

## COUNCIL MINUTES

APRIL 16, 2007

The regular City Council meeting was held on Monday, April 16, 2007 at 7:00 p.m. in the Euclid City Hall Council Chamber. President Gudenas presided.

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

All present.

Others Present: 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 Fr. Joseph Goeble of St. Christine Church.

A Moment of Silence was held for the tragedy at Virginia Tech campus.

### COMMUNICATIONS

Council has received the following communications:

Resolutions from the cities of Broadview Heights, Independence and Parma opposing the charges on City of Cleveland Water bills.

A letter from Asst. Fire Chief announcing a Cleveland Clinic Health System award ceremony honoring five Euclid EMS professionals.

A memo from CS&ED Director Pietravoia with minutes from the Tax Incentive Review Committee.

A memo from CS&ED Director Pietravoia explaining the request to pass Res. (326-07) this evening.

### COUNCIL MINUTES

Councilwoman Holzheimer Gail moved to receive Council Minutes of April 2, 2007. Councilman Langman seconded. Yeas: Unanimous.

### ADMINISTRATION REPORTS & COMMUNICATIONS

President Gudenas – Tonight Mayor Cervenik is not able to be here. His wife is visiting in the hospital and he is with her so we wish the Cervenik family all the best. To take over for tonight is Law Director Chris Frey.

Acting Mayor Frey – It is particularly poignant tonight that we deal in our own ways with this tragedy in Virginia and the tremendous loss of life on the Virginia Tech campus. And as Father Goeble our prayers and thoughts and wishes are with that entire community and this nation as we mourn once again.

It is also very appropriate that we have so many of our safety forces and citizens who have involved themselves either through employment or service to this community to recognize tonight. I think it is very appropriate because public safety is such an issue that is at the forefront in our society and in this world. It gives me great pleasure to introduce Jim Repicky who will be making the Awards Presentation with his command staff tonight, Chief.

Chief Repicky and Capt. Ralph Doles, Chairman of the Awards Committee, presented the following awards:

Officer of the Year: P.O. Craig Murowsky

Employee of the Year: Ann Mills, Animal Control Officer

Injury on Duty: P.O. Jeff Cutwright

Meritorious Service -- P.O. James Mylott, P.O. Millard Atchley

Exceptional Service -- Det. Michael Grida; Det. Joseph Rodriguez; Det. Anthony Medved; P.O.

Donna Holden; P.O. Timothy Verh

Officer Merit of Achievement Award -- P.O. Michael Walsh

Civilian Service Award: Mr. Karl Marvin; Mr. Paul Lawrence; Mr. Edward Stevens

Acting Mayor Frey presented Res. 61-2007 to the members of the Euclid Diabetes Support Group in recognition of their 10<sup>th</sup> Anniversary.

Acting Mayor Frey – We have several other items, not all of them are always as pleasant as the recognition we've had before. As Council is aware, the tax collection report that was provided for the first three months of the year indicates a significant decrease in collections from that which was

budgeted. Director Johnson is going to provide some additional information in that regard as well as recent series of questions raised on tax withholding, I guess appropriate given the number of people waiting to get into the Tax Office tonight; then I'll have some follow up comments in that regard.

Director Johnson – Obviously we're disappointed that for the third month in a row our income tax collections are falling slightly behind our projections. We had hoped for improved collections, however that hasn't happened. I don't think it's time for knee-jerk reactions at this particular moment, but I think it is something that we do need to keep our eye on and continue to monitor.

One thing that I would point you too that is positive, there was an additional report that was added to your package this month that shows the first quarter tax collections for every year going back to 2001 and with the exception of last year, 2006 which was an unusual year, we have not had a \$6 million first quarter since 2001 which was in retrospect a very good year. We're still remaining positive, but we do think that this is something that does bare continuing to monitor.

On another note, there were several e-mails that were circulated last week with regards to withholding for employees and the requirement to withhold for employees that are under the age of 18. What I would direct your attention to is Euclid Codified Ordinances Section 791.17 entitled Collection at Source. I won't read this section of the ordinance, you can refer to it, it is also available on our website, but what the section says is that all employers are required to withhold the 2.85% for all of their employees within the City of Euclid. There is no exception.

There was a request from Councilwoman Walsh, who asked, and we did do an informal poll of about half dozen cities. There are half dozen cities that absolutely withhold for all employees regardless of age, there are three of the half dozen manually check the ages of all of these employees per pay period. They are smaller communities and for us, given the number of seasonal employees that we hire, particularly in the summer season, it would be a very difficult task. Short of being monitored, what I would say is that if the ordinance were changed in anyway, what would happen is that these youth when they turned 18, if they turned 18 during the year and did not file a return and there was no money withheld from their paychecks, would get a nasty letter from us for not filing. We have no way of knowing when we get the State tapes, whether these people are under 18 or whether they have turned 18 during the year. The only information that we get from the State are names and Social Security Numbers. While we would like to accommodate them, they would probably get a nasty letter from us sometime in the subsequent year.

I hope that answers your question. I know that there was a lot of concern on the part of withholding for youth under the age of 18. Unfortunately, that is the requirement right now as it stands.

Acting Mayor Frey – On an additional note regarding the tax collections, we have taken proposals from three firms who specialize in collection of municipal debt and it is based on my review of those proposals, the best proposal submitted by the firm Weltman Weinberg to assist the city in additional tax collections where the Tax Dept. has reached a point of exhaustion of their abilities to collect, that we would turn those accounts over to Weltman Weinberg. They have additional resources, additional search tools to find those individuals to take additional collection. While there is an expense to that, that expense is deducted only from the funds collected. We think it will assist us in the collection efforts. I am reviewing the possibility of legislation that would assess that delinquent taxpayer the cost of the collection, so that we would actually be able to receive the full amount. If someone owed us \$100 and it was \$28 collection fee for that \$100, that they would actually be charged \$128, so we would be made whole on our collection efforts. Weltman Weinberg will also assist in going after delinquent sewer charges. Those funds when collected will go into the Waste Water Treatment account, but of course that helps us to keep our sewer rates in a manageable state and that expense would be charged to the Waste Water fund as well. Those are some steps that we envision taking to assist us in improving our collection on delinquencies and again I'm reviewing the possibility of coming back to Council for a request of legislation that would allow us to assess those delinquent tax payers the cost of the collection.

We have now back to some good news, or I think some terrific news. Director Pietravoia has information regarding E. 222 Street and the State of Ohio.

Director Pietravoia – I'm pleased to be able to announce tonight, in fact hot off the press is a press release. We were notified today by Lt. Governor Lee Fisher that we received the \$500,000 grant that we applied for for E. 222 Street Roadway project. We've discuss this several times at Council Meetings. We were very pleased to find out today the State awarded through the Lt. Governor's office eight grants totaling \$2.8 million. Euclid was the only project in Cuyahoga County that received the full maximum amount of grant of \$500,000. This will go a long way toward helping to

rebuild 222 Street and make it the gateway that it should be for our industrial businesses that are located along that corridor.

I want to thank Director Gulich who helped us through the process in making the application and I also want to thank the Cuyahoga County Department of Development and the County Commissioners. This application actually had to come through the County. They were only allowed to submit one project. We were fortunate that we were ready to go when the request came and we have a very significant local match which gave us a huge advantage over some of the other projects in terms of receiving this grant. We are really very pleased, we have a total of almost, just under three million dollars now for this project of which about \$1.3 million is in grant money from either the State, this program, a second program and also funding from the County Engineer's office. The balance as we've discussed previously was approved by Council, it was an Issue 1, a loan for the rest of the project. I'm very pleased to announce this tonight to Council and the general public.

We were concerned because the Lt. Governor wanted to make the announcement first, so we weren't sure we were going to be able to announce it, we got word late this afternoon that the Lt. had issued his official press release which gave us the ability to make the announcement tonight, so I'm very pleased about that.

I had a couple of other quick announcements. This Saturday our Euclid Senior Programs will be sponsoring a Flea Market to be held at the Lakefront Community Center. The hours are from 9:00 AM to 4:00 PM. Refreshments will be available, it is free admission. If there is anyone still interested, I believe there are vendor tables available, you can call Mariann Kernc at 289-2985. They've held these a couple of times during the year and they use the proceeds to help fund some of the special programs that are Euclid Senior Programs operate.

The final project that I wanted to mention, we were able to announce last week after meeting with the appropriate company officials, that Rite-Aid has selected as their preferred location, the block toward the north-end of 185 Street between Locherie and Meredith as the location for a new Rite-Aide drugstore. They will invest approximately \$5 million at that location to acquire the land and build the new store. We've had a number of calls and e-mails regarding the Schwebel's outlet which is in that block which will be impacted by this project. In part I wanted to mention this, not only about the good news that they've selected Euclid as the site for their store, but also to assure the residents that might be concerned that have been calling. I have made contact with both the local store manager as well as the management for Schwebel's located in Columbus and extended an offer to assist them to try to find another location nearby in the community. They've served the community well for many years. They make donations to our Euclid Hunger Center and also to many of the sports teams here in the community and they'd like to continue to do that. We're going to assist in any way we can to help relocate them. I just want to make that announcement because we were getting a good number of calls and e-mails regarding the Schwebel's.

Director Will – I would just like to remind everybody that you can still purchase your pool passes and we do have openings in most of our sport programs for the summer: basketball, t-ball, softball. You can do that at the Recreation office on Tuesday from 1:00-7:00 PM.

I would like to invite everybody this Saturday, April 21<sup>st</sup> to Sims Park from 11 AM until 3 PM for our first annual Spring Fling. There will be local landscapers and area businesses set up to show us to get ready for the spring. Home Depot will be there, they will have a workshop for the kids, so come on out, bring your dog on a leash and a license and enjoy the park. Our Euclid Petpals will be doing hot dogs and pop for a donation. The Euclid Animal Shelter will also be there and Dick Goddard will be on hand from Noon until 2:00 to sign autographs and there will be a band, Blues De Ville playing from noon until 2:00.

Friday, April 27<sup>th</sup>, at 11 AM at Shore Cultural Centre outside the front of the auditorium entrance off of 222, we will be planting a tree in memory of Walter Schwegler.

On Saturday, May 5<sup>th</sup>, we'll be hosting our Pepsi Pitch, Hit and Run competition. It is free and for children ages 7-14. You'll come in and show us your pitching, hitting and running capabilities and then you'll have the ability to move onto the regional. That is Saturday, May 5<sup>th</sup> at 9:00 AM at Memorial Park at the Pony Field.

On Saturday, May 19<sup>th</sup>, we'll be bringing back the annual Touch-A-Truck program. In the ice arena parking lot, all the city vehicles will be on display for everybody to come on in, touch, take a look at them, see how they work, the cost and the uses of them. Saturday, May 19<sup>th</sup> at 11 AM at the C.E. Orr ice arena.

On tonight's council meeting is a Resolution of Support from City Council in regards to our Summer of Wellness. One of our first events that we'll be starting, we're inviting you, a business, your co-workers, gather 10 people to join us in our first ever weight loss challenge. All you have to do is get 10 of your friends together and I'm going to pick out a team name and you're going to call

Barb. The number is 732-7800. Once you get your team registered with her, on Saturday, May 5<sup>th</sup> at 2:00, we will all be gathering at the City garage to weigh-in together as team. That will be Saturday, May 5<sup>th</sup>, to weigh together as a team. If you want to participate, call Barb at 732-7800. As of right now we have approximately 15 teams that are participating and I hope that's going to be a lot more between now and then.

What will happen after that, you'll have the ability to go to either the Euclid YMCA or Euclid Curves on Lake Shore Blvd., and then you can register with them and weigh yourself on an individual basis. You will get one of our Summer of Wellness cards and then you'll be able to go to different businesses throughout the city and you'll be able to get a discount at their facility or at their business. Thanks to the resident, Barb, for helping out on this, you've done a heck of a job keeping us all motivated.

We will be coming out with a calendar this Saturday from May 1<sup>st</sup> from Labor Day, there will be something to do every single day that will help promote the Summer of Wellness and beyond. I look forward to a great summer. Thank you.

Director Gulich – Thank you, my final reminder about April being recycle your computer month. Any unwanted, unloved, unneeded computer components can be dropped off at our municipal garage at Lakeland Blvd. near E. 260<sup>th</sup>. We have a special display and signage up there. You can bring that any time day or night for the entire month of April. Thank you.

Acting Mayor Frey- That concludes a rather extensive administration report.

President Gudenas – Oh, that's right we're still here, okay thanks. In the month of April we can Touch A Truck, Get Weighed on a Truck Scale, walk your dog at Sims Park and go to a Flea Market. So, there's plenty to do here.

Just for the residents at home, the income tax collection was brought up to put it in perspective, we've been short of projections by a little over \$200,000 for each of the first three months. So we are under projections by about \$635,000 for the first three months of this year. If all remember, our budget was, the money coming in was exactly almost what we were spending so we had no room for error. This shortfall of a little over 9% of what we expected, I think needs to be addressed and I'm going to ask that City Council have an Executive Finance Committee Meeting a week from Wednesday, the 25<sup>th</sup>, I believe, at which time we will get further input on this and what items might be available to reduce expenses for the balance of the year, we'll need to start looking at that. Also, the capital improvement items on tonight's agenda would also be put into committee to be discussed at length at that meeting also. That's Wednesday, the 25<sup>th</sup> of April.

One other little bit of announcement, we did have a Grand Opening a couple of weeks ago of a new pizza place here in Euclid called Georgio's, one of our neighbors here on E. 222 Street just down the Street. They brought samples, so anyone here at the Council Chambers, there's two pizza boxes up at the Agenda list, so help yourself for Georgio's pizza, we welcome you to Euclid.

#### REPORTS & COMMITTEE MINUTES

Councilwoman Holzheimer Gail moved to receive the Police Report of March, 2007; Parks, Recreation & Golf Course Committee Minutes of April 9, 2007; Executive & Finance Committee Min. of April 4, 2007; EPIC Minutes of 3/20/07; Monthly General Fund Report through March 31, 2007; Board of Control Minutes of 3/26/07 & 4/2/07. Councilman Delaney seconded. Yeas: Unanimous.

President Gudenas – Before we get to the Committee of the Whole, we have a bunch of housecleaning on tonight's agenda. First item, lot split will be voted on tonight. The next item on the agenda Consolidation, that item will not be voted on tonight but will be voted on May 21<sup>st</sup>. Item #1 on the Agenda will be a first reading, that's the zoning for the CVS drugstore. That will not be voted on, based on the city's rules, but will be voted on Monday, May 21<sup>st</sup>. Item #3, which is regarding the Church use in the former Sims Buick building on Euclid Ave., will be a first reading today based on our rules. The second reading will be at the first meeting in May, at that time we can decide to waive the third reading and vote on it, but it cannot be voted on today, but it maybe voted on at the first meeting in May.

Item #4, Euclid's Tax Incentive Review Committee will be pulled for tonight. We found that Committee was first started by the County of Cuyahoga's request back in 1986, when former Mayor Giunta sponsored the legislation and appointed the first group. It seems that since 1986, nobody may have been officially appointed properly and we're going to look into all the issues of who should really be on the committee and how they are appointed and that report will be pulled until we can determine exactly how this committee is supposed to operate.

#5 will be pulled, and instead there will be a new piece of legislation added to the agenda which will accomplish the same goal but will have Doty & Miller architectural firm handle the work instead of the Honeywell firm. That piece of legislation is (335-07), which we will hopefully add to the Agenda tonight. Then item #9, as I mentioned is the Capital Improvement budget, that will be sent to Committee, a week from Wednesday, the 25<sup>th</sup>.

Then we do have an amended piece of legislation on the fire alarms, false alarms, (325a-07) that will be substituted for the other one.

Councilman Lisy moved to waive the 24 hour rule and place on the Agenda, Ord. (335-07).  
Councilwoman Holzheimer Gail seconded. Roll Call: Yeas: Unanimous.

#### **Lot Split**

Council should approve or overrule Planning & Zoning Commission's approval to allow a lot split of one parcel, under Permanent Parcel No. 642-10-044, located at 22191-22201 Lake Shore Boulevard, currently a 17.108 acre site. The new parcel will be at 1.1 acres with 126.77 feet of frontage on Lake Shore Boulevard. The irregularly shaped parcel will be approximately a 150' X 316.33' and located on the south west corner of the larger 17.108 acre parcel. The future address will be 22101-22103 Lake Shore Boulevard. Both parcels are in compliance with all applicable codes.

Councilman Langman moved for passage, Councilman Gruber seconded.

President Gudenas- This is the lot the City of Euclid owns which obviously includes the sewer plant and the Euclid Park Clubhouse, Senior Center and the like. This would create two lots out of one lot. If approved, it would still be owned by the City of Euclid, so we are just creating two lots out of one, still owned by the City pending the other legislation. Is there any question about this?

Councilman Langman moved to sustain Planning & Zoning Commission's approval of the above mentioned lot split. Councilman Delaney seconded.

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

Approved.

**Consolidation** - Council should approve or overrule Planning & Zoning Commission's approval to allow a consolidation of two parcels. One parcel known as Permanent Parcel No. 642-10-084 is currently an 87.53' X 251.33' slightly irregular rectangular parcel at .73 acres and located at 22001-22103 Lake Shore Boulevard. The other 1.1 acre parcel is approximately 150' X 316.33' and located at the south west corner of the larger 17.108 acre parcel located at 22101-22103 Lake Shore Boulevard. The consolidation of these lots would create a 1.83 acre parcel. Said parcel would be in compliance with all applicable codes. *This applies to the proposed CVS construction project.*

President Gudenas – The Consolidation will be tabled until 5-21-07.

#### **COMMITTEE OF THE WHOLE**

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

Mr. Jerry Corbran – 24250 Maplewood Dr. I'm speaking to the Shore legislation. It is wonderful to know that improvements maybe taking place after Shore Cultural has faced a wrecking ball or uncertain future. My thanks to Councilman Pat Delaney for his role as quarterback in the long battle to take this giant step.

This step benefits the vast majority of residents who do not swim, play golf, baseball, tennis, soccer or other recreation requiring physical exertion. Many feel these summer recreation activities are a must, after all this is for the children.

Meanwhile at Shore Cultural a child or an adult including seniors, can enjoy listening to or playing fine music. Watch or perform in a theatrical production. Enjoy taking classes in art, pottery, cooking, dancing or a myriad of other low energy activities.

I submit that these are also classified as recreation. Better defined as cultural recreation serving the majority of residents of all ages year round. I repeat, all ages, year round. In past years we were caught up in political haggling about the condition and the cost of operating the building. Overlooking the joy that Shore Cultural has brought to thousands who pay user fees there.

These users are engaged once again in cultural recreation and deserve the same support and respect as that provided for the seasonal summer activities. I say that the proposed improvements to the Shore facility will make it possible to serve even more residents. It can only get better, I thank you.

Rose M. Allen – 26241 Lake Shore Blvd. I'm Chairman of the Services Evaluation Committee. Item #6, people like to know what they're getting for their money and I'm here to give you an overview of what is involved in the survey that we're about to distribute. When we did our first effort some people made comments about having to go some place to return the surveys and having to go to the Library or wherever to drop them off. The Committee worked very hard and we came up with the concept of having a business reply mail address type survey that would allow a person to just have to drop the survey into the mail and it would come back to the city. We were able to obtain what is called a business reply mail permit so that any of the surveys that we do anytime soon we'll be able to utilize that type of service from the postal service.

Upon further investigation we were able to determine that the normal cost of that type of service would have been \$1.06. But if we made the effort and applied for and qualified for the basic qualified business reply mail, we could drop the cost by about 60% down to 41.8 cents rounded off to 42 cents per item returned. At that time we were able to do this, we now have everything we need to make the survey, get distributed by tomorrow so that people can pick it up at the various departments. This will be a departmental survey. You'll be able to pick it up at various departments within the city and you won't have to worry about going some place to return it, you can take it home, fill it out at your leisure and just drop it in the mail or give it to your postal carrier and it will get back to the city.

I have to submit to our Council liaison, the application and the proof that we did qualify for the much reduced rate of 42 cents per item returned. These are to be given to Councilman Conway. Thank you.

Mr. Andre McCain – I'm looking at Kathy Will because this is my first time ever speaking to Council so I'm kind of doing my speaking for idiots eye contact here. I work at the Euclid Family YMCA, 631 Babbitt Road, and I'm here to ask for Council's support on Res. (330-07), the Summer of Wellness activity, where we are planning to pull all of the City of Euclid together to enjoy a summer's worth of activities. I've been given all sorts of notes to speak from, so I got a little confused from my notes, I'll just read to you what we have here.

Our vibrant city has fantastic happenings from border to border. Many of our finest assets are our best kept secrets. Did you know we have a rock climbing wall, a boomerang school? Have you ever played disc golf yet? This is an opportunity to tie them together in irresistible fitness and recreation package so residents can be aware of what Euclid has to offer by embracing this theme throughout the summer focused on advertising and visibility, we can create the attitude adjustment this city needs. Just on a personal note, as a new northeast Ohioan and new to the City of Euclid, there is a tremendous amount of pride here and I think this activity will pull everyone together and we can once again see the community pride and see people out together walking, having family time together and doing activities together. With that, I'll ask for your support and I'll have my seat.

President Gudenas – You did very well, thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. For the first time in four and a half months, both feet are on the ground. I want to preface what I'm about to say that it has absolutely nothing to do with the Cathedral Worship Center. I hope they, as I'm asking this Council will at least listen to what I have to say and consider it.

As a resident of northwest Euclid, my area has been continually and always neglected by the City of Euclid. The people who live in the 190's and the 200's, Indian Hills, Beverly Hills, Chardon Rd., Georgetown and that forgotten trek of land off of Highland Blvd., Highland Road. We have a right to hope and pray that there is someone in this administration or Council that can actually look at a piece of paper and envision something from the blank paper.

I see the Sims Buick place as the last possible hope for my section of this city, to be able to attract retail and possibly bring about a rebirth of, right now we also have 7 full acres of land available on Euclid Ave. I'm going to ask for what I call and wrote as my Gruber solution and I hope he will allow me this.

Back way back when, when I first became active at all in Euclid politics or Euclid situations, Mr. Gruber led the fight to not say no to a church, but to put it in an area not on Glenridge Road. That he said that he worked hard to find a suitable, alternate place.

So what I'm asking for the consideration, is I don't care what it possibly takes from the administration, the Kmart structure on Euclid Ave. and Richmond Rd. is a perfect, perfect place to place this Church and bring them into the community. Then, if that does happen, I hope and pray that there is somebody, as I stated, who can look at a blank piece of paper, I am tired of being told all the negatives about my side of town, what we can't support. You've never given us anything to support. I do hope that my remarks will be considered, thank you.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd., not Lower Lake Shore Dr., now that sings. Come on people, like Victor said, let's have visionaries here. On the tax, wasn't it last year we were collecting money from the people that took tax and that is why our taxes were higher last year?

President Gudenas – We had some extra collections coming in from CCA and our city, so we had a little extra revenue coming in.

Mr. Berzinskas – Did that amount to the part that we are losing now?

President Gudenas – Well, yes and no. Again, we are down about \$1.7 million lower than last year and \$600,000 lower than projection. So the administration already took that into account and reduced our projections by over a million dollars from a year ago earlier, but we're still six hundred some thousand lower than that projection.

Mr. Berzinskas – That's what I wanted to clear up. Director Pietravoiia, if you could, would you please work with the Schwebel people. Working on the Board and working at the Hunger Center, we really receive a lot of good from the people at Schwebel. We make a small donation and we get a lot in return. With the closing of Tops, we lost a lot there. Our need hasn't gone down, it's increasing. We feed a lot of people. Last week we had on Saturday, we had 96 families come in. The people there, the volunteers, were busy. Again, people, think about volunteering. Not every volunteer organization fits your needs, try a few out, please.

The Shore legislation. Working at CEI and retiring from there and working for the City on that building, the money that I first noticed what it cost to run that building in years past is no where near the money they say it is worth now, it's less now. We were given all kinds of projections, it was up in the \$360,000 range that Shore ran us. I used to pick up the paperwork, I read the paperwork. When they found out that they wanted to do the Doi Dickinson plan, we spent out of \$100,000 that Mayor Lynch had taken a little bit out of each rental and put away so we wouldn't have to take it out of capital to fix the building, we had \$100,000. What they did with the Doi Dickinson plan, they took and had 4 sets of plans. If you're crazy you do four sets of plans, or if you're really mean, you do four sets of plans.

You only need one set of plans because you massage it anyway. None of them were workable, but they did them and they used \$67,000 that could have gone towards the repairs of Shore. If that doesn't make you people's blood boil, it does mine. That money could have gone a long way. We beat this building about time after time after time. This is the most used building by the seniors, by the young, by the churches, by the players. You use this building more than any other building in this city and how dare you condemn it to death. Don't do it. You have people out here that use it. Once they get the idea who's doing it, see how good your jobs are. We need that building, go ahead, keep it. Thank you.

Mr. Vince Riha – 1515 E. 195 St. I know this is only the first reading on the church, use district exception, but I would like to urge that you pass it and approve it because I feel that it is a compatible use for that area. When I first saw the notice for P&Z, I believed it would be compatible because it is next to Kingdom Hall which was brought down there from Glenridge. It is next door to the historic Buddhist Temple. It is institutional because it is next to the post office. It is down the street from a historic Baptist Church. Euclid Museum is right around the corner from it, our cemetery which is historic in itself is there. It is right across the street from a nationally known Lourdes Shrine, so it fits quite well into the area. I believe it should be there.

But having gone to the P&Z meeting, and listening to the Reverend speak, I'm even more excited about it coming to that area. Because, as a member of the Weed & Seed steering committee, he talked about programs we've been beating our head with for two years to look at, something we can partnership with, something we can dovetail into and possibly sustainability when the federal funds run out. It is definitely something that would fit into the area and I urge that you stick with the vision of that. Thank you.

President Gudenas – Is there anyone else? I see someone coming forward? Okay.

Mr. Harland Gill – I have the property at 1551 Babbitt, it's the corner lot, the northeast corner of Babbitt & 256 St. I don't live there but I have a renter there. There are a group of young men that hang around.

President Gudenas – Is this anything on the legislation tonight?

Mr. Gill – No, I'm sorry, no.

President Gudenas – Normally we save those until after the meeting.

Mr. Gill – All right thank you.

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

#### LEGISLATION

##### **Ord. (333a-07) CVS Rezone**

An ordinance to amend Section 1 of Ordinance No. 2812, as amended, and the map and map designations, which map and map designations, as amended form a part of Ordinance No. 2812, as relates to and designates UR-3 and U-4 use districts relative to said property. Zoning Change for property at 22101-22103 Lake Shore Boulevard from UR-3 (Institutional/Municipal) to U-4 (Local Retail or Wholesale). (Sponsored by Planning and Zoning Commission).

First Reading. Public Hearing May 21, 2007.

President Gudenas – I know there's a big issue the that the administration is working on. The residents of 220 and that area are asking that the exit to CVS be only onto Bliss Lane, not onto E. 220<sup>th</sup> Street and Director Pietravoia, do you have a little update on how that's going?

Director Pietravoia – Yes, thank you. I see that a couple of the residents are here tonight that were at the Planning & Zoning meeting as well as Mr. Spies and Mr. Wojtila representing Zaremba, and I want to thank them for coming again tonight.

We have heard, loud and clear, and share the concerns of the residents, particularly from a traffic standpoint. We are looking at several options and encouraging Mr. Spies and Zaremba and CVS to look at those options with us. In fact, we have a meeting schedule tomorrow morning to continue the discussions.

In particular the residents would like to see a scenario that would limit the amount of traffic that's exiting onto 220<sup>th</sup>. One possible way to accomplish that would be to look at an entrance only on the 220<sup>th</sup> side of the project, so we are going to explore that. We're also looking at the possibility of, since everything is going to be torn down and rebuilt, including the sidewalks and curbing, the possibility of widening the street, and potentially installing a left turn lane off of 220<sup>th</sup>, so there would be a free flow of traffic for people that are exiting and trying to turn right.

I want to assure the residents that are here, that we are looking at those options and before the zoning is acted upon at the meeting of May 21<sup>st</sup>, we hope to have a solid resolution. I also wanted to recognize Mr. Gzesh who is here, who is immediately adjacent to the property, just to the west of the furthest northern piece of the CVS proposed area. We'll get into this in more detail and at the actual hearing but we did exclude a portion of the property that is being sold from being rezoned and also our recommending to Council to put in place deed restrictions that would require that to remain greenspace and a buffer for those two properties, including Mr. Gzesh's and his neighbor to the south that immediately touch the CVS project, to offer the greatest protection possible.

Mr. Gzesh is also looking ultimately to the ability to potentially purchase part of that land and we will continue those discussions, both with Council and Mr. Gzesh.

President Gudenas – We hope everything will work out on that and please keep us informed on anything we need to do to help.

I've been asked to put the Shore legislation on next, the one that we just added on tonight's agenda because the architect is here today in case any questions are asked. We're going to go to Item (335-07) next.

**Ord. 62-2007 (335-07) Shore-Doty**

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to accept a proposal from Doty & Miller, to conduct a phase 1 energy savings study for the Shore Cultural centre to include HVAC, electrical upgrades and related energy savings in an amount not to exceed \$33,000.00. (Sponsored by Councilman Delaney)

Councilman Delaney moved for passage, Councilwoman Mancuso seconded.

President Gudenas – This item is here because we're being very careful on how this project proceeds to make it affordable and workable, something that we can actually do and get started for this year. It was decided that after the last Committee meeting we had, after Honeywell got back to us they suddenly seemed to have changed their view and were adding potentially millions of dollars to the cost. Architect Bill Doty has been with this project for quite awhile and he's still confident that we can proceed as we planned. This will be same work planned before, basically it is part of the construction cost, but it will be done in phases to evaluate the building, to make sure it is affordable and workable, then we go to the next phase additional design and construction work.

Councilman Delaney – It was one year ago today that we began working on the project. Doty Miller architects brought us a very good feasibility assessment to really give us a guideline as to where the priorities were as far as restoring the Shore Cultural Centre. We had included a lot of the things that we've done in the past and one of them was Honeywell. Honeywell was brought in about 8 months ago, they had the report in front of them. I have met with the consultant. Last week we had our Parks & Recreation Meeting and in an unusual circumstance they contacted Director Gulich and myself and decided additional study would be needed. I felt that we probably wouldn't be comfortable with some of the things that they were asking, so I had asked Mr. Doty of Doty Miller Architects at that time to present a proposal to keep the project on track. It would have been the next step that would have been prepared in any event and we have Mr. Doty with us, so I would offer to suspend the rules, and he can answer any questions you might have.

President Gudenas – If there are any questions, we will do so. Anyone else on the Council? This is something we need to do if that building is going to stay open, that boiler system is what, 50 years old at least, possibly older than that with constant repairs and it is not going to last. We do need heat in Euclid.

Councilwoman Holzheimer Gail – We received the proposal today and I did have a chance to briefly look at it. I just wanted to make sure what the actual deliverables will be. Once this analysis is finished, we will have the plans to be able to actually do the improvements.

President Gudenas – Will have Bill Doty come up and answer that. We want to make sure the budget here is \$33,000 that once you're finished with that scope of the work, what will we have?

Mr. Doty – The intent for the proposal was to do preliminary actual drawings, to have contractors give us pricing on. At the same time we're going to have an energy audit to find out where the building is underperforming and what we need to do to the building to make it more energy efficient. Once we have the energy audit, we can have the engineers provide the schematic drawings so that we can get hard numbers from contractors, not just architects or engineers' estimates. So the intent was to take this one step further to do due diligence and to get drawings that could be priced by contractors. Then we will know what energy improvements we need to make to the building and we will have a plan, engineering plan and cost to do that. If then the City and the Administration decides to move forward, we can take it to the next step.

So, the idea was to get more complete data on this and engineering studies and contractor pricing, so we've got numbers that we can hang our hat on more or better.

Councilwoman Holzheimer Gail – I just wanted to make sure we, Mr. Berzinskas talked about earlier studies, that we all hear the criticism of studies, studies, but we need this work in order to proceed?

Mr. Doty – This is not an adaptive re-use of the building, it's not turning it into condos. This is a hard energy study and hard engineering to save the building and to save money for the city.

President Gudenas – It is something that has to be done to proceed and to get a real budget on what it is going to cost.

Mr. Doty – Yes sir.

Councilman Gruber – A question for Mr. Doty. I support your energy audit. But in your report there is also some major life safety repairs at issue and you recommended that these issues should be undertaken immediately. What part of the process do those come into play? After the energy audit, how much farther down the line before we address some of the safety issues in the building?

Mr. Doty – In the original preliminary study that we did, the largest component cost of the building was the energy side and the replacement of the heating, ventilating and air conditioning equipment. Coupled with that is the electrical service upgrade to be able to supply the power to it. Once we have that big number pinned down, it is my intent, with Council's approval, to do into the life safety and deferred maintenance aspects of this. Part of the deferred maintenance aspects deal with the energy savings issues. Those windows leak air and we need to seal them. Plus they need to be painted, etc., etc. I was trying to be prudent with Council's money, with the city's money, and do the biggest thing, the toughest thing first. Let's attack that, define the scope of that and then we can take on the smaller things that need to be done and address the life safety issues first.

I would advocate, before you do any HVAC things or things like that, yes, you need to address the life safety issues first. So the first thing that would be done would be when we get to the construction point would be the life safety issues and those would be in conjunction with the stakeholders, the city, your local code consultants, Fire Marshal and so on.

Councilman Gruber – Those are important issues and we need to address those.

Mr. Doty – Very important, yes sir.

Councilman Langman – I first of all want to thank my colleague Councilman Delaney, I know he's worked very hard and I'm sorry I missed the committee meeting, I had another engagement. But it seems like this moves us from discussion to action, so we need to take this step, similar to what we did in the past with golf course clubhouse and potential jail study.

President Gudenas – Wait a second, that one didn't quite work out. This will be able to check off one more item on our list out front. This is the real deal regarding Shore, this is what needs to be done. Anyone else?

Acting Mayor Frey – If I can make a comment on behalf of the Administration. Councilman Delaney asked for this legislation today. In the rush to get it on tonight's agenda, it is listed as paying this \$33,000 from the general fund. We've heard the discussion already about our tax collection system. I will endeavor to get an opinion from our outside counsel as to whether or not this \$33,000 is appropriately moved to the capital fund and if not I would recommend that we consider use some other fund other than the general fund. It may be that if this is enacted tonight we'll come back at a later date to amend the legislation to put it into a different fund.

President Gudenas – Yes, we would strongly support that. We have the Tax Increment Financing Fund, but hopefully the capital fund because normally this would be part of the construction process and part of the construction costs. We will hear back from the administration regarding the proper fund for this.

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

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

Passed.

Mr. Doty – Thank you, I'll get started tomorrow.

President Gudenas – Good, while you are here, how long do you think it will take?

Mr. Doty – The intent is to complete this before June 1<sup>st</sup>, so that we can enact some actual construction this season, that's the intent.

President Gudenas – Okay, we hope you'll do it.

**Res. (326-07) Cuy. Planning Commission**

A resolution authorizing the Director of Community Services and Economic Development of the City of Euclid to refer draft amendments to Part Thirteen, the Planning and Zoning Code of the City of Euclid Codified Ordinances, created by the Cuyahoga County Planning Commission, to the Planning & Zoning Commission for review and recommendation to City Council. (Sponsored by Mayor Cervenik by request of CS&ED Director and Councilman Langman)

Councilman Langman moved for passage, Councilman Lisy seconded.

President Gudenas – This came up, this was part of our budget process to start reviewing and updating our Planning & Zoning Code and we hired the County agency to review these items and now they've come back to us and all we're here to do is to send it to Planning & Zoning for their review. Regarding the two specific items they're looking at first, and that's church and group home zoning classifications and uses.

Director Pietravoia – If you'd like we can give a brief overview of what their recommendations contain. Our code does require that these go to the Planning & Zoning Commission and then they report back to Council. Our main objective tonight was to get that process started so that we could get a report back quickly and hopefully enact these new parts of the code.

As you mentioned, recommendations center around new regulations for churches and group homes. I know of the church side it has been some time that we've been needing to look at this and change our regulations for churches. We looked at a number of other communities with the help of the County Planning Commission and they have some solid recommendations, we'd be happy to take questions or comments from Council during this review period, not to wait to come back from Council after you've looked at it. On the group homes side, I know I've had conversation with several members of Council most recently Councilwoman Walsh. I know she's had some issues in her ward. Hopefully this new code section will help address some of those concerns that have been raised to us.

The last thing I want to mention is they have also updated our official zoning map. It has been some time that we have a map that fully incorporates all the changes that have been approved by City Council. We're reviewing that map now and once that's completed, we'll get color copies to all members of Council, a small sized map that you'll have handy to be able to refer to for your wards.

Councilman Langman – How long will Planning & Zoning take to do that review? Is that a meeting's worth, a few meeting's worth?

Director Pietravoia – It is difficult to say at this point. They know that we need to act quickly on this. I'm going to advise them to hold a special meeting so that they can concentrate just on this subject, rather than having it part of their regularly scheduled meeting. We will notify Council about that. You are all welcome to attend to be part of that discussion as well, if that's appropriate.

Councilman Langman – We also had on the table used car lots. I know we talked about his several times, we passed a moratorium a few years ago. That will expire at the end of June or maybe at the beginning. Where are we on that?

Director Pietravoia – On the heels of this proposal tonight, they have drafted and recommended regulations related to use car lots as well. So we'll be prepared shortly to bring those forward to Council and ask you to refer those to P&Z as well, with the goal of getting them reviewed and back to Council by the June deadline.

Councilman Conway – While we're also on this topic, could you also give an update, we also I think in January talked about maybe bringing the Council an amended budget to review our sign ordinances and having those updated as well. Has there been any movement on that or timeline you can provide to us as to when we may see that and get that moving forward?

Director Pietravoia – We actually have a proposal and I apologize it should have been part of this package tonight. We have a proposal from the county planning commission estimating what it would cost to do that work, so we'll forward that to Council in a separate package after tonight's meeting.

President Gudenas – Lots of paperwork. Anyone else?

Councilman Langman moved to send Res. (326-07) to Planning & Zoning Commission.  
Councilman Lisy seconded.

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

To P&Z Commission.

**Res. (332-07) UDE Sims Buick - Church**

A resolution granting a Use District Exception to Elder Michelle Moore and Dr. Robert J. Moore, II, Senior Pastor of Cathedral Worship Center, to allow a UR-2 (Church) use in a U-4 (Local Retail or Wholesale) Use District at 21601 Euclid Avenue, Permanent Parcel Nos. 646-32-013, 014, 015, and 016. (Sponsored by Planning & Zoning Commission)

President Gudenas – This is the first reading, so it will be back on the Agenda at the first meeting in May.

**Res. (331-07) PULLED**

A resolution acknowledging and accepting the findings of the City of Euclid's Tax Incentive Review Committee as they pertain to their review of and recommendation for the fiscal year 2006 Enterprise Zone Agreements at a meeting of the Committee that was held on March 28, 2007. (Sponsored by Mayor Cervenik)

**Ord. (309-07) PULLED**

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into an agreement with Honeywell International, Inc., to retrofit the Shore Cultural Centre and associated facilities for the purpose of energy costs savings, utilizing House Bill 300 for Phase III, at no cost to the City of Euclid. (Sponsored by Councilman Delaney) (Recommended for passage by Parks, Recreation & Golf Course Committee)

**Ord. 63-2007 (328-07) Evaluation Com.**

An ordinance authorizing the initial appropriation of Two Thousand Dollars (\$2,000.00) for the printing and postage for mailing and return of the 2007 City Services Evaluation Survey. (Sponsored by Council President Gudenas and Councilman Conway)

Councilman Conway moved for passage, Councilwoman Walsh seconded.

President Gudenas – Rose M. Allen has spoken about this. The work of their committee has now finished and this is the first phase, the first of many different versions of the survey that will be used. This is the bare minimum budget for the printing and the return postage that we expect to use. We had, I know Rose M. Allen, is here still and ask the administration, the resident sent in an e-mail asking a couple of questions, will we also be able to put this survey on our website so that people who did not have an opportunity to pick one up in person could download it and then mail it in. Would that be possible? Director Johnson is saying yes. I think that was the main issue at that point.

Councilman Conway – I just wanted to thank the members of the Citizens Evaluation Committee and the Chair person Rose Allen for her update tonight. I know they've worked very hard at coming to development of a survey that's going to provide quite a bit of useful information. I encourage the residents to utilize this form that's been developed to express their feelings towards the services that they have received by the City. They did an excellent job in coming together within a very efficient, from a cost perspective, survey, so thank you to that Committee for all their hard work on developing this survey.

President Gudenas – Thank you. They've had a lot of meetings and they have many more to come, it sounds like. Anyone else?

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

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

Passed.

**Res. 64-2007 (327-07) Trees**

A resolution authorizing the Director of Parks and Recreation of the City of Euclid, or her designee, to create a three-year plan to replace all of the trees that can be replaced, or that have been requested by the resident to be replaced, over the past three years in the public right-of-way. (Sponsored by Council President Gudenas and Councilman Delaney)

Councilman Delaney moved for passage, Councilwoman Holzheimer Gail seconded.

President Gudenas – As people have noticed as you drive through the city we've lost quite a few trees because of the trees either being diseased or not appropriate with the sewer lines. I believe Director Will had reported 300 or so over the last three years have been removed. Now the goal is for the next three years to replace those 300 as long as the resident will take care of it and approve of it in the treelawn where the trees used to be.

Director Will – In the year 2004 myself and our Superintendent had taken a great look at the trees and realized that we could no longer continue planting trees, not so much budget-wise, but because we couldn't even maintain or keep up with the trees that we currently had. We needed to address the situation in a totally different way. At that point we spoke with the Mayor and the Administration and requested funds from our capital budget to be able to remove trees only in a three-four year plan. We contracted in the last two years a contractor to come in and remove approximately 200 trees. We will be coming back to City Council again to look at trees in the public right of way which does include the homeowner's treelawn.

Currently we had put together a capital budget proposal from now until 2011, which included \$40,000 for us to look back at replanting the trees that had been removed over the past three years. What we will be doing is going to the residents that had those trees removed in the last three years, if we're able to plant a tree back there. There are several reasons that may permit or not allow a tree to go back there. If a tree can be planted back on your treelawn, you will receive a letter from our superintendent. At that point, if you would like to have a tree, you do not need to do anything. If you do not wish to have a tree, you need to contact our office. We will follow through with the homeowners to make sure and then hopefully start for the first year the fall 2007.

President Gudenas – Will we be able to have that dollar amount for our capital budget coming up a week from Wednesday?

Director Will- There is \$40,000 and I already requested out of our capital budget, \$10,000 out of the next 4 years that would take care of those trees.

President Gudenas – Okay, so we'll be all set with that. Thank you.

Councilman Gruber – Director Will, in some of our Shade Tree Commission meetings we had discussed the fact that maybe the treelawns aren't the appropriate place to plant the trees all the time, even though they are called tree lawns. Had there been any thought to Mr. Grida's suggestion that we plant actually on the property owner's lawn?

Director Will – Yes, we have considered that. Right now we want to look at replanting the trees back on the treelawns that need to be replaced. Once we get done with this in 2007, we will be currently looking at another way with the Shade Tree's recommendation on going to a homeowner and finding out if they would be interested in planting a tree, we could find a location on your front lawn, your private property, not your treelawn. We could assist you with the planting of the tree, but then it becomes your responsibility. Just so everybody does understand, the tree that would be on your tree lawn are currently the city's ownership. If they are on your front lawn or in the back yard, those are your own responsibility. Our Superintendent/Arborist had come up with an idea of contacting a resident that if they did not want or weren't able to have a tree on their treelawn, we could assist them by planting it in the front lawn. If there are any reasons for any of the residents that cannot have one or don't want one in their tree lawn, it is something that we could certainly still consider.

President Gudenas – There was a legal issue way back when I remember with the city planting anything on private property and we weren't allowed to so we used Block Grant money for the trees on E. 250 & Lake Shore in that area. Do we have a different legal opinion now, regarding planting trees on private property?

Acting Mayor Frey – I think our larger issue is maintenance of those trees once planted. We've amended our code to clearly indicate that trees that are not on the tree lawn are the responsibility for maintenance of the property owner. If the City provides the tree, it is probably not much different than us snaking out the sewer, going back to the home. So there is some flexibility, but the homeowner is going to have to maintain that tree from that point on.

President Gudenas – So legally we can plant?

Acting Mayor Frey – I believe we can plant if Council approves that kind of use of public funds.

President Gudenas – That's news to me.

Councilman Gruber – There is a nationwide trend to get away from a lot of tree lawn planting because of safety issues, utility right of ways, it is very stressful for the tree because those are high impact areas, a lot of traffic, salt and stuff. So we're just looking at other ideas that might help the trees.

President Gudenas – That's a very good idea so Director Will I hope we can make those adjustments as needed.

Director Will – Absolutely, we will do that.

Councilman Delaney – One other quick note to make, if we could maybe put out a list of recommended species. I know some of our species of trees are better than others. We're suffering a lot of the pin oaks this year, or these past years like we did with the Silver Maples. One of the important things, if we've lost that many public property, we probably lost as many as 300 on private property that people had taken down. In our city it is kind of nice with the older, more mature trees we have a very important canopy that is not just good for us and our houses with shade, but of course our local wildlife. The saplings take quite a long time to catch up. One of the things that I would like us to do is to be able to look at what other species are, what is best for our city and maybe put that one our website or include it in the letter that you'll follow up with.

Director Will – Our arborist, Dean Grida, is very up and understanding of all the species and when a resident does have a question, even if it is on private property, he would give a recommendation of a tree, a tree that would be the best species for that area. Again, depending on what else is around there. But we have a whole list of trees in the department and again hopefully everybody will attend Arbor Day and then we will be able to give you a list at that point. At any time, if you have a question about a tree, you can call us at 289-2726. We will never put a tree on a tree lawn, again if there's for any reason we feel that it shouldn't be put up, utilities, sewer, or just the length or size of the tree lawn.

President Gudenas – It is a Resolution, roll call on that.

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

Passed.

**Res. 65-2007 (330-07) Summer of Wellness**

A resolution to encourage support of the City of Euclid's "Summer of Wellness." (Sponsored by Mayor Cervenik and entire Council)

Councilwoman Walsh moved for passage, Councilman Lisy seconded.

President Gudenas – This was being shepherded by one of our Euclid residents and we're very thankful for all the good volunteer work and we look forward to a lot of participation and anybody who has a Euclid business who wants to participate and help with prizes, sponsorships, banners, and the like, discounts, please contact the Rec. Dept., Director Will at City Hall or the City Council office.

Councilman Delaney – I see that the Summer of Wellness is already working. Absolutely no one here has touched the pizza that's been in front of us.

Director Will – Again I would like to take the opportunity to thank our resident, Barb, for spearheading this program. Hats off to you. You’ve really been a motivator for myself. I would just like to take this moment to show you our Summer of Wellness campaign that the Euclid Public Library had come up with and just take a look at it. Hopefully everybody will follow through, you’ll be seeing this on all the businesses doors. Thank you very much and thank you to Council for supporting this.

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

Passed.

**Res. (334-07) Capital Budget**

A resolution adopting and approving the attached Administration’s recommendations for the 2007 Capital Improvement Budget. (Sponsored by Mayor Cervenik)

Councilman Lisy moved for Res. (334-07) to the Executive & Finance Committee, Councilman Conway seconded.

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

Into Executive & Finance Committee for meeting scheduled April 25<sup>th</sup>.

**Ord. 66-2007 (325-07) False Alarms**

An ordinance amending Section 945.05, “False Alarms”, of the Streets, Utilities and Public Services Code – Title Nine – of the Codified Ordinances of the City of Euclid. (Sponsored by Councilwoman Mancuso by request of Fire Chief)

Councilwoman Mancuso moved for passage, Councilman Langman seconded.

President Gudenas – We are also going to address (325a-07), with an amendment to that.

Chief Cosgriff – This ordinance will give the Fire Dept. the ability to levy fines to occupancies that fail to maintain a properly functioning automatic fire alarm system. If approved, following one false alarm during a 12 month period, we may fine an occupancy \$50 for the second alarm and \$100 for each subsequent alarm. This is not meant to be a way of generating additional revenue, but rather to insure that occupancies maintain alarms systems that do what they are designed to do, mainly to protect life and property.

I would like to point out one of the changes that was made on this A-version of this ordinance which does not compel us to levy us, but gives us that option. Often times we respond to what would technically be considered a false alarm, but it is through no fault of the entity involved, such as the water flow alarm, which is caused by a spike in water pressure.

There is a significant cost as well as a risk to the City when we put responding apparatus on the road. While this will not recoup this cost, it should offer some deterrent to needless responses and I ask for your support on this.

President Gudenas – The key part is you may charge because I know we have some issues every now and again with police alarms and sometimes through no fault of the resident they go off, so it is good that you have that discretion.

Councilman Langman moved to amend Ord. (325-07), Councilwoman Mancuso seconded.

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

Amended.

Councilwoman Holzheimer Gail – To either Chief Cosgriff or Chief Repicky, we had an e-mail recently where someone was billed for a burglar alarm, security alarm and we were told there is a process, if there is an inspection, not an inspection to the home, but that citation, whether to bill them or not, that there is an evaluation process. Is that true and if so, what is that process?

Chief Repicky – I believe Mary Lou sends the bill out and the first time is free and the second I think is \$50 and the third is \$100, subsequent. Like I say, we run on many false alarms per day and unless the owner or the business person can come up with a legitimate suggestion, they are going to have to pay the fine. It is a waste of manpower to keep sending these officers on alarms.

Councilwoman Holzheimer Gail – I thought there was a process to review the false alarm, to determine ....

Chief Repicky – We look at the weather conditions and also have the homeowner or the business owner contact the alarm company.

Acting Mayor Frey – In the codified ordinance there is a provision that says within 15 days following the third false alarm of the year, the alarm user must submit a report to the Chief describing the actions taken or to be taken to discover and eliminate the cost of the false alarms. Upon submission of that report, the Chief will determine whether action taken or to be taken will substantially reduce the likelihood of false alarm. The point is we'd rather the property owner, whether it is residential or commercial fix the issue. That's the comments Chief Cosgriff was getting to and I know that's what we attempted to do in the Police Dept. The charges, the \$50, or \$100 are to those individuals that have not taken the step to actually remedy the cause if in fact they are false alarms.

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

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

Passed.

#### **CEREMONIAL RESOLUTION**

##### **Res. 61-2007 (329-07) Diabetes Group**

A resolution of recognition of the 10<sup>th</sup> Anniversary of the Euclid Diabetes Support Group. (Sponsored by Mayor Cervenik and entire Council)

Councilman Delaney moved for passage, Councilwoman Walsh seconded.

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

Passed.

#### **COMMITTEE OF THE WHOLE**

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

Rose M. Allen – 26241 Lake Shore Blvd. In the last few council meetings, everything has been quiet and people haven't gotten upset and argumentative about what's going to happen with DOJ and the upcoming elections and all of the issues that are alive in Euclid. I would hope that as we move closer toward an election and closer toward things changing in Euclid that we remind ourselves to be civil with whatever we do. Because I'm sure by now all of you are aware of the horrible tragedy that befell Blacksburg, Virginia today. When one person's anger was taken out on innocent people and 32 people are dead as a result.

I know that we have had close calls even here in Council Chambers where people become angry and upset with each other. I would hope that as we grow together as one Euclid, that we remember to be respectful of other people's opinions even though we may disagree. I hope that as we come together for summer events that we will remember that there cannot be a White Euclid and a Black Euclid. We have to have one Euclid and we need to figure out ways to resolve our differences and our conflicts peacefully so that Euclid never becomes the center of attention the way Blacksburg, Virginia became the center of the world's attention today. I hope that we all remind ourselves that everybody deserves some respect regardless of whether their opinion is the same as yours, or it is different. And that we do not push anybody to the brink of doing something as horrible as what happened today. Thank you.

President Gudenas – Perhaps the gentleman from Babbitt, you've been waiting for almost two hours.

Mr. Harland Gill – 1551 Babbitt. Listening to the tree lawn business and all that, yesterday I took a bag of trash, a regular 30 gallon bag and I pick up two weeks it will be the same. It is beer cans, it is wine bottles, it is people that throw or walking by and drop it there. My problem is, can we put up a no littering sign? Can we keep the young men from, this is 256 Street going east from Babbitt. It is my corner lot. My resident doesn't like to even go out of the house, especially in the summer time. When the weather is warm, these young men come there, I don't know what the purpose is, but if we could have some way that I could get them to not loiter, they are not necessarily the ones doing but someone is. I can go back 10 days from today and come back with another bag and pick it all up again. I don't know who would take care of it. Is there a Department of Street Cleaning for Euclid?

President Gudenas – We do, the Service Dept. has street cleaners but usually they are with the big equipment to go around the gutters and the like and the curbs, as opposed to walking. Usually it is public service workers that we may have doing their community service work for something they did. We have a few of those groups going out. Generally they are usually by the side of some major roads, but Babbitt might be one of them.

Mr. Gill – Can someone give some attention to that corner, 256<sup>th</sup> & Babbitt?

Chief Repicky – I'll notify patrol and also narcotics if there's any activity in the area, we will hopefully clean it up for you.

Mr. Gill – Bless you, I thank you.

President Gudenas – Regarding the trash pick up, if we could spend a little extra attention.

Acting Mayor Frey – We'll note that and ask that get a regular stop on our rounds.

President Gudenas – Do the signs actually work at all, the no littering signs, does anybody pay attention to them?

Mr. Gill – This is no sign there but I would appreciate anything that can be done.

President Gudenas – Service Director Gulich, do we have signs in inventory that we can spread around the city?

Director Gulich – We can supply a sign for that area and again I don't know how much impact it will have, but we can do that.

President Gudenas – What is the fine for littering in Euclid these days?

Director Gulich – I'd have to look at that ordinance, I couldn't tell you.

President Gudenas – Let's take a look and make sure it's something that we can enforce. Sometimes if it is too high we never enforce it, but if it's good reasonable amount that people will pay, then we should use it.

Ms. Pearlitha Taylor – 1495 E. 193. Tonight I really had no intention of speaking, but after looking at the Agenda and listening to all the things that are supposed to be happening in Euclid, I started thinking, it has been three and a half years and before another election. I appreciate what everyone else has said before me like Rose Allen, the peace and not a Black or White Euclid. But I have questions for our city employees and I would like to know and the administrative staff also. I'm sorry the Mayor is not here because I also wanted to ask him a couple of questions.

My question is, we have so many vacant properties and buildings on Euclid Ave., and I'm wondering how much have the City administrative staff has looked at these empty lots and these empty buildings as far as bringing new revenue and new business to the city. So far I did not hear one that would be coming to the south side of Euclid. One of the biggest lot is the vacant land on Euclid Ave. and I-90. Then we have Century Corner on Euclid Ave., which we are told that we may get a medical building. Well we've been hearing this for a long time, something going on at

Century Corner. We also have the old Kmart building on Euclid Ave. and Richmond Road. We have a vacant building that used to be the old Oldsmobile building, Friedman Oldsmobile. We also have the Wendy's Hamburgers on Euclid Ave. We have the most valuable piece of land I feel that's in Euclid and that's Euclid Square Mall with the Red Lobster which is across the street from Euclid Square Mall. Also a little area which used to be a grocery store and also a restaurant. We also have the PMX building and soon we will have Park Ohio on Euclid Ave. vacant.

I would like to know what are the plans for these vacant buildings and lots on this southeast side of town. Are anyone looking into those or is this a big secret that something the residents should know? Because it has been a long time with these building vacant, especially Century Corner, the old Kmart building and also the vacant land right on I-90 and Euclid Ave. I don't know what is going on. You're saying we have no place to put some business but yet no one is trying to recruit decent business to this side of town. I agree with Mr. Goodman. Every time it has come up to bring something on Euclid Ave., it is nothing to benefit the residents and we are very tired of it. We, which are the citizens of Euclid, we need an answer from our administrative staff, what are you doing? What are you trying to do? There are places out there begging for places to build and to open and yet Euclid received none of that. It is almost election again and Euclid is in the shape it was three and a half years ago. We're not getting any better. You're saying you want a better city, you want better resident, more taxes, well how can you recruit any of these things, you can build all of the homes you want in Euclid, if you have nothing to give the people, how are you going to get them to come?

We need to take time, especially our administrative staff and look at what is going on in this city. I don't care what you do, if you do not fill up Euclid Ave., and get tenants into some of these buildings, Euclid would always stay the same, a dead city. I am going to look at downtown Euclid with the new Dave's in. What are you going to do with that empty building? Are you going to bring in another dollar store? Are you going to bring in something that is going to bring some revenue? Or would it be a cash advance place? Come citizens, look at what is going on in your city. We do not even have a shopping mall. We have nothing in this City, yet most of our city officials they do not live in Euclid, but they are in charge of what should come into Euclid. Please at this time, please look at what is going on in your city and I'm asking everyone to please try to bring better business. Thank you.

A short break was taken.

President Gudenas – We're back in business and now we're going to hear how everything will be taken care of on Euclid Ave. by Director Pietravoia, in two minutes or less.

Director Pietravoia – I was hoping that we might have until the next tape was changed, but I'll try to keep it to two minutes. I do appreciate Ms. Taylor's comments. We do work very aggressively to try to address the vacant properties and vacant buildings throughout the community, including along Euclid Ave. In fact we have had a couple of proposals from the current owners of the I-90 and Euclid property. I've also worked with a couple of brokers recently on some ideas there.

The proposals we've had, quite honestly have not been up to the standard that we were hoping for. We think that location has a lot of potential. We've had a proposal for example for a small commercial strip center, we have plenty of commercial space along Euclid Ave., in particularly at that end of Euclid already, and a gas station. I know members of Council have discussed this, I've discussed this with several members personally regarding the potential, we hope, for an office-type development at that location. While we've had interest, it hasn't quite been what we're looking for. Nothing has advanced yet, but we're continuing to work on that.

Century Corners is happening. The two projects that have been approved by Council are well underway. There will be a 30,000 sq. ft. new manufacturing building at the back-side of the building, that's American Punch and the Medical Office building that Ms. Taylor mentioned is actually underway as well. They are preparing their plans for permits and we hope to see construction start on both of those very shortly. All those contracts have been signed and are proceeding.

Wendy's does have a new restaurant in it. It is not a national chain, it is more of a locally owned restaurant on Euclid Ave. Also, Frank Pla from Domain Builders is building two new office buildings across the street from Century Corners on land that he purchased at that location. One of them will house his own business which he is moving into Euclid from Mayfield and the other will have space for at least two additional tenants. So he is building that as a spec building.

We've also met with the new Heritage Park owners, Chris Semarjian and Stuart Lichter. That's probably one of our biggest challenges in addition to the Mall and the PMX site. Several tenants are looking at leaving that, it has already been discussed and mentioned publicly several

times. But they have a strategy to subdivide that property, put separate utilities in, full demising walls for all of the space and have an aggressive plan to put several million dollars into that complex and we believe it will help to attract new tenants. We are also scheduling meetings with the tenants that remain along with the new owners to see what we can do to renew their leases and keep them there for the long term.

I think I've talked on most of the properties that were mentioned. As we progress and have more solid plans on some of the larger properties, I certainly will be reporting to Council and to the general public.

President Gudenas – An update on the Walgreen's at Dille Rd. and Euclid Ave. That is still proceeding along?

Director Pietravoia - Yes, the Walgreen's actually they are very anxious to break ground. They do have a situation with the lease at the current location that is holding them up from starting construction. We're actually trying to assist to resolve that lease situation. Hopefully that will happen this summer, we hope to see ground break this summer there.

President Gudenas – Right before the election, probably?

Director Pietravoia – Hopefully even before that, June or July.

President Gudenas – Expect a lot of action, September and October no doubt.

Mr. Ray Petrea – 353 E. 232 St. I wish to again thank the Administration and full compliment of Council for this Resolution of recognition of our group that has existed for 10 years. Originally this group was formed out of a recognition of need for the public to know more about Diabetes and hopefully take care of themselves. At the present time there's approximately 21 million people in the United States that are diabetic. One third of these don't know that they have Diabetes.

As you know Diabetes is a progressive disease. It gets worse in particular if you don't take proper care of yourself. Ladies and Gentlemen, proper care is available. There are thousands of people in this world that are researching and treating and advising and educating people with Diabetes. We all need help of one kind or another at sometime in our life. In fact I think our mission in life is to administer to each other.

Assistance is available. You need to take advantage of it. Diabetes sees no age. Young babies are diagnosed with Diabetes #2. People in their 90's are diagnosed for the first time. It is my recommendation anybody over 30 years old should be screened to see if they have Diabetes. This is a condition that many people fear and therefore they take no action. That is the wrong approach my friends.

The earlier Diabetes is diagnosed, the earlier treatment can be initiated and you can approach normal blood level readings. Today is different from the past. In the past there were very crude ways of dealing with Diabetes. But today we have techniques of testing our own-selves in our own home, in our privacy to see how we're doing with Diabetes. Once you see that you are off-scale you have adjustments to make, you have professional people to advise you what steps you can take to get your numbers back in order. It is readily available. The treatment people who deal with Diabetics on a daily basis are enthusiastic, they are passionate and they really care. They make it easy for you to receive their advice, it is up to each of us to make adjustments that will promote our health.

It is recognized that the steps you take will actually increase your longevity. It is up to each of us to do our part in battling Diabetes. It is a challenge but it can be done. I would like to say also at this time that I'm so glad to see Victor Goodman in this chamber after a long absence. Also, it has been reported through the media that smoking is one of the worst things you can do for your health. If you smoke, my wish is that you would quit. If you need help, seek it. Our group meets every month. I have on this table a schedule of our meetings for the rest of the year. You and anybody in your family or anybody you know that has Diabetes is welcome. The meetings are free. There are no fees. There are no dues. Parking is even free. Thank you very much.

Mr. Dennis Berzinskas – 20890 Lower Lake Shore Dr. I just wanted to see if you were paying attention, South Lake Shore Blvd. Litter. Mr. Pietravoia, I was wondering with the litter that we have around, that's called lack of responsibility on our kids, on our young adults and since we have a tie-in with our Schools on our Council, maybe they could mention it there. Let's go around to the different shops maybe that sell things that can be littered about and the police know where they see things around, and let's get them to buy into the pride of Euclid. Let's get them to start as part of

their business here in Euclid to put up and display and give away trash bags. If you carried it out, carry it home and put it in its right place.

Maybe that's what we can do to have some pride in Euclid. I love this City. We are close to downtown. We are close to Lake County. We have the Metro Parks around, we have a lake. We have so much to offer, let's have some pride in our City.

Thank you Council for Shore. It's long needed. If anybody with a calculator was figuring out what it cost for pool hours, Kathy Will has stretched her budget as far as it can go and she hasn't had an increase for years. They try to come up with innovative ideas all the time. But when you calculate the number of people, hours used, Shore is that building. But you're the ones that picking on it. The people out there that don't like it, don't use it, are picking on it. I don't use the golf course. I don't ice skate, that's a long way down for me. So there's a lot of things I don't use, we worked on the Henn, we were going to get rid of the Henn because it was a nuisance, cost us money. It is a great place to be, great place to hold a wedding, an anniversary. We could have lost that with little thought. Please try to think of ways we can improve the city, improve Shore and let's get on a team of having pride in Euclid. Thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. I just want to expand a little on what I said because I didn't necessarily come up with solutions or why it is so important to me. Pearlitha Taylor said it best as what's going to attract people here to buy homes. My area actually has some of the nicest homes in all of Euclid. Especially if you've ever gone to that hidden little piece off of Highland Rd., I didn't even know they existed.

What I envision and really am challenging, we could use a Marc's. They are now as much a food store as they are a drugstore, as it was a specialty store. They've never failed wherever they've gone. I looked at the Sims place as a definite possibility site for them. The building is ideal because of its low image.

If we don't build something on my end of town, you might as well sell us to Cleveland because that's the amenities we're getting. We're going to lose property value because we cannot attract people with money to come in because they are going to shop and do everything else outside of Euclid. I look at, in my dream, which is certainly it is, that let's say you attracted a Marc's and my feeling is that if we can spend and do all these deals to keep Argo-Tech and all these other places, I don't care what it costs, what we have to give away to attract one person in here that can actually spurt the bloom. Because if they are successful and I cannot believe they couldn't be under any circumstances, somebody else is going to say, you know, we need to get into that area, we need to feed off of that. The fact that there's a public post office right there is an equal attraction to that one particular site as well.

I don't know how many of you remember the Frank Sinatra song, High Hopes. But sometimes I really do feel that outside of downtown and around the lake, this city has no high hopes for the rest of the area. As an argument, we were told we built a Bi-Rite or Bi-Rite opened up, well that's not my area. I'm a lot closer to going to many other places and to be honest with you, we've been shopping at Dave's probably more than any place we've shopped, so we are spending our money more in Euclid.

I want to take a moment to thank Ray Petrea for the kind words, but he also sent me a wonderful little card just last week totally unexpected and I will give him somewhat of the credit that maybe get up and start to walk a little better. I'd like to leave with a public service message. I would like to talk to all senior citizens, especially grandfathers, and make it very well known to you that at our age you do not have to be competitive with your grandchildren, because that's why I lost walking for 4 months because I didn't want him to score a goal in soccer. So, let the grandkids win. You know, you had to beat your kid, but let the grandkids win. Thank you.

Mr. Rick Gzesh – I do reside at 161 E. 220 St. You know the City, you know the zip code. I'm a newer resident to not just Euclid, but to northwestern Ohio. I'm learning a little bit about how the city politics works around here. But I have been told that this portion of the council meeting is available to talk about just about any issue or anything you would like to talk about. With the NFL draft coming up at the end of this month, I'm getting a little homesick for my hometown and I want to talk about the Pittsburgh Steelers. Does anybody want to talk about the Pittsburgh Steelers with me?

President Gudenas – You'd be out of order at that point.

Mr. Gzesh – I did want to start with lightening up a little bit because the situation that is happening to me since I've come to the fair city of Euclid and have chosen this to be my new home here in Ohio. One of the things or the purchases or ownerships or issues in anyone's life that has the

greatest emotional impact to your soul is a purchase of a home, which is what I did here in Euclid. I was glad to hear some of the other citizens talk about what is Euclid doing to bring new people into Euclid. Euclid is an inner-ring suburb that has been struggling to reinvent themselves and to maintain a tax base, a retail base and residential base and of course it is a very difficult act to juggle all of those interests and keep everybody happy. You make one person happy and you make somebody else unhappy.

Unfortunately, due to whatever ways things work up here in Euclid, I've been made to be unhappy because I am going to be one of the adjoining property owners to the new CVS project up on Lake Shore Blvd. and 220<sup>th</sup> Street. Which is not to say that I'm totally against the project, just I'm concerned about how the property lines were drawn and how it will affect my property. For those of you who are not aware of my particular property, I was attracted to Euclid because of the program that you do have out there to attract people, such as myself, to your fair city, which is that property tax abatement program for new construction. So I did purchase a newly constructed home, on 220<sup>th</sup> Street, two doors down from the parking lot that's behind the old dance studio. When I went to purchase the home, there was a beautiful, nice greenway behind my house. I do have a short lot, it is a substandard lot based on an old cottage that used to be there. But I saw that I was bordering a municipal community center, a small municipal lot that was very lightly used at that point and of course we also recognized that the little business district of Euclid was in need of some remodeling, rejuvenation and I'm all for that. Unfortunately it seems like when the property lines were drawn as to what they were going to separate and sell off to the CVS pharmacy was 20 feet from my backdoor. I'm not talking 20 feet from my property line, I'm talking 20 feet from my backdoor.

Through some intervention with Councilman Langman who I have solicited his help as well as Mr. Pietravoia and a few other members here in Euclid, I have a small reprieve already with the deed restriction and I appreciate what that is going to be doing. But I would also like to pursue the purchase of this small little piece of land behind my house, which currently is not in the development stage for the CVS project whatsoever. It will not affect the CVS project whatsoever. But it would enable me to be able to control the greenspace behind my home, be able to put up a privacy fence to further shield me from the extra activities that are going to be going on which I'm sure will eventually become a 24 hour center, so that I can have some peace in my new neighborhood. What I'm asking and all the members of Council, I know I sent all of you folks an e-mail prior to the zoning hearing. What I'm asking you is support of my goals to be able to have a little private yard to shield me from what you folks are now saying is going to be the catalyst for the rejuvenation of downtown Euclid and I'm all for that. I'm all for that rejuvenation, but we also have to take into consideration what that type of project is doing to the residents that you are attracting to town, especially those who have made a significant financial investment in the neighborhood. I ask your help please. Thank you very much.

President Gudenas – Director Pietravoia, if the recommendation was pursued further, would we have to have another lot split off of the lot split we just did?

Director Pietravoia – The parties involved, CVS in this case ultimately will be the owners of that property. They would do the split.

President Gudenas – We're still the owner now. In other words, this recommendation is to split it off now, sell CVS what they need and this other parcel would be divided up a different way.

Director Pietravoia – That's correct Mr. Chairman, that is a possible option. We still would have to do one additional small lot split which is a sliver of land about 15 ft. wide that would completely square off the backyard of Mr. Gzesh. We do have a contract that we've signed selling the entire portion to Mr. Spies for the CVS project. We would have to adjust that contract dollar figure if we were to consider not selling the whole lot.

President Gudenas – We'll look into it. I don't really know if the dollar amount needs to be adjusted because this is land that they weren't going to use otherwise.

Director Pietravoia – If you'd like to discuss it at this point, I don't know that its appropriate because we have had conversations with them and they discussed with Mr. Gzesh, they've made an offer to him, to sell a portion of that lot that they are paying us for.

President Gudenas – You know what, you'd be out of order now, but we could after the meeting, it will be ending shortly, anyway we'll pursue that, your suggestion further. Anyone else?

Ms. Jessica Forsthye - I just wanted to take a moment to introduce myself, I'm the new Executive Director of the Euclid Chamber of Commerce. I've been on-board for a week now and I'm very excited about being in the wonderful City of Euclid. I'm from Wickliffe and we're very similar in the business structure and what's going on and so to bring my passion that I have for northeast Ohio and be able to implement here in Euclid, where I enjoy my fireworks every 4<sup>th</sup> of July is a great opportunity.

I look forward to making a responsive and a cooperative relationship with the Council to help strengthen and retain the businesses here in Euclid and working with each of you. I'd love to encourage Council to participate in the Chamber activities, especially our golf outing on June 26<sup>th</sup> that is going to be held here at Briardale Golf Course, here in Euclid. I just want again to thank you for your time for letting me introduce myself and I look forward to working with you in the future.

President Gudenas – Thank you for coming, we appreciate it and welcome to your new positions.

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

#### COUNCILMEN'S COMMENTS

Councilman Delaney – Very positive meeting. A lot of comments were very good and a some of them very challenging. A think a lot of good comments brought up, there's quite a bit to work on. This last week and I am going to keep the tone very positive, I'm going to use my Councilman's Comments to keep that trend. I had the opportunity to visit over the last two days many of our city's heritage institutions. One day I visited the Historical Society, the Polka Museum and the Softball Hall of Fame and had great conversations and everyone there has wonderful ideas. One of the things that stood out is I believe we had passed legislation for the buildings at the Historical Society, did we put aside some money there?

President Gudenas – Director Johnson, are there funds set aside for renovating the annex building perhaps over at the Historical Society.

Director Johnson – It is in the capital budget, I don't believe it is scheduled for this year, but I think it is scheduled for some future year in the next 5.

Councilman Delaney – I would like to maybe begin the process of maybe going out for bid to find the right architectural engineering firm to look at all three of those buildings, create a campus. That's probably a good start over there.

The great thing that I had to do is I met a new publication in town called Lake Erie Living published by Long Point Media. When I saw that their bi-monthly magazine would be doing all of Lake Erie, them on the first chance meeting didn't know where I was from or what capacity I served. I saw that they were going to be a little bit light on the east-side, and specifically Euclid was not on their radar. I forced them to take a day out of their work schedule to come to Euclid and visit what we could on our Lake Shore. I have to say the seven places I took them to in the afternoon, there was not one rejection for me. Everybody was very gracious and allowed us in, I want to thank them for that. The tour started with our Landmark Commission Chairman, Roy Larick and in 20 minutes he gave them a little overview of the last 40,000 years on Lake Erie.

I would like to thank Kevin Davey and Rebecca Albright receiving us at Harbor Town. They actually got to see a sneak peak of the new plans that are not quite finished yet, but soon to be unveiled in the public. At that point Councilman Lisy had joined me and for the rest of the tour we were able to look at some more homes. The Coral group was very nice, toured their model, showed them the plans and the prospects that they have there. Our Senior Services Director Terah McNeal gave us a wonderful tour of our senior center. At that point we left and went to Leslie & Tom Cooke's brand new home on Edgecliff and I would like to thank them very, very much for their hospitality and their private tour. After that we finished off with the Henn Mansion where although it rained the entire day, their eyes were as big saucers, they got a wonderful view and a wonderful history of the Henn Mansion and got to see a lot of people trudging through Sims Park in their disc golf games where I got to brag about the PDGA tour coming September 1<sup>st</sup>.

It is a wonderful opportunity. It is a new publication. I think we should be pro-active. I would like to have the city contact them so we can give them regular updates of our events. They'll have a special travel publication that comes out at the end of the year. They will update in their magazine events throughout the whole Lake Shore and I would tell people, I really don't normally shill for things, but in the next months to come, I have a feeling that Euclid is going to get some

very positive editorial from these people so, if you see it at a newsstand, you might want to pick it up.

President Gudenas – Do you get a commission on the subscriptions?

Councilman Delaney- No, no. But I could start selling them and maybe I'll get enough to have a new bike. Thanks.

President Gudenas – Thank you. I did see that magazine and it is a very interesting magazine available on the newsstands now.

Councilman Gruber – Public Service Announcement, Kristal Skovira has informed me that she will be having a Block Watch training for Street Captains or Presidents of Associations. It is an RSVP, it will be next Thursday. She would like you to give her a call at 289-8449 for more information.

I would also like to thank the Euclid Hills Villa Association, especially Josie, the President, for having me there and Officer Larry last week. It was a pleasure as always to be there.

We also had some correspondence from the Fire Dept. about some of our Euclid Firemen that are receiving an award. I would just like to give a quick second to Chief Cosgriff, would you like to acknowledge those firefighters? I've got their names if you don't.

Chief Cosgriff – I don't have that information in front of me right now.

Councilman Gruber – We were made aware that Euclid Fire Department has been notified by the Cleveland Clinic Health System of an award ceremony that is honoring EMS professionals in the area. The Committee has chosen five of our members to be honored with an award for "Excellence in Professional Standards." The ceremony will be on May 31<sup>st</sup> at South Pointe Hospital at 7 PM. The firefighters that are receiving the award and please forgive me if I butcher your names are Lt. Fred Ehrhardt, Roy Reshetar, Mike Gulya, Dan Offutt and Steve Caleris. This is the first time in memory of anyone from our department receiving such an honor. We congratulate your men and thank them for that.

Also sympathy goes out to the Certz family and also Dr. Crawford's family on their recent passing. Also, Director Pietravoia, any news on the incinerator site with the Calabrese. Is he proceeding with the plans to build?

Director Pietravoia – Yes, Mr. Calabrese has pulled a permit a good while ago. He has cleared the site, surveyed the property, installed the footers for the building. This week he expects to have the steel delivered that will form the frame of the building and that should start shortly once that material is delivered.

Councilman Gruber – Just a comment on the Sims Buick site, I know and this is still Director Pietravoia, that we personally contacted major drugstore chains and other retail establishments and there was no interest in that site from that type of facility.

Director Pietravoia – I did personally contact three different commercial developers and specifically asked them to take a look at that site. I told them we were open to any ideas including drugstores, not necessarily just drugstores, but any retail that might be interested in locating at that complex. To-date, unfortunately, they have not been able to get anyone interested in that site.

Councilman Gruber – Some of the folks that were interested in that site, you may remember were a repo lots/auto center. Also a company called a Pick-A-Part which basically is a fancy junkyard. We are happy to see that things are moving along in the right direction and it is a proper use for that because of the associated buildings in that area, a day care next to it, Jehovah Witness hall, the Sims Buick right down the street. I welcome them to the neighborhood and good night to everyone.

Councilwoman Holzheimer Gail – I want to start by congratulating the police officers and employees who received awards tonight. We certainly are very lucky to have such dedicated, hard working men and women working in our city and thank you Chief for your work with them.

I was also going to remind people since it was awhile ago, but the senior programs are having a Flea Market this Saturday from 9:00 AM – 4:00 PM at the Lakefront Community Center that helps support the senior programs. You can stop by there first and then come over to Sims Park for the event over there from 11:00 to 3:00.

Summer of Wellness, we're looking forward to it. I unfortunately need help filling my team. Any ward 1 resident who would like to be on the ward 1 team, please give me a call or e-mail, 531-1509. I want to make sure we have a strong team showing.

I also want to thank Kristal and Chief Repicky and Officer Larry. We had a business crime prevention meeting on E. 200<sup>th</sup> Street last week. The idea being to get a jump start on the summer and the good weather where last year we had some problems on E. 200<sup>th</sup> Street. I want to thank Chief, particularly for coming and giving the strong message that the Police Dept. is willing and eager to work with businesses. I know that's true not just on 200<sup>th</sup> Street but across the city as was reflected in your letter in the Chamber of Commerce newsletter. I thank you for your effort in that regard and of course thanks to Kristal for her work to bring that meeting together. I think that's it tonight, thank you.

Councilman Langman – First I would like to start with a question for Mr. Beno. Where are we with the permitting for the North Point Elevators, has that work commenced again?

Asst. Director Beno – The permit for elevator improvements has been issued. They are working on the electrical connections and smoke detector systems for the elevator. Basically they are in the process of obtaining all of their inspections, including State inspections for the first elevator column.

Councilman Langman – That is definitely good news. A question for you Law Director Frey. I received a communication from one of the Trustees from the Historical Museum and evidently they are getting donations of plant material to plant for the spring. They were wondering if they could actually place a sign acknowledging the company that's donating the material since it is city property. If you could look into that, the trustees would be most grateful.

Director Gulich, we already talked a lot about trees this evening and we have a major thoroughfare that seems to be void of trees, that being the highway. Council many years ago passed a Resolution encouraging ODOT to plant trees or let Mother Nature do the work. Did ODOT finally agree to that?

Director Gulich – Thanks for bringing that up. I had to deliver a letter in person to make sure that it got to the right place. They have agreed, the infield area as we refer to, most everybody has realized close to three years worth of improvements were recently completed. The trailer at long last is gone. The area we're referring to as the infield is the area bordered by the east and west and north and south spur lanes which basically a land-locked area by the traffic, everyone passes through. They have agreed to that no mow situation in there to encourage naturalized surrounding and wildlife habitat.

Councilman Langman – That is obviously good news and I'll leave it to my colleague, Councilwoman Walsh, to talk about the wall that's not so good news. Finally I would like to wish Mayor Cervenik's wife the best of health in her recovery. Hopefully it is not too serious and we do miss him this evening.

I would also like to thank Kristal Skovira and the police dept. We've been to a couple of community meetings around the second ward in the past 30 days and they have been very productive. We have one coming up with the merchants in the Upson area, the custard stand, the delicatessen, the pizza shop, the dentist, etc. I look forward to speaking with them.

Finally I would be remiss not to mention Mr. Gzesh. We've made great progress in the two weeks that I've actually known you and we will continue to work to make sure that your interests are addressed. With that, good night.

Councilman Lisy – I just want to follow up on what Councilwoman Holzheimer Gail mentioned about the Spring Fling at Sims Park from 11:00-3:00. What I like about it is it gives residents an opportunity to learn new tricks on landscaping. I guess there is going to be demonstration from Home Depot there and other local landscapers on how to maintain their property. I think this maybe a great way to get out, meet your neighbors, visit the Flea Market first and then stop on over and learn some gardening tips.

Second I would like to acknowledge the Auxiliary Police for all the service that they do. Unfortunately I will not be able to attend their recognition dinner this Friday night, but I want to let them know that they are everywhere and they do a valuable service for the city. I didn't realize all the hours that they put into the City and its something that it definitely needs to be recognized, all the time that they spend. When you start getting to know them, you go to a football game and they

are there. The fireworks, they are there. They really do an outstanding service for the City of Euclid and I appreciate everything that they do.

Lastly, Director Johnson, is there a way and maybe we can get help from Director Pietravoia that we can do a better job of forecasting tax revenues from our businesses in the City of Euclid? We have a report here and it looks like several of our businesses are doing quite well. I would like to see if that's going to be turning into additional tax revenues coming in. Granted our projections have been a little aggressive and we're down as was mentioned earlier in the meeting. However, looking out, we are still showing a 4% increase from the previous years. Even though if you take out the anomaly of that one-time CCA payment. A 4% increase in our revenues, that's nice. That should be something we're excited about. Unfortunately we are not keeping our expenses in the same type of category so we're going to be breaking even or maybe even going behind budget. Those are my concerns with the budget. If we could update our forecasting based on what we know of our businesses that may give us a better projection on what's going forward. Thank you.

Councilwoman Mancuso – This is for Mr. Beno, we've talked about several homes tonight. Several of us have received concern by some of the residents on Friday about a house that I think you're pretty well aware of that's supposed to be demolished, that had a fire last October that is still standing. Do we have a timeline for when that particular house is going to come down?

Asst. Director Beno – The demolition is being bid this week. The bid will be opened on Monday at the Board of Control. Hopefully we'll have that property demolished within potentially three weeks, if you give the contractor a little bit of time to mobilize.

Councilwoman Mancuso – In the meantime, can we kind of clean up that area? I actually drove past there on the way home tonight and it is looking pretty shabby, out and around that property. Is there anything we can do to clean it up in the meantime because everybody is looking at that house that lives there?

Asst. Director Beno – We are going to have our landscaping contractor out there and pick up the property, get it cleaned up.

Councilwoman Mancuso – We'll do that within how long do you thing?

Asst. Director Beno – During this week, the upcoming week.

Councilwoman Mancuso – That's actually all I had for tonight, thank you.

Councilwoman Walsh – Yesterday started the first day of National Volunteer Week and I would like to salute everyone who volunteers, wherever they volunteer in the City of Euclid. Something wonderful happened during our break and I want to really thank Georgio's Pizza because I think there was a little bit of camaraderie here with everybody sharing the pizza and everybody was talking and laughing with each other. I think that's a wonderful sign.

There's going to be an art show that premiered at Shore Cultural Centre about three weeks ago and that will start at the Library April 17<sup>th</sup>. That is featuring art from the Euclid High students and it is wonderful.

The group that I work with, the Euclid Youth Association is going to volunteer at the Euclid Hunger Center and they are kind of excited and they are also going to be bringing some food there.

For the Summer of Wellness, I've organized a July 14<sup>th</sup> day and while it will be featured in Ward 3, anyone in Euclid is allowed to come and visit and find out what all the resources are in the City of Euclid. I've begun to mail the letters. If there's any group in Euclid that does not get one that wants to be part of it, please give me a call at 261-0868.

Again, going back to the volunteers I want to thank Rick from Maria's Florist Shop on Lake Shore Blvd., because he was very instrumental in a lot of volunteer things, but especially with this upcoming Spring Fling.

Now we all must have a little dark-side here. Let's talk about the ODOT walls and the volunteers that will be linked arm-in-arm all down from E. 260<sup>th</sup> down to Cleveland where those walls get better. Do you want to give me some progress, Director Gulich on why those cracked walls in Euclid can't be fixed please?

Director Gulich – First of all I would like to thank you and Councilman Langman for your support in this matter. We'll go back to a year ago when Council passed a resolution asking for ODOT's support in taking action on the wall. Subsequent to that, a letter went out from the Mayor to the

District Director. Most recently last week I had a conversation with the District Director, he verbalized to me that at this time it is ODOT's intention to simply patch the wall. They do not have funding in place to replace the wall. As most of Council knows, a lot of people in the listening audience know what I'm certain plenty of people are not aware that the recent construction that started in Rt. 2 in Lake County, everyone has probably seen the barrels that has gone that way, it is part of a \$25 million project to do numerous upgrades to Rt. 2 in Lake county. Those upgrades include a new sound barrier wall that will start actually in Euclid, right at E. 260<sup>th</sup> and go eastward into Lake County. That will be fine for the people who haven't had a wall, who wanted one over there. I've shared ODOT's design with Council and it is going to be a pretty-doggone fancy wall. It is only going to make our wall look that much worse quite frankly. When it is going to be complete, that's a two year project and they haven't divulged exactly when we're going to see that new portion of wall show up. I made it real clear with the District Director that his reply was not going to sit well with Council that we were going to continue to work in every effort possible to spur on some action from them. Probably this week I'll be sending them a letter pretty much memorializing that conversation we had last week in expressing our displeasure in the fact that we will continue in our efforts to try to illicit more action than just a simple repair from them.

Councilwoman Walsh – Well several years ago they had something called Hands Across America which I took part in. This is going to be Hands Down the Wall and Councilman Langman and I will be the first link.

The one other thing that I do want to mention is we do do more than go to 20 meetings a year. Next week for Ward 3, there will be four homeowners meetings on Monday, Tuesday and Thursday night. I do want that for the record, not bragging but I will be there. Also, it is not in my ward but I have gotten several complaints on the Lake Erie Motel so I think we should look at that also. That is Ward 4 so I don't want to go too deep into it. Thank you.

President Gudenas – Director Gulich, I don't believe I did see the new design for the sound wall, so if you could make that available to all of Council, that would be great.

Director Gulich – Certainly, I should have something on that. Of course they've got all that information on their website, but jolly good luck trying to find it. Let me find what they sent me and I'll forward it on to each Council.

President Gudenas – Great, that's appreciated. On next year, one thing that we were talking about on the various e-mail communication system we have was the illegal signs that people are putting up on the public right-of-way for garage sales, homes for sale and the like. At the end of the day we are still exactly not sure what is the penalty when you put that sign up, other than the removal of the sign? That answer never came on the e-mail, who would have that answer?

Director Pietravoia – I apologize, we did begin researching that and I have not been able to find, as the staff has not been able to find an actual penalty in the code. We've portrayed for many years that the signs are illegal and not permitted in the right-of-way and we still stand by that. But I don't see a penalty in the code. We've been removing them, we might want to actually add some clear language in the code providing that penalty.

President Gudenas – Let's work on that one. That will be an easy way to find whoever did it, their name, phone number and address are usually right on the signs. That would be a good one. I think that will make a difference once the word gets out that there is some reasonable penalty. We don't want to take their house away, or take their goods out of the garage that they're trying to sell, but something reasonable that makes it not worth their while to put the sign up.

Director Pietravoia – We will provide a recommendation to Council for the next meeting in the form of legislation.

President Gudenas – Very good. Just to remind everybody, this is our last official notice at a Council Meeting for the Ward 1 position, April 27<sup>th</sup>, Friday, is the deadline to turn in an application. I believe we have six already. I haven't seen any of them so I'm not sure who did it. Please, if you're interested, do that, then we'll announce the process at the next meeting on how we'll proceed with interviews and things like that.

Also, I'm going to bring up the budget again because I am becoming very concerned on how we are going to make it through the year. Because in addition to the income tax being down about six hundred some thousand, I would like to get a clarification, we have public safety charges down

about \$246,000 for the first three months. So, overall, we're down \$838,000 in our projections. Is there any comment on what the causes of the public safety charges being off by \$240,000?

Director Johnson – The bulk of that is the ambulance billing. I believe that a lot of that is a matter of timing. I'm not real concerned about the ambulance billing charges, so much as the income tax is of more concern. I'm assuming it is timing with the ambulance billing.

President Gudenas – I hope we can follow up on that to confirm that we'll get that money later. But, at the same time, we knew the expenditures were going up, last year for the first three months we spent around \$7.3 million; this year it is around \$8.6 million for the first three months. So we spent more than a million dollars for the first three months and our revenue is almost a million dollars less. We're going to have a big job here to get through the rest of the year. I'm going to ask the Administration to help us start planning for later. Could we get a list of all the positions that will become available in the City of Euclid through retirement or people leaving for other jobs so we have that good idea?

Director Johnson – Announced retirements, yes, we could get you that list and we have a list of positions that have been approved but have not been filled.

President Gudenas – That would be very good for the budget meeting. I know that if we wait too long the cuts will become more deep and we will have to adjust our budget expenditure sooner than later, so that we get through this year.

One thing we're working on that might be of interest to Euclid residents is with our Euclid Orchestra Civic Band that we're trying to do the concerts during the summertime, we'd like to have our first ever one up at the Euclid Creek Park, so we have something special on the south side of the City. We're trying to get the approval from the Metro Parks, Director Will any news on that?

Director Will – As of today, I still do not have that authorization. I want to make sure I have something in writing prior to giving them a date.

President Gudenas – Would a Resolution from Council help to get their attention?

Director Will – I'm not quite sure its that, it is more of the electricity and the way they're going to be able to permit us out the area where the orchestra has to set up.

President Gudenas – Okay, we look forward to that working out. I believe that's all I have for now, Councilman Conway to finish up.

Councilman Conway – Just a couple of positive comments to wrap up tonight. First of all congratulations to Jessica Forsythe for coming this evening and becoming the new Executive Director of the Chamber of Commerce. I hope I speak for all my colleagues that we look forward to working with you and accomplishing many great things together.

Also, congratulations to all the police officers, the employees and the residents of the City who were honored this evening, as well as the five EMS professionals who will be honored in May for their great accomplishments.

As part of my involvement that I have with the Citizens Evaluation Committee, the police and fire always score very highly and I would expect that to continue. I think seeing the recognition that we did tonight in those two areas is truly testament to two of the very strong safety forces that we have here in the City, so congratulations to everyone who received honor and recognition this evening.

#### ADJOURNMENT

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

Attest:

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Clerk of Council

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President of Council

