

COUNCIL MINUTES
MARCH 19, 2007

The regular City Council meeting was held on Monday, March 19, 2007 at 7:00 p.m. in the Euclid City Hall Council Chamber. President Gudenas presided.

Members Present: Conway, Delaney, Gruber, Holzheimer Gail, Langman, Mancuso, Walsh, Gudenas.
Excused: Lisy

Councilwoman Mancuso moved to excuse Councilman Lisy. Councilman Gruber seconded. Yeas: Unanimous.

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

Invocation was given by Pastor Gene May of Living Waters Church of God.

COMMUNICATIONS

Councilwoman Holzheimer Gail moved to receive and approve without objection a transfer of a D5, D6 liquor permit from Juniors Bar & Grill to The Nuthouse Sports Bar & Grill at 507-09 E. 185th Street. Councilman Langman seconded.

Roll Call: Yeas: Unanimous.

Council received a Statement of Position from Euclid Chamber of Commerce President David L. Carlson.

Councilman Gruber moved to receive the Monthly Financial Report of General Fund activity through February 28, 2007 from Director Johnson. Councilwoman Holzheimer Gail seconded. Yeas: Unanimous.

Council Minutes

Councilwoman Holzheimer Gail moved to receive and approve the Council Minutes of March 5, 2007. Councilwoman Walsh seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik – Tomorrow is March 20, 2007, and that marks the 10th Anniversary of a former Council President's death, Joe Farrell, who died at the young age of 51. You and I and a couple of others on Council knew him very well. I would ask you, the members of Council and the members of the audience if we could stand for just a moment of silence in honor of Joe Farrell. Those of us that knew Joe learned much from Joe and some of us, including myself, need to remember some things about Joe to make us better people as well.

Director Will – On behalf of the Shore Cultural Centre's Board of Trustees, to invite you to Euclid Orchestra's Spring Concert. Music Director Shawn Smith and it will be held on Sunday, March 25th at 3 PM in the Shore Cultural Centre auditorium.

Also for the Cultural Centre, they will be having a Breakfast with the Easter Bunny on Saturday, March 31st beginning at 9:30 AM. You must make reservations, 289-8107. Immediately following the breakfast at 11 AM, we will have our Annual Easter Egg Hunt at the Euclid YMCA outside beginning at 11 AM, for kids ages 8 and younger. The Egg Hunt is free.

The Parks & Recreation Department will start our ID Registration for all of our Spring and Summer activities. You can purchase your ID cards and register for any of our upcoming programs. The first two nights of our Early Bird registration will be here at City Hall, on Tuesday & Thursday, March 27th & March 29th from 1:00 PM until 7:00 PM. Just a reminder to the residents, the earlier you come, the easier it is and the less the lines are. Tuesday and Thursday, March 27th & 29th from 1:00 PM until 7:00 PM.

Our First Annual Spring Fling on Saturday, April 21st from 11:00 AM until 3:00 PM at Sims Park. Dick Goddard will be on hand to sign autographs from Noon until 2:00. We'll have a band, the Blues DeVille band. We have a lot of local landscapers and local businesses that will be on hand to help us get ready for spring. Hot dogs and beverages will be available for a small donation. There will also be demonstrations by Home Depot. Saturday, April 21st from 11:00 AM until 3 PM.

I would like to also remind the residents that we are now kicking off our Summer of Wellness program. We have plenty of opportunities for everyone here, residents and the businesses

to participate into this. Anybody that is interested in being a part of it can call our Dept. at 289-8114 and I will direct you to where you need to go.

I'd like to take this opportunity to update all of the residents and Council with the situation with the Emerald Ash Borer.

The Emerald Ash Borer (EAB) is an exotic beetle that was discovered in southeastern Michigan near Detroit in the summer of 2002, but was likely to have arrived some time before that. The pest was likely brought to the United States in packing crates and material carried in cargo ships and airplanes from Asia. The adult beetle (up to ½" in size) feeds on ash foliage but causes little damage. Larvae feed in the cambium between the bark and wood, producing galleries that eventually girdle and kill branches and entire trees. EAB has already killed millions of Ash trees in Michigan, and is now spreading into Indiana and northern Ohio counties including Cuyahoga.

There is no current effective means of eradicating EAB. There is also at this time no practical, proven treatment for trees that are infested, as well as preventative treatment with insecticides. It potentially can kill all Ash trees in our part of the United States. The City of Euclid's concerns about this serious risk to the Ash tree population has prompted us to develop a multi year plan that will distribute the costs associated with the removal and replacement of the city's Ash trees over a manageable time period, as well as reduce the social and economic impact that such an extensive loss will have on our community's quality of life. The plan will apply to all ash trees growing within the city right of ways, along with public property trees throughout the city of Euclid.

OHIO DEPARTMENT OF AGRICULTURE QUARANTINE

It is illegal to move ash trees, ash logs, ash branches, ash wood chips, ash wood bark, and all non-coniferous hardwood firewood out of Ohio's quarantined areas. These materials can move freely within, but cannot leave, contiguous quarantined areas. (Rule 901:5-56-03) **Note:** A federal quarantine prohibits the movement of ash tree materials and hardwood firewood out of the state of Ohio without federal certification. **This does not change Ohio's quarantine**, which still makes it illegal to take ash tree materials and hardwood firewood out of infested counties. Violators Face Fines up to \$4,000.

Currently the Parks & Recreation Dept. Maintenance on Lakeland Blvd. has firewood for the residents to come and pick up. We do have a sign there. It is free for you to take. However, we ask that you do not move that out of our County.

I did just want to update the residents on this. If you do have any questions, you can call our office at 289-2726. Thank you.

President Gudenas – Most people may not know what an Ash Tree looks like. How would they figure that out?

Director Will – If anybody had a question about an Ash Tree, what we would prefer at this time, that you call 289-2726 and we would come out and verify that it is an Ash Tree. We also do have cards in our office available for the residents if they'd like to pick them up.

President Gudenas – Maybe some display here for the Rotunda and the Library so people are more familiar.

Director Gulich – April, once again, due to popular demand and the tremendous success of last year, will be recycle your computer month throughout Cuyahoga County. We are working in conjunction with the Solid Waste District. Our drop off for any and all computer related items you have will be at the Lakeland Blvd. Service Station, just west of E. 260th, where it was last year, it will be well marked, it will be there 24/7. For the entire month of April, you can bring you no longer needed, computer related items to the drop off where we will work with the County, have them recycled and keep them out of the landfill. Thank you.

Mayor Cervenik – I would like to welcome a class from Cleveland State University and their instructor Phillip Anthony. They are here tonight to observe our proceedings. If anyone has any questions tomorrow about what you witnessed tonight, please feel free to give me a call. Thank you and that concludes Administration Reports.

REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Executive & Finance Committee Minutes of 3/14/07; Recreation Commission Minutes of 2/27/2007; EPIC Minutes of 2/20/07; City Services Evaluation Com. Min. of 3/8/07 and Board of Control Minutes of 2/26/07 & 3/05/07. Councilman Gruber seconded. Yeas: Unanimous.

President Gudenas – One thing that has been missing for a while are the Golf Course Commission Minutes. Are they keeping minutes and turning them in do we know?

Mayor Cervenik – Now that my Outlook has been unlocked by our IT person, I did print those minutes out from two months ago and I do also have the taped minutes from the last time, so I'll make your Clerk gets those.

COMMITTEE OF THE WHOLE

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

President Gudenas – To let you know, #6 regarding the low interest rate loan to help the condo association will be placed in committee because there's additional work to be done on that. #5, which is a First Reading, regarding the Bethlehem Lutheran Church, will be a first reading, no vote will be taken today. There will be a Second Reading in two weeks and most likely we'll have the vote at the Second Reading. Both of those items will not be voted on today.

Mr. Tom Cooke – 25641 Edgecliff. I would like to speak on #2, the emergency ordinance for the purchase and sale and development agreement between the City of Euclid and developer Robert Spies. Robert Spies as you are all well aware of has a long-standing record here in the City of Euclid being one of the premier developers in this area. I'm asking everyone of you here to support this emergency ordinance in the affirmative. It is imperative that we show the developers, especially the Class A, top-notch developers in this area that we do mean business and that we are all on the same page and that we are all going to support their endeavors. Please pass unanimously #2, the sale of the property between the City and Developer Robert Spies.

President Gudenas – We voted 9 to 0 in the committee, so unless something has changed in the last few days, it might be okay.

Ms. Regina Hauck – 116 E. 197 St. Even though this is going into Committee tonight I still want to talk about #6 because I may not come back the day that you discuss it. When I first saw this on the Agenda, first of all, is it still true that this money possibly may come out of the general fund?

President Gudenas – It possibly may and we're looking at various options, that's part of the work here. It might be through banks and county funds and who knows who. We need more work on that.

Ms. Hauck – When I first read that, I was pretty surprised that it would come out of the General Fund, I didn't know that we were flushed with unneeded cash at this time. I also felt sympathies towards the residents. I know that they are in a situation that they had nothing to do with. However, when you're sitting up here and you're looking out at the residents and you're voting on legislation, you have to treat all residents equally. You cannot look at age, race, religion, political affiliations, economic status, you cannot look at any of that, you have to look at all residents equally. You cannot give one resident or one group of residents a benefit that you are not going to give to all the residents.

Because of that, if you indeed do decide to pass this legislation and take the money out of the general fund, I hope that you take out those two names of those groups of people of the condo associations and I hope you add my name to there. I would love a 0% interest loan, as I'm sure the other 50,000 people in this city would also like a 0% interest loan.

Now I understand that these people aren't in this situation because of anything that they did, it is out of their hands. Again, I do have sympathy for them. But what about the resident whose home is destroyed by fire, or the resident who losses money in the stock market? Or the resident whose home is burglarized? They are in those situations of no fault of their own either and are we going to offer those residents no interest loans?

I also don't just want to come up here and say, don't do this, don't do that, so I do have some suggestions. First of all I think Council and the Administration should work with the bankers in town. We have banks and loan stores on just about every corner, work with them, that's what they do for a living, maybe they can come up with either a no interest loan or a low interest loan for these people to help them out. It's not really the city's job to do that, you're not bankers.

Or, something that would help everybody since we seem to have this excess money, let's lower our income tax rate. I'd be all for that, I think most of the residents would be. Since I know you're not going to do that, I think a more realistic goal would be for everybody in the city waive the first quarter, 2007 income tax payment. That way, the people that are in these condo

associations can use that money to loan to themselves, interest free. The rest of the residents make out because we can use that money to spur the economy, we can do improvements in our own home, or we can just use it in local stores. That also helps the city get rid of some of this unneeded cash that you obviously have no use for that's sitting in the General Fund. Thank you, I hope you give that some thought when you are in committee.

President Gudenas – We should clarify, we have no extra money. That's why it is going to committee and at the same time we do have a low interest rate and 0% loans that homeowners can qualify for except in this case the condo association is taking care of the repairs and maintenance issues that normally a person would do by themselves, but they have a condo association to do that for them. Same position as other people with the same kind of support that we give other residents today. Anybody else?

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

LEGISLATION

Ord. 35-2007 (306-07) Dr. Gill Century Corners

An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a Purchase and Sale and Development Agreement to sell a portion of Century Corners Industrial Park, formerly Village of Euclid property, designated as Sublot 2 of the Subdivision and further described in Exhibit A-1 attached hereto, containing approximately two (2) acres, to Healthpointe LLC for One Hundred Thousand Dollars (\$100,000.00). (Sponsored by Mayor Cervenik and Councilman Gruber by request)

Councilman Gruber moved for passage, Councilman Conway seconded.

Director Pietravoia – Last month we brought before you and City Council approved a sale of 4 acres for American Punch, a manufacturing facility at Century Corners. This evening, I'm very pleased to be bringing before you the sale of two additional acres for \$100,000 at Century Corners to Healthpointe LLC.

The property is located on the south side of Euclid Ave., right at the corner of Tremaine. It would be at the southwest corner of the intersection. As we presented to Council previously, I believe it was last fall we were actually a little bit ahead of the game on this particular project, we did the lot split and there was also a variance approved by Planning & Zoning. Those items have already been approved to create the parcel that's before you for sale this evening to Dr. Darryl Gill and I'm very pleased to have Dr. Gill with us here this evening, as well as Jim Sonnhalter from our staff.

Dr. Gill has plans to operate a private medical practice. He will be establishing here in the City of Euclid at Century Corners. It will operate under the name of Healthpointe Medical Center. He will construct about a 4500 sq. ft. medical office building at the 2 acre site. The services provided will include primary care, urgent care and occupational medicines and Dr. Gill is also certified in family medicine.

As I mentioned, the matter has already been before Council in terms of approving the lot split. Dr. Gill will invest about \$750,000 between the purchase of the land and the actual construction of the office building. Initially will employ about 6 individuals with a payroll of \$760,000. A couple of quick highlights about the contract itself which is attached to the ordinance. It sets the price for the land based on the same appraisal that was used for American Punch at \$50,000 per acre for a total sale price in this particular instance of \$100,000. It sets a deadline of the end of this month for us to actually execute the contract between the city and Dr. Gill. It requires a timeline for the submission of their plans for the building, actual start of construction and completion of construction. It also gives us the ability as with the other agreements that we brought before you recently, that if for some reason the project didn't go forward, we would have the ability to repurchase the land after a certain period of time. That's just a safeguard at this point, we are very excited about the potential for the project and we're seeking your approval tonight of this ordinance so that a project can actually get underway this spring.

President Gudenas – Thank you. It is always good to have a Doctor in the house. Can we get an idea of how many square feet the new building will be?

Dr. Darryl Gill – The President and Director of the medical center. It will probably max out at 5,000 sq. ft. It will have about 9 exam rooms, an onsite x-ray, also some limited lab testing as well.

President Gudenas – Will this be an urgent care type facility?

Dr. Gill – Exactly. It will operate as an urgent care primarily and will also be doing occupational health, occupational medicine as well. If somebody doesn't have a doctor and they are pleased with the services at the facility, we'll also have the ability to take on patients also.

President Gudenas – Director Pietravoia, with this sale, how much land will be left at Century Corners, any idea?

Director Pietravoia – Yes, we will have three sites remaining, two are about three acres each. Then there's a smaller site to the rear of Dr. Gill's project and American Punch's project which is about 2 acres.

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

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

Passed.

President Gudenas – Welcome to Euclid. We have a Summer of Wellness here and you may want to be a co-sponsor of some event to keep us healthy. Thank you very much.

Ord. 36-2007 (292a-07) Spies- CVS

An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a Purchase and Sale and Development Agreement to sell City-owned property for Five Hundred Fifteen Thousand Dollars (\$515,000.00), situated at the northwest corner of Lake Shore Boulevard and Bliss Lane, containing approximately 1.1 acres to be split from Permanent Parcel No. 642-10-044, and further described in Exhibit A attached hereto, to Spies Lakeshore Properties, LLC, for a commercial development project in the downtown Euclid business district. (Sponsored by Mayor Cervenik and Councilman Langman by request of CS&ED Director) (Recommended for passage by the Executive & Finance Committee)

Councilman Langman moved for passage, Councilwoman Holzheimer Gail seconded.

President Gudenas – This was the subject of our meeting this past Wednesday where we went over all the details of the development plan. For those at home, this would involve the purchase of the city property at the corner of Lake Shore Blvd. and Bliss Lane, otherwise known as the end of E. 222 Street. It would combine that parcel with the former furniture store and dance studio next door in a new CVS building which would be about the same footprint as the existing buildings, but of course would provide for additional parking. The Mary Mavec School would then be rebuilt in a very nearby location with the proceeds of the sale price of \$515,000. We're hoping that costs around \$415,000 or so leaving the city and extra \$100,000 or so for additional improvements in the area. Is there anything to add to what was discussed before?

Director Pietravoia – I know there has been some concern expressed and I just want to assure anyone that might be concerned that we are committed to working with the Carter's, which is the current location of the CVS. CVS's preference was to be in a free-standing location and the sale of this property will provide the opportunity for that to happen. We have negotiated with CVS so that they will not, as the saying goes, keep the existing store dark, or do anything to prevent re-tenancy at that existing location. We are committed to helping the Carter's find a new tenant for that primary location in their center.

President Gudenas – That will be an important part of our efforts.

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

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

Passed.

President Gudenas – Also, welcome to your new place in Euclid.

Res. 37-2007 (283a-07) HUD-Revitalization Area

A resolution authorizing the Director of the Community Services and Economic Development Department to apply to the U.S. Department of Housing and Urban Development (HUD) for designation of qualified "Revitalization Areas" for the acquisition and rehabilitation of HUD-owned single-family properties within the City of Euclid. (Sponsored by Mayor Cervenik and entire Council) (Recommended for passage by the Housing Improvements and Building Standards and Zoning Committee)

Councilman Delaney moved for passage, Councilman Langman seconded.

President Gudenas – Items #3 & 4 were also discussed last week at the Committee Meeting, they are both somewhat related in that they involve the same non-profit organization called Neighborhood Housing Services of Greater Cleveland. #3, will set the process in motion for the City to work with the Department of HUD to acquire their foreclosed homes in the City of Euclid at a discount of about 50% of the current loan balance. To do so we have to create a special reinvestment area. The area will be most likely between E. 185th St. and E. 250th St., bordered by Lake Shore Blvd. and Euclid Ave. We expect possibly around 50 or so homes that would qualify under this program to be in that district. We are not committed to buy these homes. We are only saying that we are going to look at each and everyone of them to see which ones make economic sense and work with Neighborhood Housing Services who has the money and the credit lines for them to make the acquisition, repairs and market the properties for resale.

Item #4 would take it the next step further which would also help acquire other foreclosed vacant homes in the City of Euclid that are not HUD owned homes. These would be from other lenders, private mortgages and the like, that also might have some economic feasibility to be rehabbed and repaired. The idea is not to just buy them and sell them real quick to put somebody in there. But the key is to stabilize the market values in the neighborhood so that they're repaired to such a standard, a high standard that they sell for the neighborhood market prices and not below the prices as they would sell today as is. So that we're not depressing the appraised values of future sales in the neighborhood.

For now the city money is not being used for #3 & 4, it is the private organization but city money maybe important to facilitate more of these rehabbed homes and also for the demolition of some of the homes because the Economic Development Dept. feels we may end up demolishing 20 or more homes with a tax lien on the property where the city would get it back later in the future. We haven't identified those yet, this would be part of the process.

This was all discussed on Wednesday. Anything to add to that?

Director Pietravoia – We did want to report to Council that the work is just about complete by the County Planning Commission that we needed in order to make this application. So upon passage, within a week, we should have everything together and get our application into HUD. We're very excited about this. The purchase rehab program and the HUD program are both things that we've been working on since last year when we presented our housing strategy to Council and with the support of the Mayor and City Council I believe we can meet our goals of getting a significant number of homes completed this year.

President Gudenas – We should hear back in a couple of months regarding the HUD plan, making sure we're okayed with them?

Director Pietravoia – Yes. Although it is related to the next item, we should be able to proceed quicker with the privately held properties through the Neighborhood Housing Services even though we'll be waiting for the approval of the HUD program.

President Gudenas – Very good. It was my suggestion we shoot for 100 total homes over the next 12 months, some to be demolished, some to be rehabbed and sold. It is ambitious but we have close to 500 to choose from and if the City doesn't do it, these homes are subject to be acquired by speculators who may sell them as is at a low price or turn them out for low quality rentals and poor conditions. It is very important that we handle the problem before it gets out of control. Anything to add? I see nothing, roll call.

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

Passed.

Ord. 38-2007 (295-07) Neighborhood Housing Ser.

An emergency ordinance authorizing the Mayor of the City of Euclid to enter into an Agreement with Neighborhood Housing Services of Greater Cleveland, Inc. (hereinafter referred to as NHSGC) to serve as a partner in the purchase, rehabilitation and resale of vacant foreclosed single-family dwelling units within the City of Euclid. (Sponsored by Mayor Cervenik, President Gudenas, Councilman Langman and Councilman Lisy by request) (Recommended for passage by the Housing Improvements and Building Standards and Zoning Committee)

Councilman Langman moved for passage, Councilwoman Holzheimer Gail seconded.

President Gudenas – This would be for those that are not HUD owned homes, mostly with private mortgages and we're counting on the County Treasurer's office to also help us identify some of the lenders that we can negotiate the most with.

Director Pietravoia – I just wanted to emphasize that we will play a key role as the City in selecting the homes that will participate in this program. I just wanted to assure Council and any residents that might be watching that we'll be involved every step of the way, it won't just be NHS determining which properties will be selected.

They have indicated that they are anxious and very ready to go on this program as well. I did want to report to Council because it had been specifically requested that we touch base with Cleveland Housing Network which is another organization that's capable of doing this type of work and really the only other one in the Greater Cleveland area that can do the work at the scale that we're talking about. While they were very interested, they represented to me that at this point in time, due to the programs that are already operating in Cleveland and they are somewhat over extended, they really can't participate in Euclid. They did ask us to stay in touch with them and periodically check back and we may reach a point where we can add them to the program as well. For now they're not capable of branching out into the City of Euclid.

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

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

Passed.

Res. (298-07) UDE Bethlehem Church Day Care

A resolution granting a Use District Exception, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Bethlehem Lutheran Church and Laparade Early Learning & Training Center, to allow a 1,500 square foot expansion of a UR1(Day Care) Use in a UR2 (Church) Use District, located at 24490 Euclid Avenue, Euclid, Ohio 44117, Permanent Parcel Nos. 650-32-007, 008, 009, 010 and 011. (Sponsored by Planning & Zoning Commission)

First Reading. Second Reading, April 2.

Ord. (307-07) Loan Condo Associations

An ordinance authorizing the creation of an emergency 0% loan fund for the Benton Village and Blisswood Condominium Associations and providing for an initial allocation. (Sponsored by President Gudenas, Councilpersons Conway, Delaney and Langman)

Councilman Delaney moved for passage, Councilman Conway seconded.

President Gudenas – As was brought up, we have to make sure we have the funds available and put some more details to the plan.

Councilman Delaney – As many people may have seen in the news that there's a management company that had taken the condo associations' cash reserves that they use for the care and upkeep of their condos. I don't know if people realize the impact of the large tracts of land at stake here. But Blisswood Condominiums are 268 units, there are just almost as many at Benton Village and I believe that we did agree to put this in Committee. What we need to find out is because it came to my attention today, that Greenbriar Commons, an 80 unit condominium is also part of this scam.

This isn't like a fire. This is a huge breach of trust. This is a problem that one of our single greatest challenges that we have seen in these two years as you have seen in these last previous pieces of legislation, is our housing stock. Simply not try to do something with specifically some of

our condos that are some of the strongest housing markets in our town. We can't idly stand by and allow that to slide. I've seen us give money away to storefront renovations and as you saw again in our previous legislation, we're actually buying properties. In order to keep up with this and keep these condominium associations strong or to make them stronger, I decided it was probably better for us to act now, get the ball rolling and find out legally what we can do to assist this. Law Director, what I would ask you to do is for our next meeting, we should be able to introduce legislation to make management companies produce to the city assurance of bonds so that we can make sure that this won't happen in Euclid again. It is three very large condominium associations and to allow those strong neighborhoods to decline over a criminal act, would spill out into the neighborhoods and would affect all the citizens at large in the community.

President Gudenas – Director Frey, would you be able to think about that request for legislation for management companies in the City of Euclid that are managing condominium associations that they have a minimum standards reported to the City of Euclid that is legally permissible?

Director Frey – We'll certainly take a look at it Council President and see what kind of restrictions or requirements we can put in place that would be independent of any state law that might exist in that area. I'm not familiar with what provisions in State law may already be in place. Clearly we don't have anything locally and I'll take a look at it.

Councilman Gruber moved to place into Executive & Finance Committee. Councilman Delaney seconded.

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

Placed into Executive & Finance Committee.

Res. 39-2007 (296-07) Arbor Day

A resolution celebrating Arbor Day on Friday April 27, 2007, in the City of Euclid, and encouraging all residents throughout our community to observe Arbor Day and appreciate the beauty, value, benefit and significance of trees to our City. (Sponsored by Councilman Delaney by request of the Parks & Recreation Director)

Councilman Delaney moved for passage, Councilman Langman seconded.

President Gudenas – Who's against this one?

Director Will – As always the City of Euclid will continue with our tradition of celebrating Arbor Day which is always the last Friday of April. This year it will be Friday, April 27th. Shade Tree Commission met last week and the decision was to plant a tree in memory of Walter Schwegler. We will have the exact location, I will have that to make the announcement at the next meeting. Save the date, April 27th, Friday at 11 AM. Hopefully Council will be able to be a part of it also.

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

Passed.

Res. (297-07) Dogs in Special Events in Parks

A resolution to permit dogs that are leashed, licensed, and accompanied by their owner or other responsible adult in either Sims or Memorial Park for special events. (Sponsored by Councilman Delaney by request of Parks & Recreation Director)

Councilman Delaney moved for passage, Councilman Conway seconded.

President Gudenas – This is a very specific resolution for two specific dates, Saturday April 21st, the Spring Fling and Wednesday, May 16th for the One Mile Walk.

Director Will – On Saturday, April 21st, I'm requesting this evening that Council would allow us to have dogs that are licensed and leashed, to take part of this activity. I always feel that if people come out with their pets, they're a lot healthier themselves. So we're looking into our whole summer of wellness and encouraging everybody to get outside. Bring you dog, we do have Dick Goddard that will be on hand signing autographs and we all know Dick Goddard does do a lot for the Humane Society. Euclid Petpals will be another one of our sponsors along with Marie's Florist and Gift Shop and Brickman-DiDonato Funeral Home. That day we're encouraging the residents

and city council to move forward with that to allow people, again specified for April 21st from 11:00 to 3:00 at Sims Park. Also, on May 16th when the residents will be joining Mayor Cervenik for a one mile fitness walk, we'll do that at Noon and 6 PM. I'm hoping you'll be able to join us for both times. During those mile walks, a portion of that will be going through Memorial and also through Sims Park. For any of the residents that have called me on this, I did put this piece of legislation to request this just with those specific dates. It is not any other time. Again, during those two specific dates and any other time that I would like to be able to invite our animals or the dogs to the park, I will come back to City Council and request that on those given dates.

President Gudenas – So Director Will you're asking Sims Park to go to the dogs.

Director Will – Just for the two days.

Mayor Cervenik – I will be there for both but I hope I'm not required to bring my dog. My dog is still a project in the works. Maybe next year I'll bring my dog.

Councilman Conway – My question is to the Law Director. I know this is specific to two dates, but how does this impact future special events that take place in one of our parks if somebody wants us to allow this. Do we put ourselves in the tough situation to vote no if a future special event comes up that we don't think its appropriate to allow dogs in the parks?

Director Frey – Clearly these are city sponsored events. That's a distinction or hurdle that a proponent of some activity in the parks would have to seek and receive the approval of the Parks & Recreation Department before they would be willing to submit this to City Council. Second step and an important step is that Council has to allow it. You are the representatives of the people and if you think overall that it is not a good idea, then don't allow it. I don't think it puts us in any type of tenuous situation. This is contrary to the norm in our ordinance so it would require some specific action on the part of the administration and Council to make it go forward. I think it is certainly defensible if we had somebody who came to us and had an identical event, that might be a little tough to say gee, we don't like yours, but we also have the ability to say, enough dogs in the park. Maybe twice a year is all the more Council wants to allow. I think as long as there is a reasonable reason given for the denial, it is certainly within the purview of Council to deny that request.

Councilman Conway – So the City is going to sponsor Lakefest, right, correct?

President Gudenas – Yes.

Councilman Conway – I'm not sure if somebody then makes the decision that we should allow dogs in that event, what grounds we would have to vote yes for these two and not for that one. I'm just looking for consistency and your comfort level that it will be okay to vote no for Lakefest but vote yes for these two events.

President Gudenas – Dick Goddard is not at the other.

Councilman Conway – He could be. Maybe we'll have somebody else there. I'm just looking for consistency and I don't want to over-debate this and I certainly am not against dogs at all in our city. I like pets as much as everybody, but it is part of our job to be consistent. If there's 4-5 city sponsored events, we should be consistent.

President Gudenas – The summer event will be much more crowded.

Director Frey – Council President I think that's a very valid point. What kind of crowd. These sound like these two events are dog related events, as opposed to people related events that we may or may not wish to have pets accompany. I think there is a basis to make that distinction and if there is a proponent for that at some other event, I think those are the kinds of questions that need to be asked and discussion needs to be taken place here at Council before a decision is made.

Councilman Conway – Again, any type of dog can come in as long as its licensed and on a leash and the owner is responsible?

Director Will – Prior to coming to Council with these two events, I went to our Police Dept. and Ann Mills our Animal Control Officer. There will be representatives from Euclid Petpals at both of these events. Just like we had the doggy swim in the past, that would be another event that most

likely I will be coming back and requesting the dogs for the park. We do invite them and encourage somebody from Petpals along with a Vet to come so they can make that decision. They are planning on being at both of these events.

If I can add about the Lakefest, I know that was one concern prior to that, but I give you my word for the Lakefest, I would not personally come as the Parks & Recreation Director and request that we allow dogs during the Lakefest. Typically it is having the police work with us that are working the Lakefest that are shooing the dogs out of there if anybody brings one. These two specific events, we do have Petpals that will be representing that will work with us as far as the licensing and the leashing.

Councilman Conway – Thank you.

Councilman Langman – Law Director Frey, sort of piggybacking on Councilman Conway's question, let's say something should happen, a dog were to bite another individual in the park. Do we have any liability in such matters like that?

Director Frey – We are not giving out a free bite. No, it's the dog owner's responsibility to control the dog. The same as if the dog owner was walking the dog on the public sidewalk and it nipped, same liability, there's no city exposure in that regard nor would there be here.

President Gudenas – We have covered that before. City property, free event, city is immune from accidents.

Councilman Langman – Are there specific areas where these events are going to take place, or is the whole park open to pets on those days?

Director Will – For the Spring Fling there is a designated area that we have for the Spring Fling which is the parking area and immediate grass area by the restrooms and the front of the Henn Mansion. For the Spring Fling I do have people that are coming to that to make sure they will be watching out for the dogs that come to the park and also making sure that the owners are cleaning up after them. It will be a designated area that we're looking to keep the dogs in.

Now people could be walking in and out of the park. That day we're encouraging everybody to come into the parking area in the front. As far as the walk on the 16th, that will be a specific walk that we'll be taking and leading off. The path at the Lakefront Community Center, the path that is there behind the building, we will be utilizing and then in the park, it is basically cutting around in the back by the lagoon area. That will be a specific definite walk where everybody is following each other for that one.

Councilman Langman – You have no plans to bring dogs into the park for any disc golf or lakefront or anything?

Director Will – Absolutely not.

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

Roll Call: Yeas: Delaney, Gruber, Holzheimer Gail, Gudenas

Nays: Conway, Langman, Mancuso, Walsh

Failed.

President Gudenas – Can it be brought back? Do we have to wait a year?

Director Frey – No, this isn't Planning & Zoning. It can be brought back if need be.

President Gudenas – All right, let Councilman Lisy know he's got some work to do.

Ord. 40-2007 (299-07) Bids-Lane Lining

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the labor and materials necessary for lane lining various streets within the City of Euclid for the year 2007. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilwoman Walsh seconded.

Director Gulich – The responsibility for lane lining the various State & County roads within the City of Euclid lies with the City of Euclid. It is something that we've been doing since the roads have been there. We'll go out for a competitive bid. Last year the various lane lining of streets ended up costing us \$28,775. We do have a line item in the operating budget in the Traffic Maintenance Dept. to cover these expenses.

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

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

Passed.

Ord. 41-2007 (300-07) Fire works

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with American Fireworks Company, 7041 Darrow Road, Hudson, Ohio 44236, for a fireworks display for July 4, 2007, or rain date, in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00). (Sponsored by Mayor Cervenik by request of Service Director)

Councilman Langman moved for passage, Councilwoman Walsh seconded.

President Gudenas – Is this the same company as before?

Director Gulich – This is the same company that we had the last 2-3 years, American Fireworks. They have a tremendous safety record. They work very well with our Police & Fire Dept. and I don't think either Police or Fire Chief has any problem with this firm. We did send out six requests for proposals, we did receive two proposals, the other one from Premier Pyrotechnics, another good firm, but American Fireworks shell counts far exceeded the other proposal.

President Gudenas – Same budget as last year?

Director Gulich – Same budget as last year and of course fireworks will as always be on July 4th which is a Wednesday this year and of course we always reserve the following day in case of a rain out in which we've yet to have.

President Gudenas – Unless there's an objection, we'll add all of Council to the ordinance. If the Law Director could so do that.

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

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

Passed.

Res. 42-2007 (305-07) Alternative Sr. Snow Plow

A resolution requesting the Administration of the City of Euclid to seek alternatives for the Senior Snow Plowing Project for the 2007/2008 Winter Season. (Sponsored by President Gudenas and Councilpersons Delaney and Walsh)

Councilman Delaney moved for passage, Councilwoman Walsh seconded.

President Gudenas – This came up because it seemed like we had many more complaints than previous years over the snow plowing and perhaps we need to investigate more than one firm because it is over 400 accounts now. To divide it up because some of these firms might not be big enough to handle it which may have been the problem here.

Mayor Cervenik – One of the things with the cooperation of the Service Dept. as well as the Senior Programs, many of the cities now are asking companies to bid on various levels of service and cost and then we provide that list to our residents and they sign up directly with the contractor. There are seniors that want their driveway plowed at 7 o'clock because they do go out in the morning. There are other seniors that don't want to pay the \$180 it might cost because they're not going out until later in the afternoon, they won't go out at all if it is snowing like that. I know Mentor does

this and some other communities to give them a menu and have them contract directly for the level of service they want. Which way we're going, when we talk with some other cities, we'll get back to you and we can discuss it further.

Councilman Gruber – I'd like to have my name added to this along as probably all of Council.

President Gudenas – Everyone else? We'll add all of Council and the Mayor Cervenik because he has a good idea here. We will wait for your report back and let the seniors know that we will have some progress for next season. Hopefully we're done for this one.

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

Passed.

Ord. 43-2007 (301-07) Bridge Euclid Creek

An emergency ordinance enacted by the City of Euclid, Cuyahoga County, Ohio, hereinafter referred to as the MUNICIPALITY, in the matter of the hereinafter described improvement and requests the cooperation of the County of Cuyahoga by its Board of County Commissioners, hereinafter referred to as the COUNTY. The rehabilitation of Highland Road Bridge No. 158 over Euclid Creek. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Delaney seconded.

President Gudenas – We will discuss 12, 13, 14 & 15 all at once because it is all about Highland Road.

Director Gulich – Indeed it is. We recently received the agreements from Mr. Klaiber's office, the County Engineer. There are 4 bridge structures over Euclid Creek on Highland Road. They are owned and the responsibility of Cuyahoga County. They do need our legislation to be passed because they are in the City of Euclid. They have given me assurances and if you have read the information in the agreements, there is no cost born by the City of Euclid. The County will handle all the design, all the cost and they intend on being able to proceed in 2012.

President Gudenas – 2012?

Director Gulich – 2012, they're planning ahead.

President Gudenas – Don't cross that bridge quite yet.

Director Gulich – Anyone going over those bridge structures obviously they'll say, gee those don't need to be replaced. Again we're talking about the bridge decks themselves and they feel by getting going now, when they are in need to be done in 2012, they'll be ready to do them.

President Gudenas – Whoever is left here, you're in charge. Anything to talk about the 4 ordinances? No other questions.

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

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

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

Passed.

Ord. 44-2007 (302-07) Bridge Euclid Creek

An emergency ordinance enacted by the City of Euclid, Cuyahoga County, Ohio, hereinafter referred to as the MUNICIPALITY, in the matter of the hereinafter described improvement and requests the cooperation of the County of Cuyahoga by its Board of County Commissioners, hereinafter referred to as the COUNTY. The rehabilitation of Highland Road Bridge No. 226 over the east branch of Euclid Creek. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Delaney seconded.

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

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

Passed.

Ord. 45-2007 (303-07) Bridge Euclid Creek

An emergency ordinance enacted by the City of Euclid, Cuyahoga County, Ohio, hereinafter referred to as the MUNICIPALITY, in the matter of the hereinafter described improvement and requests the cooperation of the County of Cuyahoga by its Board of County Commissioners, hereinafter referred to as the COUNTY. The rehabilitation of Highland Road Bridge No. 157 over Euclid Creek. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Conway seconded.

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

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

Passed.

Ord. 46-2007 (304-07) Bridge Euclid Creek

An emergency ordinance enacted by the City of Euclid, Cuyahoga County, Ohio, hereinafter referred to as the MUNICIPALITY, in the matter of the hereinafter described improvement and requests the cooperation of the County of Cuyahoga by its Board of County Commissioners, hereinafter referred to as the COUNTY. The rehabilitation of Highland Road Bridge No. 156 over Euclid Creek. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilwoman Walsh seconded.

President Gudenas – One suggestion to the County, these have very original names like Bridge 156, Bridge 226, would they consider maybe renaming them after some historical figures here in the City of Euclid?

Director Gulich – Obviously the Mayor and myself have been involved with the Euclid Creek Cooperative and we could certainly make that suggestion. I can tell you though and I discussed this with the Ward Councilman, Mr. Gruber, there is going to be special signage going up. I think all of Council maybe aware of that, I'm not sure, can't recall who I sent that e-mail to. There is going to be particular signage identifying that you are going to be going over Euclid Creek and those things should be going up in the next couple months.

President Gudenas – Very good, maybe Gulich Bridge.

Director Gulich – No thanks.

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

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

Passed.

COMMITTEE OF THE WHOLE

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

Mr. Michael Byrne – 94 E. 220 St. I'm here tonight to address Council regarding Briardale Golf Course and the new clubhouse. What concerns me is the way a few members of this body are constantly putting down and not promoting the exciting things going on at the golf course. I believe what Council should be doing is not talking about shutting down the facility for months at a time, but telling anyone who will listen that Sticks is a great place and an asset to the City.

Let people know that Sticks can handle anybody's birthday party, retirement party, campaign fundraising party, and events such as that. I noticed they've begun work on the driving range to improve that part of the complex, another asset for the course since there are very few driving ranges in the area. I've also heard that there are some exciting plans being talked about to help improve this already fantastic golf course. A course kept in tremendous condition by Briardale's outstanding Superintendent Bob Holmes.

Things like this cannot be done by shutting down a place for months at a time. It cannot be done making the golf pro a part-time position. I don't know how many hours Mr. Sloat puts in at the facility, but even now when it should be slow, there he is getting things ready for the upcoming season. I can't see how a part-time pro would have things ready.

If there would have been no one in place and the course was in the shut-down mode, there is no way they could have opened last week, not only for the practice range, but the course itself. Isn't council always asking how can we get more rounds of golf in. By moving to a part-time pro or closing the course for months, we miss out in these breaks in the weather. Just as the weather can take away rounds of golf in the prime-time, we must be in position to take advantage of any break mother nature will throw our way.

Back to Sticks. My wife and I enjoy going there on the weekends for a few drinks and appetizers, even in the winter. It is a gorgeous building built with great workers and a warm atmosphere. I urge Council to call your friends, meet them there for coffee or a few drinks, have some good food, maybe play a few games of darts. I encourage everyone here and watching on the access channel, to stop at Sticks. Go to Sticks and order a Double Eagle sandwich. If you like soup, try a fresh bowl of the homemade delights Mr. Eberhart and his great staff serve throughout the week. Just stop in and you may see a friend you haven't seen all winter. This golf course and clubhouse are a huge asset to the City. I believe that under the direction of Mr. Sloat, the great work being done by the Golf Course Commission and of our Bob Holmes, our premier superintendent, Briardale will once again shine as the jewel of Euclid. Thank you.

Mr. Warren Wallace – Euclid. Just left the gym, I'm feeling pretty good and nobody is fighting tonight. None of that political pettiness back and forth and I enjoy that. Even the Council President is smiling and that's good.

All right. Mr. Council President, the deli you had up here last Council Meeting, do you know if they sponsor any recreational programs or in any way give back to the community? The deli, Baltika.

President Gudenas – It is a new business. They just opened up so I don't believe they are involved yet, but hopefully they will be. We're just trying to promote anybody with an idea, some product that affects Euclid, come on down, we're trying to help them out.

Mr. Wallace – That's good. There's one store that just opened up, Kim's Wings. Kim's Wings is considered a minority owned business that recently opened in the Shore Center Plaza. Kim's Wings has provided what most people would consider the best wings on the east-side. Kim's Wings has repeatedly gone above and beyond sponsoring recreational programs here in the city, Boys League, the basketball team. Before they even got here to the city, before they even moved here to the city, when they were in Cleveland, they were sponsoring programs here in Euclid. I want to give a little something to Kim's Wings, it is one of the businesses that is giving back to the community. I got off track here.

This community needs to support business like Kim's Wings to show that we truly appreciate the fact that they do care. This is one instance where the business is following the Black community. Kim's is really big on the east-side with the Black community and now that there's a big Black community here in Euclid, there's other businesses that want to come here and that's a good thing. That way we don't have to go outside the City to spend our money, we can spend it right here. Jack Johnson, Director Johnson, are you familiar with Kim's Wings?

President Gudenas – Director Johnson, tell us about the wings.

Director Johnson – I am now that you brought it to my attention. I have heard of them, I have not tasted their food, but I intend to.

Mr. Wallace – Really good, they're perfect, everybody needs to check these people out.

President Gudenas – Well tell them to bring a menu or two down and we'll have them here at the Rotunda. If they want to bring a sample, we'll have it on TV for the next meeting.

Mr. Wallace – Also I have an idea. I think with sponsoring these recreational programs, being though Councilman Delaney is the I guess liaison for Council to the Recreation Dept., I think it would be a good idea and also he's a businessman, it would be a good idea to go to these area businesses along with Mac Stephens and Darryl Buckley, we probably could get a lot more sponsors on board. Certainly that would help our children and it would help the parents financially.

As far as Mac Stephens goes, Mr. Mayor, you hit a Grand Slam when you hired him. He's inspirational. He's just great and he does a lot for this City and our young leaders. Come November, I definitely will take Mr. Stephens hiring into consideration. I'll urge all residents to take that into consideration also. Really don't like giving the Mayor 100% credit, so I hope Council can come up with someone, give credit to hiring someone or come up with a name that the Mayor can hire. Mac Stephens, you hit a Grand Slam. Thanks.

Mr. Tom Cooke – 25641 Edgecliff. Just as a follow up to Mr. Wallace and what he commented on regarding Kim's Wings. They are a family run business. They are the kind of people that you want in the City of Euclid. They do run a fantastic business and my wife and I have had them cater events at our house regarding chicken and ribs and macaroni and cheese and they are good, they are good. I'd just would like to give a little bit of a plug for Kimmie's Wings and her whole family. They really a nice group of people.

What I want to ask Councilman Delaney, regarding #6, the theft of reserves from the Benton Village, Blisswood Condominium, is there anyone being prosecuted? Is this being followed up from a legal standpoint?

Councilman Delaney – Yes, if you follow the news, there's already been a guilty plea from one of owners. I've been in touch with the condo association attorneys and to the best of their, they have many condo associations in other communities and we're the only one that's taking a pro-active stance. As I had outlined when we had the legislation, it is a big problem and the Mayor and I talked before the meeting and we are going to go to other lenders. There maybe another way to structure this, but it will be a loan and it won't be giving money away.

Mr. Cooke – As far as the theft of the monies that have occurred, you're well underway as far as prosecution is concerned?

President Gudenas – Guilty plea has been entered by the one person, there maybe more.

Mr. Cooke – Thank you.

President Gudenas – Again, the money appears to be missing. Maybe they spent it on Kim's Wings and they were really good. That's on Shore Center Drive? Shore Plaza, next to Subway.

Mr. Greg Kost – 310 E. 218 St. I would also like to make a few comments tonight about the Briardale Greens Golf Complex, although probably not as eloquent as Mr. Byrne state previously, but I think some things do need to be said.

It appears that some people would rather point out a few negatives of this complex rather than highlight and promoting the overwhelming positives of this entire facility. This complex is a huge asset to the community, both socially and economically. The golf course in particular the greens are the best in the area. I've played a lot of country clubs and the greens, Mr. Holmes does a great job in maintaining this course for the amount of play that it does it.

Some said the lay-out isn't challenging enough and have moved the outings to other venues. I would guess to say that most of those golfers wouldn't break 90 on this course. It can be set up very difficultly, so I don't think that's a viable comment. The outdoor pavilion area is spacious and well appointed, ideal for very large outings, as long as it is marketed that way and I think Mr. Sloat is going down that path.

The clubhouse and restaurant are fine, first class facilities. Again, able to accommodate many different kinds of birthday parties, things I've been there where they have had parties and sporting event parties and things and it has worked out very, very well.

Privatization and seasonal operation, I think are not remedies, they are obstacles to the success of this facility. This complex cannot be run on a part-time basis. It is a full time job and I think anyone that's been associated with golf course management understands that. Bottom line is we all need to support and promote this viable asset in the City of Euclid. I'm confident under the direction of Tom Sloat and Bob Holmes that this course will make Euclid proud.

Mr. Matt Brownson - 19221 Pasnow Ave. Sent you guys a few different e-mails, I've met a couple of you guys but I wanted to introduce myself and I think I just want to get on TV tonight. A couple

of comments, first I want to say to the Police Dept., a big thank you. St. Patrick's Day, we've had a few different things over the past, my wife and I we have a 9 month old baby now. We moved here, just on the other side of 185th now, if you guys don't know exactly where Pasnow is. We moved out of the Collinwood section of Cleveland. I've lived in Trenton, NJ and we moved out of Cleveland. My wife and I would consistently on our corner see drug deals going on. No knock to the Cleveland Police Dept. per se, but they wouldn't show up for 2 hours. One of the raps we heard leaving in Cleveland was oh, you've got to watch out for the Euclid Police Dept., but we're glad as homeowners to have the police dept.

We had a couple of disturbances Saturday night, just St. Patrick's Day celebrations going crazy at 3 o'clock in the morning and we no sooner called 9-1-1 and the lady told me they were already there. We try not to do frivolous calls, but we called a couple of times to say, hey maybe when you get a chance run a cruiser down, we got a group of kids in the street. We've seen them half-hour later just kind of nonchalant but bringing somebody through, so I just wanted to say thanks to the Police Dept. It's a huge change from what we've seen from Cleveland and everything.

The other question I had is I'm pretty excited, I've obviously been auditing meetings for awhile in the HUD development and the resale or the negotiation of the foreclosed homes is very exciting to me. Glad you guys are really taking it that way, I have a minute ten so I'll be quick. My question is as I've been sitting back last couple times, since this not for profit organization, I'm not sure of the name, but anyway the group that is going to be doing the work, since they are getting a negotiated rate, 50% of the outstanding value, give or take a little bit, my only question on that from a business standpoint is that when they go to turn around the houses or turn around the homes, is there any kind of cap or regulation on how much they are going to sell these houses, is there any kind of control that's going to be that way? Because if so, I mean, I understand I'm glad the property values will be going up across the board and so forth a nicer home, but pretty much an older home that's vacated is about the same as a little nicer home with a new paint job that's vacated because they are selling, it's still too much. So I just wanted to know if, that's my last comment, but just wanted to see if it was somewhat regulated on the top, I know it is capitalism but if it is going to be regulated.

President Gudenas – Yes, that is part of the negotiations and all sides have agreed that the homes that they acquire, rehab and sell would not be sold at a big discount but be sold at a comparable price to the neighborhood homes, so that if they bought it at a discount, they could put even more money into the property including outside improvements, landscaping, and other amenities that normally would be overlooked, to bring the value and quality up higher than a normal redevelopment plan. The plan is regular market prices, you're basically getting a good value on the home getting more than you paid for, but you're not getting a discount on the home. They are going to look for Euclid firms to hire. They're not actually doing the work, they will contract that out hopefully with Euclid firms to do the work.

Mrs. Madeline Scarniench – 1511 E. 221. I'm disappointed. I was really expecting to go take my dog on that mile walk. I figured I could probably do that. My suggestion to Director Will, Euclid Metroparks. It is partially in Euclid, it may not be exactly where you want, but they've got a beautiful path, it is all marked off, there's lots of places to stop and sit. They love dogs. It might be an idea so you don't have to cancel these events to talk to them. If you don't do anything structured, you don't have to talk to them. But, if you wanted to do something like the Spring Fling, that might be somebody to talk to. Thank you.

President Gudenas – And Councilman Lisy, we know he's a dog lover.

Ms. Rose M. Allen – 26241 Lake Shore Blvd. Probably three questions. I noticed recently there was somewhat inflammatory or disturbing concerns about the Police Dept. in Euclid that was in the media recently. I'm wondering, does this city, has this city ever considered having a Citizen Review panel when it comes to matters of accusations of police inappropriate activity? If it hasn't, would it be possible and would Chief Repicky be agreeable to perhaps establishing such a committee that has no power but just the ability to make recommendations and to review matters that relate to what was in these recent problems.

Second question, does the city have, I know in the past the City has had a membership or an association with the Cleveland Tenant's organization which is an umbrella organization for suburban communities including the Greater Cleveland area that helps tenants who make up just about 41% of Euclid, to deal with issues relating to tenant-landlord matters. Because I know in the past there has been an association with the group but currently they will not take calls from Euclid residents because their response is Euclid is not participating in the Cleveland Tenants organization.

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President Gudenas – Do you want the answers now?

Ms. Allen – Yes, I'll pause for the answers.

President Gudenas – Chief Repicky regarding citizen review for complaints.

Chief Repicky – We would entertain that thought, but I don't know what kind of problems you are talking about.

President Gudenas – The article in the paper was more about the hiring, not about any specific action of any police officer or any thing about the Dept. itself. It was more about how people got to the department.

Ms. Allen – But that would also allow citizens to really look at what's happening and see if there really, to look at it, but also be prepared to deal some other negative issues that have affected other police departments. Rather than to be reactive, be proactive and have one in place just in case there are allegations made because I've heard some things and I don't like repeating rumors that are going in that direction. They're not anything I've seen but only comments from other people.

President Gudenas – Chief Repicky, could you consider that and give us your thoughts in a future meeting regarding that?

Chief Repicky – I could check out other departments but I want to know which way she's looking at and who would be on that panel?

President Gudenas – Would you like to discuss that at a future date with Rose M. Allen in the future?

Chief Repicky – Yes, we could sit down and talk.

Ms. Allen – I think it would protect the police department more than it would do anything to harm or hurt the Police Dept., but just be prepared for any accusations that may come, which it happens in various police departments.

President Gudenas – Okay, we'll do that. The other question was about the Cleveland Tenants Association.

Director Pietravoia – I'd be happy to talk also to Rose Allen directly. We have in the past, our own staff has referred people to that organization. I wasn't aware that recently they have not been taking calls from Euclid tenants. I know that other communities do contract with Cleveland Tenants organization, we do not, as a city, have a contract with them currently. I did not think they required that in order to provide services and I would like to talk with them directly and get a better handle on why that's happening.

Ms. Allen – Third, it is not even a question, is regarding the City Services Evaluation Committee, we have obtained the permit, a business reply mail permit that would allow us to be able to get surveys returned without the residents having to pay the postage. I also brought along copies of something that if we comply with certain regulations, we can have our business reply mail returned at a much lower rate that is even lower than standard first class mail. I brought this along to pass onto our Council liaison and anybody else who wants to look at it. I think that concludes what I have for now. Thank you.

President Gudenas – Thank you and your group is meeting on Thursday to start to finalize the survey and it will be available shortly.

Ms. Allen – We're hoping to have everything ready to go, I'd say before the end of March.

President Gudenas – We look forward to that. Anyone else?

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

COUNCILMEN'S COMMENTS

President Gudenas – I believe I'm #1 on the list this time for comments and I'm going to actually talk a little bit further about what was just brought up, the latest allegations from the Department of Justice. We all know that they've been investigating here in Euclid about our election system, as a result we have already made some changes to the way the wards are designed, to address the issues that were brought for us and also to set up committees and get more people involved in our election process.

We're working on that and in my opinion part of their negotiation strategies maybe to throw some more at us so we've recently read in the newspaper about them now looking at our Police Dept. hiring practices with regards to females and other minority applicants, that our department, according to their views, has not hired enough.

I'm going to propose something that was actually brought to me by a resident here in the City of Euclid who works for the County as a Park Ranger. He had a good point that may help us with the Department of Justice on this issue. It is something I'm going to ask the Council and the Administration to consider in the very near future.

The way the current system works is if you want to apply for the Police Dept., more or less everyone has never been a police officer before. You apply for the agility test, you either pass or fail. If you pass, then you take the written test, then your scores to the Civil Service Commission that we have in Euclid for rankings. But there are a lot of police officers out there already who have already worked for a different police department, including the City of Cleveland that may be very interested in working in the City of Euclid.

I'm going to ask that we allow transfers from one department directly into Euclid. If you are a qualified person and set up the procedures, obviously you don't automatically get the job, you still have to go through the interview process and the like. But this could possibly address a lot of the issues. We do know the City of Euclid has been trying in its recruitment process for new police officers that have never worked before and we have gone out for various events and run ads and the like. But, that hasn't been working very well and possibly a different approach allowing for transfers into our department may make the changes the Department of Justice is looking for.

So, I'm going to ask the Police Chief, the Law Director to consider this in the future.

Chief Repicky – That's one of the ideas we have in mind to use, but the problem is our department is very well respected throughout the community and if another department, say Westlake, not to mention any names, sends me a note for lateral entry, do you think I'm going to post that so somebody can steal one of our employees? So basically we have to go by word of mouth from our officers to try to steal other employees from other departments. When we had the last test, Cleveland had lay-offs and we faxed down our test and everything else and we had no response.

President Gudenas – We're basically stating that instead of taking a test, we set up a different procedure for someone who is already a police officer.

Chief Repicky – I agree with you, we would look at a resume and interview process and they would still have to pass the agility test. Then we could take it from there.

Director Frey – Former Chief Maine has submitted a fairly extensive proposal to the Euclid Civil Service Commission on that very topic of lateral hires. It is something that is in the Civil Service mix. The other thing that I've asked the Civil Service Commission to look at is regional entrance testing for police and fire candidates as a way to reduce the burden on test taking. So if other communities are interested, there would be a test given perhaps every six months county-wide or whatever group of communities agrees to engage in that and you would only have to take that one test. You would be ranked on that test and whatever department is then in need of a person would presumably go to the top of that list and hire the best and most qualified. If you didn't get hired, you would only sit for another test perhaps in six more months as opposed to going from community to community to community. That's another issue that we've given to Civil Service Commission to look at to advise us as to the feasibility. Those are two things we are trying to do to broaden the appeal to take our entrance exams.

President Gudenas – These are all good ideas but I guess the point here is that apparently the time is now to make these changes. Once the government knocks on your door, we have to act like we did with the ward boundaries and made some changes to address their needs. I think we are going to need to take these ideas and make them into reality, sooner than later.

Mayor Cervenik – We're quite confident that since these steps were all taken before we received any notification from the Justice Department that they will go along way when they do come in and

investigate us that we are looking for pro-active ways to expand our applicants in our police department. I firmly believe that if we can be a leader in this regionalization of testing, it will go a long way towards what they are looking for and will solve a lot of the problems that exist.

President Gudenas – I'd prefer not to wait for other cities to act. We'll need to act on our own. I'm hoping we can come up with specific ideas we can do in the next 30 days or so, especially regarding the lateral transfers. That seems to be the number one way to increase.

Mayor Cervenik – The goal of the administration is I believe our test is good until March 2008. When our testing period comes up, we expect to have all these things into place.

President Gudenas – We'll talk about that further based on how we can come up with some solutions sooner than later.

Also, just to remind everybody, we have a meeting tomorrow, Tuesday. It will be an Executive & Finance Committee. We are going to go over Councilwoman Mancuso's recommendations and hard work on the insurance plans for the City of Euclid workers. We will have some recommendations on that. Then afterwards, we are going to meet with one of our legal advisors regarding these new allegations in Executive Session to go over the various legal issues and solutions on what we can do right now.

Councilman Conway – My first question is for Director Gulich. I believe we forwarded you an e-mail sometime last week, a resident had asked us to contact you about doing some clean-up on the on and off ramps around 200th Street. I know this topic has come up in the past for a few different interchanges and taking some seasonality into issue, could you just kind of address what the city's plan is for those particular areas? How much we're responsible for and how we go about cleaning up, especially the on and off ramps?

President Gudenas – E. 200th Street is in Cleveland and has been addressed by the City of Cleveland.

Director Gulich – That is correct, Council President Gudenas. Councilman Conway thanks for asking. As you know we have the fine workers out under the direction of Director Will, also the County also sends their version of fine workers out periodically as well. I think under this particular case the problem was on the Cleveland side of the line and Director Will's office has opened a line of correspondence with the City of Cleveland to get them in a little faster than they have been in past situations with that particular problem you mentioned.

President Gudenas – And they promised this week to address that. That was the problem there, it was apparently in a different city, we discovered that and the department acted fairly quick to notify Cleveland.

Councilman Conway – We appreciate taking the immediate action. I know as I said before, it does come up at the various major intersections every so often. So it is always good to address those concerns so the residents know how we handle that both in the cases when it is our responsibility and when one of our neighboring cities responsibility as well.

I just wanted to address some of the comments that a couple of residents have made tonight and recently about some of the things that are going on at Briardale. I think what's important to understand is that I believe everybody on this council, I believe the administration and the fine people on the Golf Course commission, all appreciate how valuable an asset Briardale is to our community. I think that is why we spend so much time discussing it, sometimes more constructive than others, but at the end of the day we know it is a huge valuable asset to this city. It is something that we all want to continue to be proud of. I think that's why we spend so much time on that particular topic working on ways to improve it. No one is up here to see Briardale in any way. Everybody in this city whether you use Briardale or you don't use Briardale, can come out to Sticks, take advantage of a meal there as well in a social setting. But it is something that we need to continue to spend a lot of our time and resources being dedicated in making sure that is being run properly as well as making sure that we're doing everything in our capabilities to work in conjunction with Director Will and Tom Sloat and the Golf Course Commission and make sure we're putting ourselves in a situation where we are going to be successful and people from the outside communities will start flocking into Briardale to utilize that resource that we know is so powerful in our community. I think we are working very hard to continue to make it, if not better, a recognized golf course in the surrounding areas and hope that people continue to come out this year,

hopefully we'll get a break in the weather and more people will get exposed to the asset that we have in the middle of Euclid.

Next I'd like to thank the residents in Building G in Indian Hills for inviting me to their landlord/tenant association meeting. It was one of the first opportunities I've had since being elected to Council to really be invited into the Indian Hills complex and talk to many of the residents. I certainly appreciate the invite and I look forward to working with them and continuing some of the work that Councilman Gruber has done for Indian Hills as well. I know we will get together and de-brief a little bit about my meeting and address some of the concerns as well as communicate some of the positives that are going on in the Indian Hills Senior Complex. Again, thank you for that invite.

I know the City Services Evaluation Committee, we heard a little bit of an update from a resident tonight. But being able to work with them and seeing some of the great process and progress that they've made on putting together a survey that is really going to give the residents the opportunity to voice both the positives and their concerns and their city services and I know that will be coming out soon. I know that Evaluation Committee has done some excellent work and we look forward to seeing the results from their survey so please take the time to participate in that.

My last comment is to thank the Mayor, Clerk of Council and the Police Dept. for entertaining our Cub Scout Troop or Local Euclid Pack 54 came in today and got to spend some time throughout City Hall. Those that I've talked to certainly appreciated it and appreciate your time that you showed to them today. Thank you and good night.

Councilman Delaney – Over the weekend I had the pleasure to attend the Cleveland Women's Orchestra Concert at the Shore Cultural Centre and it was absolutely magnificent. The Cleveland Women's Orchestra is the oldest Women's Orchestra in the United States. It was quite a nice treat and to follow up, to remind everybody that the very next Sunday, we'll have our own Euclid Orchestra performing as well. I just want to remind the Recreation Dept. that we need to take care of all of our public areas when we have our concerts and make sure that the restrooms are stocked and neat and clean and the hallways, we want to make sure that it is a nice, enjoyable event for everybody.

I'd also like to thank the East Side Irish American Club for the wonderful time and effort that they put in every year in the St. Patrick's Day parade. Of course, for me it really hits home, but it is always a great source of pride when they walk around and they have the Irish American Club from Euclid, Ohio. It is really a huge cultural asset and soon to be approaching 30 years in Euclid, Ohio and I hope for many more to come.

I, too, would like to address some of the comments made about the Briardale Golf Course. I don't know about Council having negative comments. I know that we do approach the budget. Historically we were accustomed to Briardale being profitable. We made a significant investment into that course because of that. I think that all the council members are unanimous, the bottom line is we want Briardale to succeed. What we do is we spend time in on the budget and we have to make sure our actuals meet what is budgeted and when it does not, we have to get involved. I think that we've all extended ourselves, I know that Councilman Conway and Councilman Lisy have offered their marketing expertise to bring their ideas and assist any way they could. I know that some council members actually made comments about the Chamber of Commerce moving their golf outing from Briardale. That was one of the reasons why we made that significant investment was not to lose business but to keep business and create more business for the course and get more people through our city to see these assets.

The Mayor made a comment that maybe the Chamber left because it wasn't challenging enough and I'm glad Mr. Kost came today to remind everybody that Briardale is a good course for a tight, public course, I think its one of the finest in the area, I do agree with you. But we do have to get those within our own city to embrace that and we have our Euclid Chamber of Commerce had put a position in front of us just tonight and I'll just read you one sentence, it says, we have used the Briardale facility for the past two years. During that time period we have seen our net revenues to that event drop, the number of participants have also decline.

This is of great concern to me and I think what we've got to do is find out why. We'll continue to work on it and we'll continue to make sure our efforts go toward making it become a success. I hope that when people do watch our meetings and they do become objective and they do realize that we're only here to make sure that all the taxpayers money is spent as frugally as possible. Thank you.

Councilman Gruber – I too would like to thank the East Side Irish American Club for the event on St. Patrick's Day. All the way from early in the morning to late in the evening, it is a real asset for the City of Euclid.

I would also like to bring to the attention of the people of Euclid this Lower Euclid Creek Greenway brochure that's been put together by the Cuyahoga County Soil Conservation District. It is available at City Hall and also I think most Council members have the ability to get some if you need some. I know I have given some to my homeowners associations. It is a nice brochure about projects that they are proposing and also it gives a little history. Very, very, nice it is a well put together brochure.

I'd also like to thank Hank Gulich and his department. Director Gulich on yesterday afternoon when I was out walking my dog properly, it was leashed and under my control the entire time, I noticed that there was some decay in the road and I called down to the Service Dept. and that afternoon on Sunday afternoon they actually came out and put out the cold patch and did a real nice job. I appreciate that, Director Gulich.

I was at Sticks Friday night for the Fish Fry. If you like fish, they give you a nice portion, reasonable price. French fries were a little soggy, but besides that, it was good, there was a good crowd. It was a nice atmosphere. If you want to go down for a little bit of fish fry, stop down there.

I'd also like to thank Councilman Conway for going over to Indian Hills Senior Complex and also Councilwoman Holzheimer Gail for taking some initiative with that project as well over at Indian Hills Senior Complex. But most of all, I'd like to thank Councilman Daryl Langman for the excellent work that he did in Ward 4 while I was gone. I think the people actually appreciated that time he took and he went to several locations and really worked together and I really appreciate you taking the time and thank you for the job that you did. With that, I'd like to say goodnight.

Councilwoman Holzheimer Gail – I wanted to thank the Shore Cultural Centre Board for bringing in the Cleveland Women's Orchestra as well. It was a wonderful concert held this past Sunday, yesterday. For all of you who missed it, you have another opportunity this coming Sunday. I really would encourage you, we're talking about assets of the community. Not many communities have their own civic orchestra and they really if you have not heard them, take the time to come Sunday at 3:00 at Shore. I don't know if a decision has been made, but will we be taping that for public access?

President Gudenas – Any decision on the Euclid Orchestra to be on our public access TV?

Mayor Cervenik – I don't know if it can get taped or not. I didn't know there was a ...

President Gudenas – We brought it up at the last meeting.

Councilwoman Holzheimer Gail – There was a request made.

Mayor Cervenik – I will find out for you.

President Gudenas – It would be good, they haven't been on for awhile and not everyone can make it out there. This helps promote our big, we have the golf course as an asset so is the orchestra. It is the 25th, 3:00 at Shore Cultural Centre.

Councilwoman Holzheimer Gail – Thank you to the Shore Board for all their work to make that happen as well.

Just another reminder that BRIDGES will be holding their community Summit this Saturday, March 24th at 9 AM at Pinnacle Academy which is adjacent to St. Christine's. That is a group who is bringing together folks from all over the community to look at the positives of the community and really dream about where we want to be and how do we get there. That's BRIDGES Summit pulling together their appreciative inquiry process this Saturday, March 24th at 9 AM at Pinnacle Academy.

Also, an early notice, but we've been working with the Community Policing Dept. and will be having a merchants meeting for 200 Street for all merchants or residents associations on either side on crime prevention. Trying to get a jump start on the warm weather and get some positive things in place for the merchants on E. 200th Street. The agenda has not been finalized yet but we're hoping that all of the relevant Council members including Councilwoman Walsh and Ward One and Councilman Polensek, hopefully from Cleveland. We'll have representatives both from the Euclid Police Dept. as well as the 6th District in Cleveland. We are inviting all merchants from 200th Street, Tuesday April 10th at 7 PM at Gateway. If you want more information about that you can give me a call or Kristal Skovira at the mini-station, 289-8449.

One other request for all of those who like to cook comfort food or eat comfort food, Cebar's the tavern on E. 185 St. is holding a Comfort Food Cook Off to benefit the Euclid Hunger Center. That will take place Thursday, March 29th from 5:00-9:00. They will have judging by local

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celebrities at 8 PM. You can pick from three categories for those that want to cook: Enticing Entrees, Savory Soups or Side or Delectable Desserts. They need you to register ahead of time if you are interested in cooking. You should call Cebars and anyone is welcome to come attend the event and either donate a tasting fee or \$10 worth of non-perishable food items. That is to benefit the Euclid Hunger Center, Thursday, March 29th at Cebars on 185th.

President Gudenas – From Cebars you can go to Kim's to get your wings and then you can go to Georgio's Pizza because they have the Grand Opening on April 3rd on E. 222 St. 4:00, then you can go to Weight Watchers.

Mayor Cervenik – I have just been text and the Orchestra will be taped for public access. My assistant is watching.

President Gudenas – Very good, glad to hear that.

Councilman Langman – Director Gulich we talked since the storm of the summer, maybe more formalized catch basin cleaning, so where are we with that?

Director Gulich – That's something I've been telling you we would start communicating better to the public. As a matter of fact, as Law Director Frey can attest in our meetings with the EPA they have suggested that we do communicate more because we do have these programs that we do go out and do the maintenance. We basically don't tout it. Councilwoman Mancuso has been helpful with touting our sewer cleaning schedule, as a matter of fact, we hope to have a revised map on that soon. I'm glad to report that since we set realistic goals we've been able to keep them. Of course with the catch basin cleaning program we intend on setting realistic goals too. I can put together a report that says we are going to clean everyone in the whole city each and every year, that's simply not a possibility. We do try to move methodically and with a planned route through the city. We want to get the ones that we haven't been to in the greatest amount of time. Of course, we do have some problem areas, I think all the ward councilmen know where they are at so we will continue to keep an eye on certain areas where we know we've had the excessive pounding in the streets, we want to make sure the hydrobrakes are working properly.

Councilman Langman – So have we gotten over to 266 to check on that problem area?

Director Gulich – Supt. Reese hasn't told me he has found any problem over there. I was hoping he could report directly to me this morning. With the slippery weather conditions I let him keep both eyes on our streets this morning to make sure we got through our blustery weather okay. I'll be glad to follow up on that information for you.

Councilman Langman – Very good. I would appreciate that. Mr. Beno, I e-mailed you this morning about a couple of issues regarding Holzheimer's grocery store and if you can give some update on the North Point elevator situation, the folks would appreciate it.

Mr. Beno – Thank you Councilman Langman. In regard to the elevator at North Point, I think many people are probably aware, but just for context I want to state, there is a major upgrade going on at the apartment complex and that contributed to a service interruption last week. Again in terms of the context of understanding what is going on with elevators, in Euclid the State of Ohio regulates the construction and reconstruction of the elevator and machinery itself. The City of Euclid regulates the electrical connections, the controllers, the smoke detectors, those kinds of things within the shaft and the building.

Basically at this point for the first elevator in each tower, the State of Ohio work has been completed and the work that's regulated by the City of Euclid has yet to get underway. That is because we have insisted from back in January that plans be submitted for that work. That's a routine standard that we put all contractors to. Those plans were finally submitted on March 9th. We reviewed them and mandated quite a few different improvements that are going to have to be carried out. One of the things that will happen in the building is that an emergency generator will be installed. That means that when the service electricity for the building goes out, the elevators will still work. Then there are also technical kinds of improvements within the shafts.

Basically, at this point, we're waiting for a response to our review of their drawings. Once that is completed, we would expect that the contractor will get right back on the work and get going with elevator shaft 1. Because of the difficulties that many residents experienced, the management has established a hot line in the event there is a situation where someone needs to get an emergency

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medical transport out of the building. There's a number available. It has been posted, 289-5944. That's manned on a 24-hour a day basis by the security staff of the building.

While this work has caused a significant reduction of service to the residents in the building, all steps are being taken to ensure that the new elevators will be safe and meet all current building codes.

Councilman Langman – Mr. Beno was Associated Estates, were they fined for not pulling appropriate permits? Were they fined for that?

Mr. Beno – They were not fined per se, however when we do issue the permits, the permit fees are doubled in a situation like that where people begin or initiate work without taking out permits.

Councilman Langman – If they don't follow the various rules and recommendations we've made, will they be fined again?

Mr. Beno – Not following the approved drawings would mean that the elevator would never be approved for service. They will bring the elevators completely up to current codes.

Councilman Langman – Thank you. Holzheimer's if you could.

President Gudenas – Quickly as you can so we can keep it to a one tape meeting.

Mr. Beno – We're working with the owner to obtain financing for capital repairs to the building. We're bringing in and taking advantage of Cuyahoga County program called Grow Cuyahoga and we'll be meeting with the owner of the building and the owners of the business next week to continue on that project.

Councilman Langman – Thank you.

President Gudenas- We look forward to the progress.

Councilwoman Mancuso – First of all I'd like to know how many CSU students are left? All right, I'm impressed. Isn't this interesting? Hang in there, it gets much better.

A request to Director Johnson, if at all possible, can we get these finance reports in our packets versus getting them here this night?

Director Johnson – You absolutely can. The only reason they were handed out this evening was because they were just finalized Friday afternoon. At the beginning of the year we have to set that whole monthly thing up and I did not want to delay getting them to you any later, but I absolutely can hold them until the next council package.

Councilwoman Mancuso – Because I think somewhere down the road after our audit, we're going to be asked to approve these and I would like to have them.

President Gudenas – We just did that today. We accepted them.

Councilwoman Mancuso – I understand that, but it would be nice to be able to read them before we actually do that. Thank you.

As far as, I have to make a statement about the dogs in the park resolution. It is astounding how many people have called, I had more calls on dogs in the park since people knew this was on this agenda than I've had about our police hiring investigation from the Department of Justice. I'm not going to judge which is more important but when the residents say to you, don't do it, don't do it, don't do it, I'm not going to do it. It has nothing to do with owners or dogs or people don't want dogs in our park, not even for special occasions. I hope you all lobby Councilman Lisy when it comes back because I don't think the vote is going to change a whole lot.

With that I will say goodnight and get to the orchestra on Sunday at Shore. It is going to be fabulous. Thank you.

President Gudenas – Councilwoman Mancuso makes a good point about the financial statement. If you do look at it we are off by \$200,000 in January; \$200,000 in February. So we are off by \$400,000. One more month of a downward revenue stream and that's a trend. We may need to have some extra meetings coming up in April because our budget was balanced with just a few dollars. Now we're \$400,000 off.

Mayor Cervenik – If you look at the numbers from last year, it is not a whole lot different as far as being below projections. The first 3-4 months of the year is based much more so on an unpredictable amount and timing of when individuals send in their income tax. We're quite confident that at the end of April we will be where we're supposed to be. We were about three hundred and some thousand dollars below projections last year at this time.

President Gudenas – We had additional surprises at the end and we have no room to maneuver.

Councilwoman Walsh – You're on my time, could we click it back, thank you very much. I would like to start with the positive news. Good news first, the Big Show is this weekend, I hope you go down and see the High School kids. The following weekend is the Wiz at Shore Cultural Centre. I would sincerely like to thank Chief Repicky and all his fine staff for almost catching me speeding on the Marginal tonight and that's about the fourth police car I saw out there and I think that's a major improvement. As far as Kim's Wings, I highly recommend the fish, even though I shouldn't be eating it, it is absolutely delicious.

We received a letter tonight from the Euclid Chamber of Commerce and I think its been touched on. I was really glad that the gentleman came up and talked about the challenge of the Briardale Golf Course because I am not a golfer, it probably would be good if I took up golfing, but they say in this letter that the Community Asset Award was not a token gesture but rather a genuine token of our appreciation. Well the fact is, if you gave the award and then you choose not to play there, in my mind that's a token. I think they need to bring their golf outing back to, we are one of the few cities that have a golf course in our backyard and everyone of us need to use it. If we are so proficient as golfers that we need to go to Firestone or Pebble Beach, or whatever, but for right now we need to play Briardale.

Then I would like to ask Mr. Beno, something just came up that I'm really not clear on. You say Associated Estates was not fined and that when they came back to get the permit the permit was doubled. Yet we have that little controversy going over on Brush and in the course of several meetings, he was fined a mere \$500 for going ahead on his own. Please explain the difference to me because I don't understand that philosophy.

Mr. Beno – At this point we have not yet collected from Associated Estates. When the permit is turned in, I mean when the permit is taken out, we will assess that fee. The situation with the work on Brush Ave. is that work caused, the late work being done on the hillside caused us actual costs in terms of the reviews and those reviews were doubled and then that's what came out to the \$500. It is basically we use the principle of, costs are doubled when work is done without permits. Whether you call it a fee or whether you call it a fine.

Councilwoman Walsh – He did the work without a permit because he chose to do it how he wanted to do it as opposed to what Planning & Zoning told him to do. So shouldn't the fine been greater than \$500?

Mr. Beno – It was based on a doubling of the associated costs to the review and monitoring of the work.

Councilwoman Walsh – I'm not understanding. He went ahead and did the work as he was told not to do it and Planning & Zoning approved A, and he did B on his own, and he only gets slapped with \$500?

President Gudenas – Well did he have to do the work according to the way it was approved?

Mr. Beno – It's not a situation where he was prior informed that he was doing anything wrong. He took some steps that was basically work without permits and the fees applied, the fines applied.

Councilwoman Walsh – But Planning & Zoning told him not to do it the way he's doing it. This has always been in our private meetings our disagreement here. I don't understand why he is not being fined a lot because its just an incredible situation.

President Gudenas – We have 24 seconds to solve it.

Councilwoman Walsh – You are never going to solve it. It is never going to be resolved. It is just going to be calls to the ward. Thank you.

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President Gudenas – That’s something we can work on, maybe get a memo in writing to further explain the difference between these various issues and which of our ordinances and rules apply and how you use them so we can officially have them in writing to follow up on.

With that, I’m going to remind everybody of our meeting tomorrow at 7:00 and for the council members to bring \$11 for your ad in the soccer program for Memorial weekend. Tomorrow \$11.

ADJOURNMENT

Councilwoman Mancuso moved to adjourn. Councilman Langman seconded. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council