we should have 15 firefighters on our initial response in 8 minutes or less 90% of the time. We currently in our full response if all the squads and everybody is in service, we send 12. Now we do get there within 8 minutes but in essence we are in compliance NFPA 1710 0% of the time. As a result of this, certain tasks that need to be performed are delayed increasing the risk of injuries to firefighters or just increasing the risk of a bad outcome to the incident. This resolution will prevent us from our, using our plan to increase our numbers gradually over a period of time. Passage of this will also compel me to request a significant increase in our overtime budget.

Now having said that, I certainly understand Council's concern with having funding available for capital items. Fire Department needs lots of money for capital items too, but I understand that it's a, you know, the dollars are limited. I'd love to give members of Council a ride in the back of Rescue 2, a rescue squad with over 100,000 miles on it or

a ride in our Car 25, which is our backup command vehicle. Both of those vehicles need to be replaced. We've got almost the entire fleet of cars have over 100,000 miles on it. We also have needs in the Fire Houses. The kitchen in Station 1 hasn't been, been redone in my career. It did get a coat of paint about 12 or 15 years ago, but that's a need that we have. The dorm at Station 1 is atrocious also. So we do have a lot of capital needs, but our manning is our, is my biggest concern and it's for the safety of our firefighters and for the safety of our citizens. And this is not just my opinion this is the opinion of the National Fire Protection Association and they're the experts. So I ask that you don't pass this tonight. Thank you.

Councilman Delaney – Mayor, the positions you had mentioned were already budgeted. I don't think that we intended to put a freeze on any position that's already budgeted. As the Council President said we're not looking to cut anybody or we're not looking to, you know, course we can replace positions that we already have.

Chief, I agree with you wholeheartedly. Without a doubt we need to expand the manning, but one of the things that, unfortunate experience of being City Councils a few years ago, you remember all too well when Mayor Oyaski proposed laying off 4 firefighters and 11 policemen. It was quite a tense time and it came to the idea that Councilman Gudenas and Councilman Lisy came up with deferring a little bit of the pension to keep those jobs. In 2004 Mayor Cervenik mentioned layoffs of the safety forces asking for a tax increase, which was something of another volatile tense situation and I think those are the kinds of things that we're hoping to avoid. We're looking to keep the people that we have and we're looking to grow but being patient in getting through this budget process to look at where we are down the road.

If the tax collections do start to crash, we're going to have to be very, very careful how we go in the future with our capital needs and our General Fund. And the, Mayor, I'm assuming from your comments, you said either way that this legislation goes through this you're looking at working with the staff that you have and that's encouraging. That is working together. Thank you, Council President.

Mayor Cervenik – This Mayor has never proposed a tax increase so I'll stand corrected on that. I said, we will, we do not have funding we do not have the funding to increase our level of employment. I've told all of you many times that my goal is to put 5 more police officers in the street so that we can handle a lot of nuisance issues and the juvenile issues and other issues that we seem to get so many complaints after. We, we would like to, we have backed down on our request for housing inspectors, I would like 1 housing inspector added to start very early on in the year and if we find that our technology changes and our system changes warrant it, we would not replace the retirement that we know we're going to have in June and then at the very minimum after talking with the Chief today about our overtime and our, and our arbitration that's coming up with the Local 337 that one firefighter, one additional firefighter would almost pay for himself in overtime and help us with our case in arbitration.

There's one other position I'd love to have and that would be a painter. We haven't had a painter in the Service Department for 2 years now? Things are getting a little seedy, but if we have to do without that because of restraints we will. But I'm here to tell you we're going to work with you on the, during the General Fund conversations we will handle all that. So, you know, I'm not sure this has any real purpose other than to make a statement and we can agree with you that we don't intend to hire what we can't pay in the long term.

Councilman Lisy – That is exactly why my name is on this legislation because when you start adding up all these additional costs and what everybody wants I don't want to be pitting the Fire Department against the Housing Department against the Police Department in who we hire. And I would really like to get everything under control, know what money we have and then start, it's not a permanent hiring freeze and my suggestion when we were looking at this was until we get our tax collections back in April. In April we will know where we're standing.

Until we come up with a better way to forecast our revenues, we base our revenue flow on what our expenditures are going to be. It is not black, there is some forecasting involved with it but I'm not comfortable with that forecasting. We had the benefit of an extra pay period this time and it looks like that money was spent. Without that extra pay period in 2007, that's where I get concerned on seeing a balanced budget because I don't

know how our budget is going to balance in 2007 given we're not going to get that extra revenue that we receive from bringing the income tax collection in-house. Especially when our expenditures have been tracking very close to our revenues. We are on the plus side and it is great to see and there were a lot of retirements and there are a lot of explanations for it. But I'm really not comfortable about bringing anybody on until we have a good handle of what our budget looks in the future.

Mayor Cervenik – I agree with you completely. As much as my want is to add additional police and others into 2007, if it creates a negative result, I won't be presenting that to you.

President Gudenas – My position is this. It is always good to be here when we're swearing in policemen and firemen, that's the best part of the job. But I can still remember this day back in February of 2003 when the former Mayor on his own decided to lay off about 15 members of our safety forces and just blame it all on City Council, stating that somehow it is our fault. This roller coaster ride that we have here in the City of Euclid at some point has got to stop. We have to have stability in the way we run our government, the way we plan for the future.

I just happened to be thinking about this right before I left home today, and here is a newspaper article from just 2004, two years ago, headline, Safety Levy Discussed, as leader attempt to plan ahead. It says, part of the plan to raise revenues, this is for the safety forces, Cervenik's recommendations to the Council come about will be in the form of charging residents for garbage collection, there is other possibilities. Quote, from former Mayor Paul Oyaski talked about a levy for the safety forces maybe that needs to be discussed again. That was just two years ago. Just then we were going to lay off safety forces, we were going to have a tax for safety forces, somehow we did get through that, which is good, but I don't want this City government to one year hire a bunch of people throughout the city and then find two years later that we over hired and we can't afford to do that. We did the exact same thing when the income tax went through in 1995. If you look at our budget, all the money came in, \$10 million more a year, but of course spending went up by \$10 million a year. So for a few years, we had decent staffing in the Police Dept., the Fire Dept. the Service Dept., but as that money ran out, we had to reduce staffing I think by about 100 people here at City Hall. Again, no stability, way up, way down, up and down again.

What we're saying to the city administration here is that we want stability. We don't want to even think about levies for safety forces, nor do we want to think about lay offs in the safety forces or any other department. We're asking you to make choices. We agree that we certainly need more help in the Fire Dept., but make a choice. You'll need to cut spending elsewhere to put the money into that department. Because overall staffing at City Hall cannot be increasing, especially in the light that we do not know where our income tax collections will be in 2007 because as was pointed out by Councilman Lisy, we have been double collecting this year from CCA who is still paying us from the year before and our own collections which are more aggressive in bringing money in quicker than before. Until we have several years of reliable collections and planning and a firm idea on how our capital budget is going to work, and a plan to redevelop this city. That is the permanent solution instead of trying to get by day-to-day we really need to redevelop this city and set aside the resources to do that, so we have a permanent increase in tax revenue, both property tax and income tax by bringing in more people and more activities. If at the end of the day we never have the resources to redevelop, we'll always be in the same position with the declining tax base and never enough money to handle what we need to do. To me this is an important piece of legislation and I hope that we can approve this so that when we get our budget, we're making some real choices in how we're running our city government here and can plan for stability for at least the next few years.

Mayor Cervenik – I will save some of my comments about what you said for later because we're just talking about the legislation right. We need some wording in here that allows us to fill those budgeted positions that are in 2006, or tell us not to.

President Gudenas – When were you going to work on these positions?

Mayor Cervenik – Now.

President Gudenas – One is for the jail?

Mayor Cervenik – One is for the jail, another corrections officer.

President Gudenas – You're saying we need an extra officer?

Mayor Cervenik – It is not an extra officer, it was one that was budgeted from much earlier in the year, but because the women's jail was not open until later on, it was necessary to fill. It is now necessary to fill that position.

President Gudenas – It is necessary to fill because we opened the women's jail, but why haven't we done it so far?

Chief Maine – I think when we opened up the women's jail, I tried to explain that just because it is open, you can't automatically bring people in. There has to be a hiring process and that's been difficult to do. A lot of the people that were laid off when that women's wing was closed, took positions with either other professions or they went to other correctional facilities. It has been a struggle to find qualified people to bring them, we're paying over time to fill that spot right now.

President Gudenas – You've been actively trying to fill that position, but have been able to, but it is required because of the expansion or opening up the women's jail.

Chief Maine – Correct.

President Gudenas – What was the other position?

Chief Maine – The other is the part-time dispatcher that we've been going through the same problem, trying to find that qualified person so that we can keep our overtime to a minimum.

President Gudenas – Would the amendment be simply to state the budgeted positions that have not yet been filled, would be eligible to be filled and not part of the hiring freeze.

Mayor Cervenik – That's all we're asking for.

Councilman Lisy moved to amend as stated. Councilman Langman seconded.

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

Amended.

Councilwoman Holzheimer Gail – I just will iterate that Council every year does go through with the administration line by line any additional new hires. We discuss it and we make a decision. Again I will repeat, I think this is unnecessary, we're already making exceptions. The Mayor and the Administration have your point that we are certainly looking at a stable budget but I don't think this resolution is necessary.

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

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

Passed.

Res. 213-2006 (243-06) Charter Bicentennial

The City of Euclid, in conjunction with the Euclid Landmark Commission and the Euclid Historical Society, fully supports a township-wide celebration of the ***Euclid Township Charter Bicentennial, 1809-2009***. (Sponsored by Mayor Cervenik and the entire Council)

Councilman Delaney moved for passage, Councilwoman Walsh seconded.

President Gudenas – Dr. Larick explained this well before. Any other discussion?

Councilman Delaney – As he had mentioned, the other communities, I’m sure we will, but just to make the point that we’ll send the resolution to the other Euclid Township communities.

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

Passed.

Res. 214-2006 (248-06) EPIC Members

A resolution to appoint the members of the Euclid Public Involvement Committee established to engage in voter education, voter registration, voter participation and ensure an open electoral process for all Euclid residents. (Sponsored by Mayor Cervenik and Council President Gudenas)

Councilwoman Mancuso moved for passage, Councilwoman Holzheimer Gail seconded.

President Gudenas – This all came about from the previous meetings that we had regarding having more citizen involvement in our election process here in the City of Euclid. This is a bit of an experiment for the City. Seven members of the community will be on this committee for just one year period of time. The main purpose is not to re-do our city government or to try to settle our law suit with the Department of Justice, but to come up with ways to help our residents be more involved in our city government and civic affairs, which could include possibly explaining how the campaign season here works and how you run for office; how you can help other people who are running for office; how you can volunteer for committees; how you can be more educated about how our city government works.

The City Council and the Mayor have come up with these seven individuals to be on the committee: Thea D. VanHorn, Nina Copefield, Phil DiBianca, Lynn Harris, Fay Miller, Karen Murray, David Radachy. We have a diverse group, some people have just been in the city a few years and some people have probably been here 50 years. So, we hope they can work together well and assuming we pass this today, we’d invite all seven to the next Council meeting to get sworn in for the terms to start in January.

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

Passed.

CEREMONIAL RESOLUTIONS

Res. 204-2006 Police Explorer Post

A resolution of congratulations to the **Euclid Police Explorer Post 18** on placing First overall at the 2006 Villa Hills Police Department – Regional Explorer Competition. (Sponsored by Mayor Cervenik and entire Council)

Res. 203-2006 VASJ Volleyball Team

A resolution of congratulations for the **VILLA ANGELA – ST. JOSEPH LADY VIKINGS VOLLEYBALL TEAM**, in recognition of their distinguished performance in the 2006 season culminating with the honor of being Division III State Runner-Up. (Sponsored by Mayor Cervenik and entire Council)

Councilman Lisy moved for passage, Councilman Langman seconded.

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

Passed.

COMMITTEE OF THE WHOLE

Councilman Conway moved to go into the Committee of the Whole. Councilman Delaney seconded. Yeas: Unanimous.

Mr. Mike DiDomenico – 24770 Farrington Ave. I want to relate a couple of things I’ve seen these past few weeks. A few weeks ago I’m driving up E. 250 St. by the golf course

and I watch the gentleman driving the little cart blowing leaves off the golf course and onto the sidewalk along E. 250 Street. I drove by and thought they would just pick them up later. Time went by, time went by and I walk my dog, the leaves were ankle deep covering the sidewalk. Nobody is coming to pick them up. Nobody is even raking them off the sidewalk. I didn't make any complaints, didn't talk to anybody, just watched.

Coincidentally a couple Saturday ago, I'm driving up 250 again on Saturday morning and there's Councilman Langman, by himself, raking leaves off the sidewalk. Now he didn't have any photographers, didn't have any reporters, he was doing a job that he thought needed to be done and I give kudos to him. I think there are people that should be embarrassed that a councilman has to go out and do this. It is not his job, but he looked at it and said, you know what, nobody else is doing it, I'm going to take care of it.

After he raked all the leaves onto the tree lawn, later that week I see 4 city trucks parked out there with at least 4 guys finally scooping them up. I thought they're out collecting leaves, they're going to get all of them. But no, they only did those leaves that were along the golf course. All the rest that were on tree lawns the rest of the way up 250 were still there. Where the guys went? I don't know. Again, people should be embarrassed.

Another thing that started last summer, I live on Farringdon, it is a dead-end portion about 150 yards long, Drakefield is the same length, it is right behind me. I'm watching, they come out and do a very nice repair job on Farringdon and on Drakefield, they tear out bad parts, they repatch it nice, they roll it with the rollers. Good, I'm finally getting my street fixed. At least get it patched up. Nope, don't do my side of the street, 150 yards, don't do Drakefield, leave that be. Holes, pavement as far as I look at it is probably the original pavement from when they put it down. Well last week, what did I get? Cold patch, again. I say again because at least every other year, if not every year, they come out, they throw cold patch in the holes, they drive over it with the truck once, don't even have a roller, don't have a tamper, they drive over it with a truck. It lasts about two months, all over the street, it is wasted money, it is wasted time on the part of the workers to even do that. Why couldn't it just been fixed last summer when they were working across the street? I don't know, but they didn't. Again I wonder where are the services here.

I could recount other stories about things I've just questioned, how come stuff gets done this way or that way, it seems pretty ridiculous, where I think initiative should be taken and it is not and I don't know what the reasons are for that but I'm not even going to go down that whole road.

I want to go back real quick to Edgecliff. That whole process started when we spent the \$900,000 which is money spent and done, they came along after all meetings and said we're definitely not going to, no tax abatement here, not going to need tax abatement here. Well, now we're giving them 25% and I hear tonight they're coming back again to ask for more tax abatement. Great, just great, that's what Euclid needs, just keep offering people everything to come live here. The real question that you've got to look at, why don't people want to come live here; how come people have to get tax abatement. How come Realtors tell prospective buyers, you don't want to live in Euclid, you want to go over to the west side or Geauga County. Why don't you find out the answers to those questions and then maybe things could start improving and maybe single family houses would sell instead of having to build more stinking doubles and attached and all kinds of baloney. You know, E. 205 was part of my tax money too, I'm not getting anything out of it. Even if you were to put a \$2 million park in, I would have at least got something, and I don't care, but try to make stuff better and stop coming up with excuses why things can't be done. Thanks.

Director Gulich – As far as why the surrounding streets got hot mix and that particular spot got cold patch, I don't have that answer, but I'll definitely get it for you. Also I did talk to Councilman Langman about those leaves over there and I for one do appreciate his assistance. I certainly didn't ask him to go do it. He volunteered to do that and promptly. He was out there on Saturday and we picked those up on Monday.

President Gudenas – Actually I was driving by on Thanksgiving Day, down 250 and I saw somebody raking leaves that morning and I said that looks like Councilman Langman.

Councilman Langman – And you didn't get out to help.

President Gudenas – No, I said who could that be? It can't be someone who lives there because it is at the golf course. He was there on Thursday too on Thanksgiving Day helping out.

Mrs. Del Tekieli – I'm Chairman of the Shore Cultural Centre Holiday Celebration. Everything started yesterday with the Euclid Civic Orchestra giving one of their best concerts to one of the largest crowds they've ever had. It was a wonderful concert. After the concert, the Tree Auction opened and people were just delighted. We had a very appreciative audience of our tree displays.

The Holiday Tree Auction will continue on Thursday from 6:00-8:30 in the Community Room at Shore. This is the time when people can come in, view the trees, bid on them if they choose. Just take their kids to see them, it is really delightful. National City Bank's Victorian tree already has two bids on it. Gateway Retirement Scarlet and Gray tree has a couple of bids on it. Home Depot has a lovely traditional tree. Wendy's has a yummy tree with gift certificates for not only the burgers but also the frosty. Kiddie City Child Care Center has a delightful gingerbread tree. It is a delightful place to be. Very special musical tree was donated by Councilwoman Walsh for the UpStage Players and it is very, very lovely.

Final bids and the tickets will be accepted up to 4:30 on Saturday, December 9th and the winners will be announced at 5 PM. The winner need not be present. On Friday, the patrons party in the Community Room, with the cooperation of the Bistro is sold out. We're delighted about that. The Wine Tasting will be a lovely event. We still have some tickets left for the Home Tour that takes place on Saturday and we showcase 4 unique lakefront homes and one absolutely delightful 103 year old restored Gothic home. Lovingly restored by the present owners and I think that's one of the highlights of the tour. Also the Henn Mansion has been decorated by Lake Shore Garden Club and that's going to be on the tour as well, a lovely, lovely event. The tour begins by picking up the brochures after 10:00 at the Shore Cultural Centre Community Room. They are only \$10. We decided not to raise the price on them on the weekend because the phone system hasn't been working properly at Shore. So, the tour begins at 10:00, coffee and donuts by Dunkin Donuts and we hope all of our residents will come out and enjoy this delightful event. Thank you, Happy Holidays.

Mr. Vince Riha – 1515 E. 195 St. I was here at the last council meeting and I had three items I brought up concerning areas of my neighborhood and I would like to thank the Service Director and the Mayor because by noon the next day, two of them were cleared up. The third one, may or may not have been cleared up as the street caved in last week. So, that's yet to be seen. Thank you for what you've done.

Also, I'd like to thank HGR for bringing back a little spirit as they put out decorations on their building at what's now the Euclid Sports Plant, the old Inland Plant. The sad part is that they're trying when they're sitting next to a vacant Lieberman building with busted out windows and crumbling columns, which would be nice to see fixed up.

One last thing, being that we're looking at dedicating in 2009 and 2010, this might be a good time to look at dedicating Whitlessly Terrace and getting that straightened out that came up a few years ago with the Rose Trillium and the Flat Bush and the Stinking Benjamin in it. Thank you.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. Also on Shore, the tickets are on sale at Curves, National City and the Chamber of Commerce. Please patronize these people and buy some tickets, it's our city.

Our city. What are we going to do about the smoking ban now in all city buildings? I mentioned it to you earlier today. Mayor, is there going to be an absolute no smoking in any of the buildings?

Mayor Cervenik – According to State law there is absolutely no smoking in any public building and that is even transferred to your vehicle in the public parking lot. So there is no smoking inside.

Mr. Berzinskas – We've done a lot of things in this city. In years past when we had our 200th Anniversary of being a City, our Sesquicentennial, was something. Our 200th Anniversary, we had a cake out in the lobby. Now that's a politician for you. They don't want you to remember history because you start remembering history, you might remember what they said the day before. This is something we have to embrace is history. We learn from history. We don't repeat our same mistakes. I think you made a couple of mistakes here today.

That being said, this #3, I know in other cities, 60,000 or more, they have a Law Director that's part-time. What are we getting for our money? This person, this representative came here, we didn't have any of the principles involved. When you tell me somebody is a non-profit, they are paying more money for the place than the tax value is? I think it is kind of a shell game. Look, if they're going to bring people in that are Section 8 and everything else, that's what worries me. Let's get these people fixing up their apartments so that the people moving into those apartments, will be move up people, hopefully moving into the homes that we have vacant here in the City. What are we paying you for? This was not given enough information for this council to work on. What are we paying you for? Do you do your job? I want to know. This is not information, this cannot go on. From now on I want to see more information. If these people are not fully capable of doing their job, what are we paying you for? Thank you.

Mr. Tom Cooke – 25641 Edgecliff. I would like to comment on the front page article in last week's Euclid Sun Journal regarding school dress code. My wife and I sent all three of our children to St. Felicitas grade school and Notre Dame Cathedral Latin High School. One of the reasons my wife and I decided to send our children to the parochial schools among many was the fact that they had a uniform dress code. It was pretty evident to us that the advantages of a uniform dress code encourages discipline and regimentation, a structure that would help mold and direct our children in their future. The schools never asked us what we thought about their dress code and we never felt the urge to comment. We just asked, what is the dress code and where do you get the uniforms and that was it. No discussion and no debate.

One of the off-shoot benefits of a uniform dress code is that it is cheaper than buying a whole assortment of clothing for school that would otherwise be required. If someone does not agree with me regarding uniform dress code costs, my wife would love to debate the issue with you. Just be prepared to lose the debate because you will.

As far as the argument that a child needs to self-express themselves through the clothes they wear, no they don't. There's plenty of room for self-expression outside of school. The primary purpose for school is learning.

It also appears, at least to me, that the School Board is more concerned about what the 6,000 or so student body population thinks about the dress code, than what the 52,000 or so taxpaying residents think about it. It would seem logical to me that the School Board should pay a little bit more attention to what the community of Euclid wants as a dress code than what the student body may want as a dress code. Especially considering the School Board will be coming back to the voters in the not so distant future for another property tax levy that the 52,000 residents of Euclid will have to approve and pay for. Not the 6,000 member student body of Euclid.

It is true today as it has been for decades, self-evident that the benefits of a uniform policy or dress code far outweigh any kind of negative impact, if any, of a student as an individual or the student body as a whole. The key to a successful uniform or dress code policy lies in the rigorous, even handed zero tolerance enforcement of implementing such a policy. Thank you.

Mr. Joe Koskovics – 25201 Richards Ave. First I want to wish Council and the Administration a very happy Holiday Season. I hope that you are all very blessed this season. Originally I didn't plan on speaking tonight until Council had gone through #9, Resolution about implementing the hiring freeze for all departments, Res. (242-06). Then somehow the conversation got into long term financial planning and started going all over the place.

Ladies and Gentlemen, I think about a year ago, I had sent correspondence through e-mail to a number of members of Council, to the Mayor as well, concerning recommendations for improving our financial and residential picture. To-date I had only received a reply from my Council person, Ms. Walsh, thank you so very much for your comments back to me. Mayor Cervenik, thank you so much for the time that you had

taken with me back then. However, for us to get beyond these issues, we have to look much farther.

That issue, that recommendation, that suggestion, no matter how you say it is trying to look for a way to extend opportunities, not just residentially but also from a business and industry standpoint. In my hand here, not related to my original correspondence, this is almost a year later, a Home for Data. It's talking about that New York and the West Coast is no longer the hot-spot for data centers. A year ago my recommendations were to find ways of moving out of heavy industry and going into the new technologies. Other than the persons I had mentioned, my correspondence went to a couple of other members of council and I have received no reply.

I will quote from this article, rather than re-state my correspondence, and it states even here, the big east and west coast cities maybe losing their luster when it comes to building and operating data centers. Another section says it costs 45% more to build and operate data centers in New York than Sioux Falls, South Dakota. There's other examples here such as the power factor. Of all of these, real estate, work force, telecommunication infrastructure, electricity are becoming more important as companies seek to expand and consolidate data centers. What does Euclid have to offer? We have the land. We have the utilities. We have the brain power in this community. We need to start looking at this future and start looking at ways to providing the tax abatements to high technology industries that could put server farms in our industrial zone. Everybody was there when they saw the PMX tower come down. Whose there trying to sell that land to high technology industries and to bring higher skilled work force into the community?

The idea is simple. Let's raise the bar. Let's consider other options, promote this city like nothing else. We've lived here all our lives. We've decided to make this home. If nobody is going to be the cheerleader for us, then it is time for us to look at better plans and start cheering for ourselves. Thank you so very much.

Mr. Warren Wallace – Mavec Ave. Council President I got the paperwork you left for me and it looks very good. I'll add some of my suggestions to it and pass it on and hopefully the person will act on it. I want to talk about Mr. Beno writing a letter to the Sun Journal and I think that was fantastic. That's what we need. We need for the residents to know what's happening. There's lack of communication between our administration and Council and you broke that communication down to where the residents can understand and I believe you squashed a problem that was brewing, you set it straight. I think that takes a lot of courage, a lot of bravery and thanks for that, that was really big in my book. Councilman Langman, also sent a letter that put a lot of information out there that a lot of residents didn't know and that was really good. That's what we need, we need communication with the residents along with communication with Council and Administration. You are going in the right direction.

Mr. Mayor, are you aware there is a crisis brewing with our youth, our children, our teens? Particularly the Library, they have no place to go. We're so set on building prisons to house them later on when the positive energy goes wrong, that we're forgetting about them now. I have one suggestion, maybe two. What I found out when I went down there and investigated, that it seems to be a problem with the computers. Once this high school gets out, that's where the problem happens with the computers. They get in on myspace.com and there's a little loud talking and some of the older people think that the Library should be for just reading, but they don't understand that the technology nowadays is more advanced and that these children hover around these computers.

I also want to say that there was a letter written to the Sun Journal, that says the Police isn't doing anything. I've been down there for the last two weeks investigating and the Police are doing an outstanding job. As soon as these kids get out of line, or talk loud, the Police are on there. They are keeping it from becoming a playground and that's their job. They are enforcing the rules 100%. The letter made it seem like the Police wasn't doing anything. From what I observed, that's not what's happening.

We need something for these children to do and particularly these Black children here. It is 90% of the Black children that's down there, have no place to go. You guys rip these basketball courts out where Black children tend to hover and socialize. You took almost everything away from these children. They have no where to go but the Library. The Library has been very, very helpful and patient and it is really not up to them to do this. It is up to the community. These children need the hero and you're the top official in this city and you should be that hero.

Right now, Mac Stephens is the one who is being a hero for the community for these children. He's doing everything he can to help these children and that's a resource that you need to utilize. I don't know as far as Council go, I don't know where they stand, but you really need to do a lot. The rec center from the Council President is the best thing I've seen and heard so far that can help these children. If you don't help them now, then later on, you're going to have a problem and we're going to need the prison to house these children. We really need to do something with them now.

Also, Director Johnson, since 90% of these children are Black, what are you doing to help these children and what are you planning on doing to help them? Mayor Cervenik, what are you doing to help these children right now? And, what are you planning on doing? And, Council President, what are you doing to help these Black children? And, what are you planning to do? I know the rec center is out there and that is a very good idea and I hope everybody gets behind it because we do need a rec center, we do need these children to go some place. We can put a library satellite inside the parking lot and have these kids go there or we can go to Shore Centre and open these rooms up, put computers in there for these children to go to. But we need to do something. Thank you.

Mayor Cervenik – Only that I do agree with Mr. Wallace that Mac Stephens has done great things for the youth of our community. As the Mayor and the Administration, I support Mac in anyway I can as well as the teams. We all do need to do more with our youth and our students. I think some of your comments about the Library, let us make it known that's why we're the 4th best library of that size in the country. They understand there's more to the library than just reading books. I do spend a good amount of time in our schools and yes, we can all do more and should do more. If you have any suggestions for me, I'd be happy to listen to them.

President Gudenas – That is one of the main challenges we have here in the City of Euclid and it is going to be hard for the City of Euclid to do it all by ourselves. We need to partner with other organizations in the community, the YMCA being one of them. I know they are going to be having a new Director coming in fairly soon, the Euclid Family YMCA plus the downtown group really wants to be part of the City of Euclid. Of course we have our school system, we opened up dialogue with the School Board and Superintendent on coming up with ways. One idea that came out this summer that we tried that was fairly successful was free swimming day at some of the neighborhood pools. That came directly from the Superintendent and School Board, presented to our Council Committee. We had other ideas with other recreational programs. But again, part of the partnership idea and of course with the Church groups and other groups here in the City of Euclid, Shore Cultural Centre was going to be part of a youth center and it didn't quite take off because we didn't have the right things in there, such as computers. So, there are many things we need to do but we always need to work with other people because our limited funds will become lost and not very effective.

Mayor Cervenik – We could also add our efforts of our Police Athletic League, our Fred's Club, the tutoring club that works very closely with the schools. A lot of our athletic programs that are really run, such as Boys League and EYSO that are really run outside of the community but in partnership with us.

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

COUNCILMEN'S COMMENTS

Councilman Delaney – The Admirals Club at the Shore Cultural Centre did have computers. You have to be careful and you have to have them monitored all the time. We are in the information age and we do have to monitor that. I believe that everybody up here does not do much without the youth of this community in mind. One of the things that I'm very heavily involved with is the Euclid Schools Alumni Association. One of my favorite things was I helped to curate and put together the exhibit at the Shore Cultural Centre. One of my guilty pleasures is to find the kids today, slowly going by 75 ft. of 100 years of history of that school and see them actually feel that they've got a connection to that, that's part of where they come from and they actually have ownership in that alumni association. When 13-14 year old kids and you explain that, that you get

through the schools, you graduate, your diploma is a living document, it just doesn't end when you leave. I think there's many, many aspects to what every council member and every member of the administration has up here.

Some of the comments that I want to make tonight, I actually left at home. One of our residents talked about finding out, tracking where people go and where they live. I've had a couple of Realtors, recently I was at Chamber of Commerce meeting and they were talking about the realty market and one of the things, one of the stats that I will bring to the next council meeting is that Mentor is one of the communities that a lot of former Euclid residents move to and they actually have 300 more residential properties for sale than we do per capita. I will get that solid information to bring and report to that.

Thank you Council President for bringing up the Rec center. Yes, we do have many things to bring to this Council sooner than later. There is a new Director that will start working there and I think we should all, with a lot of the investment that we have planned in mind, and a lot of the promising thing, you should all drop in there and say hello and get to know the people that we are bringing to the table.

Thank you very much, a lot of great comments, a lot of spirited debate and everybody have a good night.

Councilman Gruber – Thank you Mr. Chairman. I would like to start off by thanking the East Beverly Hills Homeowners Association for inviting me to their meeting last week. It was very beneficial to everyone. I would also like to thank Director Gulich for getting the snow plowing for Richmond Road and those portions of Euclid Ave. on line, I appreciate that.

Also to address the resident's comments. We do have several facilities in the city and one of them is the Euclid Sports Plant which has indoor baseball, volleyball, it's got basketball, fitness center. Reasonable or no cost, especially if you do go through the PAL program and we have interested citizens, such as Penny Riha and her husband Vince that have programs out our mini-station, geared specifically towards kids interest. They have some great programs over there. There's always another option, I was at one of the fast food establishments over the weekend and they were hiring. Maybe we could have a Job Fair with local businesses and maybe get some of the kids working, that's always a good idea. I think everybody up here does the best we can and you have a lot of valid points, but there are options, we just have to keep our eyes open to them. With that, I'd like to say good night.

Councilwoman Holzheimer Gail – I did want to mention the Sports Plant and Saturday mornings, I welcome anyone to come up and watch kids from 5-15 playing the Euclid Panther Hoops Basketball. It's everybody, it's a diverse group of kids, White kids and Black kids like basketball, my son plays and they have a great time. If you want to see some of these kids are really, really, very good. So I would welcome anyone. They start at 8:30 and go until 1:00 or 2:00. It is important that we, it is a great representation of our community, these kids are working hard and our parents are volunteering as coaches. It is wonderful and Mac Stephens is responsible for putting that program together.

A rec center is something we all are interested in working towards, but there's no need to wait to have a building. A building does not solve everything. There's many partnerships that can be created. There's many church gyms. There's many facilities throughout the community that we need to link up with. The important part are the programs. So if we can get some programming started in collaboration with churches, with schools, with businesses, anybody who is willing, I think that's a great step towards getting us on our going, getting something going and obviously a benefit for the community at large. Anyone with ideas of things that might work, or wanting to put a program together there's no need to wait for a new center, there's opportunities to do programming anytime. We found that the community at large is very receptive to doing that.

I did want to congratulate the Euclid Orchestra, they really did have a wonderful Holiday Concert and I think it was the biggest crowd I've ever seen there. I'm looking forward to the activities and the festivities as the holidays progress. With that I will wish everyone to enjoy the month ahead and enjoy the festivities without getting to overwhelmed and stressed, enjoy the good part of it.

President Gudenas – Our Chief Leaf Raker, Councilman Langman.

Councilman Langman – It was a good work out and I just want to clarify that Mr. Holmes from the golf course did try to remove the leaves and was unsuccessful and it looked like they were going to sit there for awhile so I decided to go ahead and do that. But it is by no means no slight on Director Gulich, but sometimes you've just got to go out there and grab that rake and do what you have to do.

I would like to thank Mr. Beno in the Housing Dept. I was at the Fullerwood & Friends neighborhood association and Mr. Charlie Drazetic, a member of the department, came out and talked and I know he gave up a good chunk of his evening to do that. It was very informative and the residents appreciated that. With that I would like to ask Director Pietravoia how goes the training for the Housing Dept. staff on the new technology.

Director Pietravoia – We are making good progress. We have actually taken advantage of the suggestion of Council and we've had them in on Saturday and in the evenings, training off-hours. We are fully expecting to have the software up and running by the end of the month, as originally planned.

Councilman Langman – That is certainly good to hear. I know tonight we had some debate on various issues, but the main idea you all have to remember is that we work for you. So we enter into a partnership when you grant us these positions up here. So a lot of the suggestions that we bring to this Council come from the residents and that is how it should be. As far as the amenities here in the City, it's been covered by my colleagues, but we have a tendency, not only in Euclid but in Northeast Ohio to overlook the good things that this area and this region have to offer. If we want folks to stand up and notice Euclid, then all of us, have to work to make ourselves aware of all the good things that do happen in this community on a day-to-day basis and then spread the word. We can sit up here and talk and there's very tiny segment that actually listens to us on these Monday night gatherings, so really the best way to communicate is talk to your neighbors about the great programs that maybe you or your children have encountered and spread the word that way. That way we can all pull together and make the community better. Yes, sometimes we disagree, but in the government, we also partner with the administration to do the things that you want us to do to make the community better. So we have many things yet to accomplish and we took a big step by approving the variance on the Coral Project. Without going into whether that parcel was good to obtain or not good to obtain, we need to do in this city many more projects like that. We have to redevelop our housing stock. I would like to point out, the duplexes, they are not the traditional Euclid duplexes. The prices that those units are going to sell for at 205, there's no \$280,000 homes on my street, or on any of the streets nearby. So, how do we get there? How do we fund redevelopment projects? Those are the challenges that are all part of the budget discussion. Hopefully our economy will continue to stay strong so we can fund all of the desires that we have here in the City. If that doesn't happen, then you're paying us to make hard choices and we will continue to try to do that on your behalf. With that Mr. Chairman, I'll wish everyone a good evening.

Councilman Lisy – One of the things it may look like is that we're being overly cautious about our budget. But as the Council President mentioned, I'm tired of the roller coaster ride with the budget and I'd really like to see this thing leveling out. Again, I know its cyclical and I know there's a lot of issues beyond our control that impact it. But, the last thing we want to do is go through a lay-off again. I know we're not there and that's the good news. I feel like we're on our way up, and as the economy continues to look better in the City of Euclid and as things continue to look positive in the City of Euclid, I just don't want to see it go back down. That's the only reason why I'm here is to make sure I can do whatever I can to make sure the City is moving in the right direction and bring in new business, any new ideas. Data centers, I know we've discussed it with the Economic Development Director on how to attract data centers to the city. For some reason, we just can't get them. Maybe we don't have the right amenities here for them. We have the space, we have the technology, we have the skill sets. But, it is just, we're not getting them to the City of Euclid. It maybe marketing ourselves differently and that is where I think we may want to spend some effort in the next six months is how we appear to the Realtors of the world, not just our local Realtors but nationally.

I have a relative that is moving to northeast Ohio and when he contacted a Realtor about where he should live, it was always on the west side, Rocky River, Lakewood, Bay

Village. The east side was never even considered and he is going to be working downtown. So, in fact he's on the east side of downtown, the University Circle area. This would have been an ideal location on this side of town, but the Realtors are steering these potential high weld individuals away from the east side. That's where I think we really need to look at why the Realtors are doing that and I have talked with the Economic Development Director, some members of the School Board, other members of Council that are interested in helping to try to come up with a package to educate first our residential Realtors and then I would like to come up with a package on how we could really entice or inform the national Realtors of what we're doing here so the property when it comes up in their data base and how we can set ourselves apart the other parcels that are available. We have our work cut out for us and I would love to see more black numbers, Director Johnson. I think that's possible with this city and that's where we're trying to get to. I appreciate all your help and look forward to working together on this. Thank you.

Councilwoman Mancuso – I'm happy to hear that we're doing our technology education. I just asked my colleague if he had worked with you yet on the little laptops or the notebooks that we're going to do and he said he had not. That would be our next step because they can take it out into the field. I think you'll see, not a total answer, but I think it will help them immensely. I'm very happy to hear that.

Just to piggy-back on my colleague next to me, all the issues about the budget, whether it's the general fund or the capital, there are multiple big projects out there. While we'd love to fund them all, we know we're not going to be able. If we start off now very conservatively, we maybe able to fund more than we can think, but we don't know that yet and I don't think the administration knows that yet. So, we just all want to stay very conservative so that we can, as we walk through, maybe surprise our own residents with how much we can do. We need to have the numbers and I'm sure we're going to get into that sooner than later, which will be fine so we can move on with the rest of the year. With that, I'm just going to ask people to enjoy the Holidays, there's a lot going on in the City, almost every single evening, so avail yourself of what's out there because there's a lot going on and you have to go see the trees at Shore, they are just marvelous. You have to understand that there's things in between the trees that aren't for sale, that people are trying to buy, so go enjoy.

Councilwoman Walsh – I guess I want to be the Pollyanna tonight. The resident that talked about the kids. I really had the privilege of going to Thomas Jefferson. If you have a chance, go to Thomas Jefferson and see the technology and I think those kids would even challenge Dr. Lisy, my technology idol over here. I was flabbergasted at what you could do with a white board and the fact that you can stand in a classroom and talk to kids in China and Budapest and Pakistan. If they're our future, we're okay.

UpStage Players auditioned over the weekend. They do have a no-cut policy, so there'll be about 120 kids in the Wiz, the second time they've done it. I believe there's 5 Dorothy's and none of them are my granddaughter but I'm really proud of her. She was born into UpStage and now officially as a six year old she can perform and will be a munchkin.

There was a young lady here that came to the podium and said show me your leaders and her name was Brittany Rattiliff. I'm proud to say that we've done a lot of stuff over the summer and Brittany has been nominated to go to a leadership conference. When Council receives a letter from Brittany that I gave your addresses to, I hope that the members of the administration and the Council will help fund her going to this conference because I believe Brittany has a long way to go and will be one of Euclid's finest leaders.

Another thing, you have the new Family Worship Center on Brush Ave. If you really want to have some fun, go to something they do called Friday Night Live. It is not like Saturday Night Live, but their theory is, they have a whole bunch of tables and it goes from all different aspects, not just bouncing a basketball, they do nails and make-up and modeling for the girls and so forth. Of course the Imani Church does have some very good things. There's things going for the kids, the kids are there. I think we have a real hope for the future. I did totally enjoy myself at the Euclid Orchestra.

Now for my un-Pollyanna thing, Director Gulich, December 3rd has come and gone. Tell me about my all white paper boxes.

Director Gulich – As you know through our communications we did have a request for a time extension on that and Mr. Frey did receive a letter on that. Right now we have permitted those blue boxes to stay out there temporarily. Mr. Frey's letter has a drop-dead date on there, that's at the end of the month. We agreed to let that person leave those boxes out there until the end of the month.

Councilwoman Walsh – There's one very, very rusty one on Lake Shore Blvd. from the News Herald that's a brown box. With that, I say, Viva La Kids and have a good month.

President Gudenas – I'll comment on a couple of things. One is this job here on City Council as I mentioned earlier can be difficult and can be very enjoyable at the same time. But generally our main responsibility here is to make decisions that will hopefully help as many people in the City of Euclid as possible. For us to make those decisions we need to get good information. Some of us have shorter history here at City Hall, some have a longer history. My general background is that I know that you can never have enough information because you need to double and triple check everything you get.

Tonight I was disappointed on several items. One is the Willo Arms sale. We received no information about that other than an e-mail at the end of the week, over the weekend, we certainly expected to have clear information on who's buying it, what their plans are, what their references are, track record and the like and we didn't have that.

I was equally disappointed when I came in here today and I saw Capt. Repicky here and I wondered what's going on. For the first time we found out, right when the Mayor announced it that he's going to be the Acting Chief. It would be nice if we on City Council would know who is going to be the Acting Chief, prior to it happening, so if somebody asks us what's happening with the Police Dept. we have an answer. Another example would be the Senior Programs. We had Margaret Hastert-Wolf here today which I had thought that until she's here today that she had retired. But apparently she didn't retire and we have no idea on what's happening with our Senior Programs and who's in charge.

Same thing with the Edgecliff Development. We had assumed that the Administration had contacted the various council members, explained what's happening, especially with some of the newer ones on this and why this is important and apparently they didn't. Equally another example, the City of Cleveland proposal for their waterline take over here in the City of Euclid to help us with the capital budget in our future. All of this is very important. We've asked several times now to get this information so we could start reading about the City of Cleveland's proposal. I happened to run into the Mayor of Cleveland over the weekend and talked to him briefly about that, stating that we're very interested because it is something very important to keep our budgets under control. I know we brought this up before, I still have nothing to look at so we can start making good educated decisions.

We can go onto many other items, but it makes our job very difficult when the information coming to us is incomplete. Now at the same time the answer could be, well you didn't ask for it. We sometimes as part-timers assume that this will happen, at least in my history of working for the City of Euclid, we generally would have gotten a packet of information about all these items and there is a responsibility from the Administration who wants us to approve certain things to provide that information. Even with the police cars, we certainly want to cooperate with the Police Chief regarding everything, but normally there would have been some discussion prior to the meeting on the needs and how we can work things out ahead of time, so that we can best keep moving things forward.

I mention this because we have our budget hearings coming up and there's going to be more tense times and we have a lot of development issues here. PMX, people keep asking me, I've heard all kinds of rumors, but I have really no official notice from the administration on anything that's happening, other than what I've heard from rumors and I don't know if they are true or not true, but it would be very appropriate sometime soon for the administration to fill in this City Council on what activities are going on there. Sometimes like we heard the proposal for the data center. That's great, we support the administration on that. But we don't know and I had last talked to the Development Director about that specific item, maybe a half year ago or longer that there was some large firm, not a data center but large technology company interested in going into the PMX spot, hoping that would work out. But we know that talk disappeared, we don't know what's happening there.

I've been around here a long time, off and on, various administrations and I'm becoming more and more disappointed on the lack of information coming to all of the city council members on what to expect, what's going on and how we can help make it happen, either through legislation, through the budget, through cheerleading and other ways. I think we're going to have to refocus our efforts. One final example, again this was presented by a student at Euclid High School back in May or June about helping our website, helping communicate with our residents, very specific simple items on it and that was the last time we've heard about it. We really do expect that when we have our residents, be it the high school students or not, presenting information that's very good, that we in fact use that information and make it happen, do our best.

With that, as we end this year almost, we have a lot of challenges and it is going to require greater cooperation on both sides, Council and Administration, Administration and Council, but the key part is getting more information to City Council.

Councilman Conway – Just to elaborate a little bit more on one of your earlier comments. One of the advantages of being in the community to address Mr. Wallace's question about what we are doing for the youth in the community, I feel like I have public hours every Thursday night at Shore Cultural Centre and every Saturday morning at the Euclid Sports Plant as I continue to take my son to basketball practice and really get exposed to quite a variety of questions I receive every night. Shore is a buzz on Thursday with basketball, as Councilwoman Holzheimer Gail has mentioned the Sports Plant is packed on Saturday mornings. Really with residents who take the opportunity not only to keep their children involved, but also take the opportunity to come and tell us as council people what they're focused on in the community.

In addition with all the comments that we've had regarding the capital budget and all the projects that we've keep talking about, things that are in the future and things that are currently, that really have been lingering for quite some time. I think the best way to make sure that we're able to really maximize our revenue potential going forward is to make sure that those projects that have been talked about for years continue to move forward.

There's three key projects, Director Pietravoia, would like to make comments on, that I continually get asked about almost every single weekend and Council President Gudenas already brought it up. It is PMX, what's going on with the lakefront and what's going on with the Hillandale Development. I think there are three projects that have been lingering out there that all have potential in various ways to really keep the income and the growth potential of the city moving in the right direction. If you could take a quick minute tonight to give an overview on those three projects as to where they are tonight, I think all the residents would like to hear about that because they do have a great impact on our city's future.

Director Pietravoia – I'd be happy to comment on all of those projects. We have been actively working with the PMX owners this entire year. As you know the building came down in the Spring and our focus has been to try to go after Brownfield dollars to do the rest of the clean up on that site.

I've also commented as much as I can given the nature of my job and the fact that most of the proposals that are brought to me in early stages are in a confidential nature. Commented at the last couple of meetings about the fact that we've had some retail interest at that site. We are having some discussions about that, but it is not a matter that I can discuss publicly at this time. Assuming that there is some potential for retail, we are still also pursuing the industrial park concept with the owner of the property that we started about a year and a half ago. So we're pursuing both of those avenues and I think I've stated several times to council and to members of the public that I do think it is important to keep an open mind and be willing to consider all ideas as we move forward even though we are primarily pursuing an industrial park concept at that location.

With regard to the lakefront, we are working with the developer, K&D Group, Doug Price in particular and his partners. They have developed some new design concepts through City Architecture. We hope to meet with them either this week or next at the latest to see for the first time those design concepts. They are still proposing primarily residential. Still proposing a public boardwalk and still including a marina and break wall as part of the development. The actual mix and how it will lay out on the land are the areas that they are tinkering with. We hope to be bringing some ideas forward after we meet with the architect.

With regard to Hillandale, the majority of the efforts have been a little more technical in nature. They have concentrated recently their efforts on how the residential subdivision will lay out and the engineering associated with that. We've spent a lot of time, more on the engineering end, in the past few months than on the planning or design end of the project.

Councilman Conway – Thank you very much for those updates, I know the residents appreciate it. Earlier this evening we talked about the memo that you provided for the Calabrese update and tomorrow morning they are going to start concrete crushing. Could you just reconfirm for us and I know we have it in our notes some place, when is the concrete crushing supposed to end by the agreement?

Director Pietravoia – I believe it was the end of January was the maximum time period. I think their expectation is that if things go smoothly that they would finish much sooner than that. We did inspect the site today and the equipment that they brought on site in anticipation of their start tomorrow morning. They were testing the equipment, not actually crushing, but connected it to the water and were testing the actual operation of the equipment today in anticipation of starting tomorrow morning. We'll be on site to check that on a regular basis.

Councilman Conway – Thank you very much and I know that I'm out of time, and I know that we're at 11:00 and the tape is getting ready to run out, so I'll say good evening and make a motion to adjourn.

ADJOURNMENT

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

Attest:

Clerk of Council

President of Council