

COUNCIL MINTUES

June 4, 2007

The regular Council Meeting was held on Monday, June 4, 2007 at 7 PM in the Euclid City Hall Council Chamber. President Gudenas presided.

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

All present.

Others Present: Mayor Cervenik, Asst. Law Director Sweeney, Finance Director Johnson,
Service Director Gulich, CS&ED Director Pietravoia, Recreation Director
Will, Asst. Director Beno, Chief Repicky, Asst. Fire Chief Prijatel, Sgt.-at-
Arms Novosel, Clerk of Council Cahill.

Invocation was given by Pastor Tony Williams of Refuge Family Worship Center.

COMMUNICATIONS

Councilman Gruber moved to receive without objection a transfer of a C1, C2 liquor permit for Euclid Marathon at 470 E. 200th. Councilwoman Walsh seconded. Roll Call: Yeas: Unanimous.

Council has received the following communications:

Resolutions from the City of Brunswick, Rocky River and the Village of Linndale, opposing the quarterly customer service charge imposed by the City of Cleveland on water bills.

A resolution from the City of University Heights opposing the substantial increase in cable television rates by Time Warner.

A memo from Director Pietravoia with a current list of proposed housing demolitions.

A memo from Director Pietravoia regarding legislation for Vinyl Siding and Weatherization Materials.

A memo from Council President Gudenas to All Members of Council, Mayor and Law Director was read as follows:

For Special City Council Meetings to take place, Ordinance 121.04 must be followed. This ordinance states as follows, "The Mayor or any three members of Council may call a special meeting upon at least twelve hours written notice to each member, served personally or left at his or her usual place of residence."

Please be advised that I was not served personally with any notice of the May 25th Council Meeting and no such notice was left at my usual place of residence.

I believe that the rules for holding Special Meetings must be carefully followed to insure that all Council members conduct city business in an open and fair manner, and the public has the highest possible opportunity to attend.

COUNCIL MINUTES

Councilman Gruber moved to approve the Council Minutes of May 21, 2007 and Special Council Meeting of May 25, 2007. Councilman Conway seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik requested a moment of silence for Cleveland Heights Police Officer Jason West and also Mary Lyons, Registered Nurse at Euclid Hospital.

Mayor Cervenik and Police Chief Repicky presented the Oath of Office to Euclid's newest police officer, Jennifer Krozak.

Mayor Cervenik and Police Chief Repicky presented Res. 83-2007 to Officer Bonchak and members of Euclid High School students and S.A.D.D.

Mayor Cervenik presented Res. 101-2007 to Euclid High School Valedictorian Andrew Horvath, congratulating the 2007 graduating class of Euclid High School.

Mayor Cervenik thank Sherrie Zagorc, her committee, as well as all the businesses and merchants on E. 200th Street for conducting the East 200th Street Stroll on Saturday from 10:00 AM until 2:00 PM. It was a good time. It was put together by the committee and the merchants there and there was a lot for all the residents to do. It started off a little bit slow, as people left to go to ball game or the store and came back and saw all the activity there, the crowd grew and grew and grew and I want to thank all the Council people that were there as well. Sherrie has ever intention of making it bigger and better next year and hopefully we can all be there to assist her.

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Memorial Day that we all participated in, I think this Memorial Day was a little more special than most and some of that had to do with the weather. But the crowd that was out for the parade and for the services was phenomenal. The weather was phenomenal. I need to give a special thanks to the Joint Veterans Council, they really put their heart and soul into the ceremonies this year and they really made me proud to be the Mayor of the City of Euclid and we just can't thank them enough.

Director Will – I would just like to take this opportunity to remind the residents that Memorial Pool will open this Saturday. The neighborhood pools will open on Monday. It is not too late to come in and get your pool passes. You can do that here at the Recreation Office, Tuesday and Thursday of this week from 1 PM until 7 PM; and Saturday morning from 10 AM until 1 PM. That is here at City Hall to come and get your pool passes.

The Euclid Shade Tree Commission and City Beautification Commission will be hosting their Annual Pond & Garden Tour. They will have a special candlelight tour on Saturday, June 23 from 6:00 until 11:30 PM. Sunday, June 24th from Noon until 7 PM. Currently there are 12 homes that are on the tour. It is not too late, you have until this Friday, if you would like to put your home on this tour, you can call 289-2726.

Next Thursday will begin our Euclid Lakefest. It will be held June 14th through the 17th at Sims Park. We have tons of items going on. We have two stages this year. We have the Gateway stage which will be behind the Henn Mansion and will feature music by Cruisin', Alex Bevan, Ernie Krivda, Tom Todd, our own Euclid Orchestra Winds, Blues DeVille, Blue Lunch, Flip Side, Jonah Koslen and Finding Mary. We'll also have a stage over by the inflatables for the kids, our DiDonato Stage, which we will be hosting our Euclid Idol. If anybody is interested in participating and auditioning for Euclid Idol, you should call our office at 289-8114. We will be having the first performance of the Euclid Idol on June 14th at 6 PM. Each day we will narrow it down until we can get to the finals on Sunday.

We'll also be having a magic show. We will also be having Jungle Terry. Our Shore Cultural Centre will be hosting a beer garden throughout the 4 days and our Euclid Hunger Center will be doing a Wine Tasting on Friday and Saturday. We hope for nice weather. Come on out. See your neighbors, get a bite to eat, there will be plenty of things to do.

Also on Saturday, June 16th, at 11 AM, we will have the Metro Life Flight Helicopter land for everybody to get an up close look at the helicopter. If you have any questions about the Lake Fest or any of the programs coming up, or our swimming pool hours, please call 289-8114 and thank you and I look forward to seeing you next week at the Festival.

Mayor Cervenik – After I just mentioned about the 200th Street Stroll, I looked out in the audience and saw that she was here, Sherrie, could you suspend the rules and just ask her to come up for a minute or two and tell us what the day was like. This woman because of the weather and the people there, she had a smile from ear to ear, I thought her lips were going to break. She has put so much blood, sweat and tears into this event and really wanted to make it successful, she did. Come on over here and say a few things. Please accept our gratitude for all you did.

Ms. Sherrie Zagor – It was a dream that I had last year to do something on 200th Street. I mentioned it at a BRIDGES function and Tom Woods was the very first person that came up to me from Gateway and said, that sounds like a great idea. What was so exciting was that other people believed in the same dream that I had to have a wonderful function on 200th Street that would encourage families to come and businesses to cooperate with one another and people in Euclid to have a great time together. It was just a wonderful event. I thank all the people that believed in that dream and helped me and assisted me in making that dream come true and it did. Thanks. It was just great. Thanks to God too for the great weather, because that really set the stage for a wonderful day. Thanks.

Director Pietravoia – I just wanted to give a quick reminder tonight because it is the season for garage sales and actually this was a good segway because I did spend time prior to the E. 200th Street Stroll removing quite a few signs from utility poles along E. 200th Street. I want to remind the residents that there are rules regarding garage sales. You are limited to three per year and each one can be three consecutive days. The signs regarding your sale have to be in your yard, 10 ft. back of the sidewalk. There's been a law in effect for quite awhile that signs are not permitted on utility poles or trees or public signs or anything that is in the right of way. We do routinely remove those signs. It is particularly important and the reason why I wanted to put out a reminder is because we did pass a new law recently that there will be a \$75 fine for those signs that are in the right of way. That will be going into effect shortly in about a week. I want to put that reminder out this evening and I want to thank Councilwoman Walsh. She regularly brings me a collection of signs that she has also helped remove from utility poles. Thank you.

Mayor Cervenik – I began my Saturday morning at Euclid Four Square Church for a prayer service conducted by Rev. Dennis Rudolph and his congregation. They prayed for all the elected officials and all members of the City of Euclid. The crème of the oreo, was the E. 200th Street Stroll and then in the evening at 4:00 I had the honor of attending services at St. Felicitas Church, presided by the Honorable Bishop Lennon. They were rededicating St. Felicitas Church to the congregation. They expended close to \$1.7 million in various renovations and it really made the church a beautiful place to worship as well as we congratulated Father Mihok and Father Bober for over 50 years of service in the priesthood. It was a rather busy weekend, but it was a great weekend and certainly last but not least, Cavaliers took care of business on Saturday night. With that, it will end Administration Reports and Communications.

President Gudenas – I do have a question to ask in that we were told a couple of weeks ago by the Law Dept. that the legislation we passed for the new ward boundaries back last September was never turned into the Board of Elections. The deadline is coming up, this week or next week and we never heard anything back further if in fact the administration has turned in the new ward boundaries in the proper format, to the Board of Elections by the deadline, to make sure that what we passed in September is actually used this November. Who can answer that?

Mayor Cervenik – Mr. Frey will be here later in the evening. He's attending the graduation of his son at the moment. But he does expect to arrive here later on. He will probably have that answer for you.

President Gudenas – We will definitely need that answer just to make sure that we don't miss the deadline.

REPORTS & COMMITTEE MINUTES

Councilman Gruber moved to receive the Police Report of April, 2007; Evaluation Committee Min. of 4/12/07; Charter Review Commission Minutes of 3/27/07 & 4/24/07; Executive & Finance Committee Min. of 5/10/07 & 5/23/07; Planning & Zoning Minutes of 5/8/07 & 5/9/07; Board of Control Min. of 05/14/07; 05/21/07. Councilwoman Mancuso seconded. Yeas: Unanimous.

President Gudenas – One thing not on the Agenda tonight in case you are curious is the appointment for the Ward 1 Council position. That will not take place today. There are 4 candidates and there were eight of us. I can say each of the four has support. It is going to take a lot of work on our end to make sure we have a consensus because we do have 4 very good, qualified candidates applying. So expect that decision two weeks from today.

I don't expect a formal answer to the memo that I had sent regarding the Special Meeting, a week ago Friday, that was called for the waiving of the Second Hearing on the sale of city property. I do believe the meeting was not called properly. I'm going to ask the Law Dept. and the City Council to look into this further, so that we can have a final decision at the next Council Meeting in two weeks, because this will be too much for us to discuss, a lot of this stuff came in over the weekend from the Law Dept. What I was given from the Law Dept., basically, may put the whole legislation in jeopardy because it writes that if in fact the meeting, there was no special notice done properly, then the proceedings are not merely defective but void and cannot be ratified at a future meeting. I just want to make sure that we handle properly and work everything out for the next City Council meeting. I know Councilman Lisy is also working on a list of questions and concerns that were never fully addressed at the other meeting that we expect to have also by the next Council meeting.

COMMITTEE OF THE WHOLE

President Gudenas – Some of the items will be going to further discussion in Committee, but we're not sure which ones yet.

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

Ms. Regina Hauck – 116 E. 197 St. I have three things on the agenda I would like to discuss and you can just discuss them when you discuss some legislation. The first one is #17, discussing the procedures from the Financial audit. I did get a copy of the financial audit, since it is 171 pages long, I did not get a chance to look over the entire thing. Two things that I did look over, one was the organizational chart. I was very glad to see that the residents are at the top of the organization chart and I think that is something that every employee and elected official in the city seems to

forget at times that you all work for us. I hope that everyone takes a copy of that org chart and puts it in their office.

The other thing that I did check out was the schedule of findings. That brings me to #17 on the agenda. I'm in favor of this legislation. It was interesting to read that up to 40% of our receipts are not posted in a timely manner. This procedure definitely needs to be written and implemented. But I would like to see it taken a step further and I would like to see a procedure for every job that any city employee does, there should be a procedure manual in the city. About a year ago I started this procedure for my employees and it actually has come in quite handy. We've had people that are out on sick leave and somebody can just go to the procedure manual and find out how to do a certain job. It would offer continuity of service to the residents.

I would actually like this to be expanded to include all job descriptions. I would even volunteer to meet with somebody from the administration to go over the procedures that I've implemented in my group and to give you a copy of the template that I've used because I do think this is something very important.

I'd also like to discuss #16, Forko Enterprises at the Lakefront Center. I don't know how they are doing there, but I do know that a few months ago I was looking for a place to have a venue and I went to the website and there wasn't a lot of information. There was the phone number. When I google Forko Enterprises, there was nothing. I'd like to suggest that we put something on the website that gives more information, maybe even pictures, maybe a sample menu, something so that people who are planning a venue have some more information than a phone number. If you're like me, you don't have time to play phone tag with people. You want to look up the information, make your decision and then make your phone call just to put the details in motion. That's a suggestion that I would like to see put in place.

The last thing, #8, the hiring of the outside people for the home inspections. I would like when you discuss this, just to discuss the safety measures and the plan that has been put in place so that we can ensure that these people are going to be safe when they do this for the city. Thank you.

Mr. Joseph Koskovics – 25201 Richards. I'm also here as your Cable Commission's chair and I would like to extend first a thank you concerning your item #2, the Resolution to the Ohio House of Representation, Ohio Senate Bill 117. However, I would like to add one clarification necessary for your consideration on this bill. That is the limitations that will be placed on a community's public service channels, specifically government and education. You need to pay very close attention to the fact that if they require a minimum of 40 hours of original programming and 24 hours of that each week must be original, non-repeat programming. Failure to provide that will give them the opportunity to withdraw the PEG channels and use them for commercial purposes.

This City sends out a lot of information necessary information to the residents by the use of these channels. It is essential that you have this in consideration. I consider the Public Education and Government Channels diamonds in this community. It is necessary for us to do as much as we can to protect them. I thank you for consideration on this and I ask that you also look at this provision of 117. It is important, it is critical. Thank you.

President Gudenas – We on City Council do our part to make the meetings as long as possible because this is original programming.

Councilman Liszy moved to rise and report. Councilman Conway seconded. Yeas: Unanimous.

LEGISLATION

Res. 102-2007 (375-07) Support EPIC Events

A resolution to support the Euclid Public Involvement Committee ("EPIC") in its "Seeking Candidates & Voters" Open Houses on Saturday, June 9th and Wednesday, June 20th, 2007. (Sponsored by Entire Council)

Councilman Conway moved for passage, Councilman Langman seconded.

Councilman Conway – I do think it is very important for people to understand that since the creation of the Euclid Public Involvement Committee that that committee has been working very hard at trying to really educate members of our community about the opportunities that they have, if they are looking to seek office. I did think it was important to bring this this evening as a show of support. There are two open houses that the EPIC committee is holding to make more awareness available. One is on Saturday June 9th at 3 PM at the Euclid Police Southwest Mini-Station and the other open house will be held on Wednesday, June 20th at 7 PM at the Shore Cultural Centre.

Anyone who is interested in understanding the process about potentially becoming a candidate, we would certainly suggest that perhaps you would attend one of the open houses and find out more information about the opportunities that exist. Thank you.

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

Res. 103-2007 (382-07) Ohio Senate Bill 117

A resolution requesting that the Ohio House of Representatives and the Ohio Senate make significant changes to Ohio Senate Bill 117, which, if enacted as currently written, would allow cable TV providers with signed local franchise contracts, to simply leave their commitment to the local communities. (Sponsored by Entire Council)

Councilman Lisy moved for passage, Councilman Langman seconded.

President Gudenas – We certainly do support this. I think the legislation more or less addresses what was presented to us, although we could add additional language if you'd like. Asst. Law Director Sweeney, we may have an amendment here to this Resolution also, asking the legislators in Columbus to not change or to not require the new amount of original programming as currently in the legislation, which was the 24 hours a week. We could suspend the rules real quick because perhaps you could help us with the amendment.

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

Mr. Koskovics – Thanks very much for this courtesy. If it may be recommended to add in the language, not to place restriction upon the public service channels, PEG, with any undue limitations or restrictions.

President Gudenas – Or a minimum of original programming?

Mr. Koskovics – Or something to the effect of, to place no requirements of time or programming content upon the public channels as that is a responsibility of the city. What this restriction would do is their calling for 24 hours in a week to be original, non-repeat programming and that becomes almost a restriction on your programming on the abilities of the city to make its own decision as to what happens on its government channel and/or the education channel for making the decisions that best govern what serves the city.

One other item and is that it devalues your bulletin board system which is an essential method of communications to the residents of this community. Therefore I suggest that it read something to the effect of, and place no restriction upon the management or delivery of the public access government and/or education channels.

President Gudenas – Asst. Director Sweeney, got all that?

Asst. Director Sweeney – I did not, I thought Regina did maybe.

President Gudenas – The amendment will be for the State House not to legislation no restrictions on the local programming regarding hours or content.

Asst. Director Sweeney – I have, not to place any requirements or restrictions on the time or programming content as this is the local responsibility of this city. Is that acceptable?

Mr. Koskovics – Yes.

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

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

President Gudenas – Any other discussion on it? Let's move right along with the roll call on the amended resolutions.

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

President Gudenas – I should add, our State Senator Lance Mason received a phone call from one of the Commission members and reported that he supports what we are doing here. So we have our State Senator on our side, at least that's what I was told.

Res. 104-2007 (380-07) D.A.R.E. Grants

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A resolution authorizing the Mayor, as Ex-Officio Director of Public Safety of the City of Euclid, or his designee, to apply for funding from the D.A.R.E. Grants Program through the office of the Attorney General of Ohio for 2007-2008. (Sponsored by Mayor Cervenik and Entire Council by request of Police Chief)

Councilwoman Walsh moved for passage, Councilman Delaney seconded.

Chief Repicky – This is a resolution, the grant is due around June 16th which gives us another 10 days. We received money already for 2006/2007 school year, around \$17,600. Also we received the previous year around \$17,000. I ask Council to support this Resolution.

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

Res. 105-2007 (389-07) OH Child Abduction

A resolution in support of the Euclid Police Department joining with other local and state agencies in the Ohio Child Abduction Response Team (CART) and scheduling training for Euclid Police Officers as part of Region 2 of the statewide system. (Sponsored by Councilwomen Walsh and Mancuso by request of Police Chief)

Councilwoman Walsh moved for passage, Councilwoman Mancuso seconded.

Chief Repicky – Councilwoman Walsh and Mancuso approached me in regards to this programming. Unfortunately Councilwoman Walsh attended this training and unfortunately no one from the Police Dept. attended, but we're looking into future training courses that will be scheduled throughout the rest of the year. I think Councilwoman Walsh could further explain this Resolution.

Councilwoman Walsh – The Resolution is so that our police force can be up to speed with, God forbid, a child is abducted. We can put out volunteers and follow the program and they would be offered the training at this point, I believe, free of charge through funding through the State. That's goal to get every police department on board. I did give the literature to Chief Repicky who went through it and I believe he supports the issue that our department take the training.

President Gudenas – I know Chief we have a very limited budget for training and the overtime that may go with it. Will this impact your budget?

Chief Repicky – No, it won't impact it at all.

President Gudenas – Any other discussion? Roll Call on the Resolution.

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

Ord 106-2007 (371-07) Assess Vacant Lots

An ordinance to levy assessments for the cutting/cleaning of vacant lots as provided in Chapter 1113 of the Codified Ordinances of the City of Euclid. (Sponsored by Mayor Cervenik and Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilwoman Mancuso seconded.

President Gudenas – This assesses the properties for work we've already done so we can eventually get it collected as a tax lien.

Councilman Langman moved to suspend the rules, Councilwoman Walsh seconded.

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

Ord. 107-2007 Assess Nuisance Abatement

An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for nuisance abatement as provided in Chapter 529 of the Codified Ordinances of the City of Euclid. (Sponsored by Councilman Langman by request of CS&ED Director)

Councilman Langman moved for passage, Councilman Delaney seconded.

President Gudenas – This City council was previously encouraged the administration with ordinances to help make some of the repairs in a nuisance properties that are on the exterior and then bill the owners for those repairs. It looks like the administration has been following through. There's about \$10,000 worth of repairs and the like that you have done throughout the city. Now we're going to file the liens and hopefully get our money back.

Asst. Director Sweeney – Correct, thank you Council President. Right now we have about 25 properties where our nuisance abatement contractor did the work, we're at about \$10,484. We do have a deadline in September to get these assessments on the tax duplicate. But in the event that these properties might transfer in foreclosure sale or whatever the case may be, we want to get the assessments on as soon as possible.

President Gudenas – that's a very good idea. I take it we probably have a lot more in the works from all the complaints we have gotten?

Asst. Director Sweeney – Yes.

Councilman Lisy – What about grass cutting fees?

Asst. Director Sweeney – Those will wait until September because grass cutting season started just a month or so ago. All the grass cutting from 2006 that is already on the tax duplicate and that went on last September.

Councilman Lisy – You made me think about some of these properties that are in foreclosure that are up for sale. It maybe best, if we have some large expenses that have already occurred up to two Mondays from now, to get that process so we have something on the property because when it transfers it is going to be hard to go back and assess that property.

Asst. Director Sweeney – Any additional nuisance abatement I'm going to get that going for September. I just didn't want to have one big list in September. Let's start getting these on there while we can. Also, all of our demolition liens, those have all been filed as well.

President Gudenas – There was some concern about doing them too often and I forgot what that was.

Asst. Director Sweeney – There is a cost. With the demolition liens, I put a lien on each of those properties and that was \$36 per property, but we're also talking about big ticket items. Some of the demolitions at a minimum were \$5,000. All of these liens have been filed, so we're paying \$36 to collect \$5,000 and that's fine. We don't want to spend \$36 to collect a \$120 grass ticket, that wouldn't make sense.

President Gudenas – That is one of the reasons we group them together at the end of the season or right near the end of the season to be as cost effective as we can.

Asst. Director Sweeney – Correct.

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

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

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

Ord. 108-2007 (387-07) Reduction Escrow w/20%

An ordinance amending Section 1759.04 of the Building and Housing Code of the Codified Ordinances of the City of Euclid to allow for a reduction in the amount of the escrow account for home buyers who can document a 20% down payment on an owner-occupied home. (Sponsored by Council President Gudenas and Councilman Delaney)

Councilman Delaney moved for passage, Councilman Conway seconded.

President Gudenas – Councilman Conway would also like to be a sponsor of this legislation. We here in the City of Euclid know that we've had quite a bit of problems with 0% down homes being

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bought and sold very quickly and investor homes that are coming and going here in the City of Euclid. We're trying to encourage more owner-occupied homes and of course encourage more 20% down payment which implies a more stable investment in the City of Euclid, more long term investment.

So a resident had suggested this, whose daughter was looking to buy a home, who saved up for the 20% down payment, but wanted to assume the violations and fix the violations, but asked to see if somehow the city could help. Right now, if you assume the violations, about 50% of the cost to repair them has to be put in cash in escrow. This would reward and encourage the homebuyers with 20% down by providing a 25% discount of the 50% that you'd have to put down. So that you're rewarded by putting a larger down payment down for the purchase of a home. It was suggested by Councilman Gruber and Councilman Conway that this would only be for owner-occupied homes also so that as long as you're moving into the home that this would kick in and you put a 20% verified down payment.

Any discussion on this legislation? It is straightforward. It can be adjusted, but it is something that might encourage more people to put a higher down payment on the home and have it owner-occupied.

First we need to amend the legislation to put that this applies only to owner-occupied homes, as long as the violations have been assumed and outstanding. Once they are all taken care of, it wouldn't matter.

Asst. Director Sweeney – It is in the Whereas section. We could add it in Clause A, under if the grantee or buyer of an owner-occupied property.

President Gudenas – Let's just put that officially because the other part, the whereas wouldn't show up in the official ordinances.

Councilman Gruber moved to amend. Councilman Lisy seconded. Yeas: Unanimous.

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

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

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

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

President Gudenas – Note to the Law Dept. that Councilman Conway was also a co-sponsor.

Ord. 109-2007 (390-07) Private Inspectors

An ordinance authorizing the Director of Community Services and Economic Development of the City of Euclid to solicit informal proposals from private inspectors for the conducting of Point of Sale inspections. (Sponsored by Council President Gudenas)

Councilwoman Mancuso moved for passage, Councilman Delaney seconded.

President Gudenas – This also was recommended by a resident in the City of Euclid and I know the administration has been looking into it from previous conversations. Basically we're just asking the administration to develop a plan, present it to City Council, so that we can consider some specifics.

Director Pietravoia – I have been in discussion with the Council President about this and other members of Council. We have, late winter, solicited proposals and will be prepared to summarize that and make a presentation to Council at any time that you would like to schedule for committee, we can do it in a committee setting.

President Gudenas – We will first get your proposal and we'll see how controversial it is and then we'll figure it out from there.

Councilwoman Mancuso – I guess I just wanted to amend this ordinance to give us a time frame of when we can expect this proposal to be provided.

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Director Pietravoia – If Council would like to have something prior to recess, we do have a report on the proposals we have already solicited. We do have to put that in the form of a recommendation. Basically what we have right now is a summary of the proposals that we solicited.

Councilwoman Mancuso – Is it practical for you to do that? I don't want you to rush it.

Director Pietravoia – Quite honestly with everything else we're trying to finish by the 18th, it is probably not practical. I would like to at least provide the summary of the information to Council.

President Gudenas – How about the actual report within 30 days then? Two weeks after the 18th?

Director Pietravoia – That would be doable.

President Gudenas – In case there's a special meeting or be ready to go in September. Okay, Councilwoman Mancuso moved to amend to request this report within 30 days to be provided to City Council for review. Then we can have informal discussions with the Director in the meantime to see if it needs it.

Councilwoman Mancuso moved to amend. Councilman Langman seconded.

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

Amendment Passed.

President Gudenas – Regarding all the inspectors, the Euclid resident previously mentioned, do we need to work on any specific safety measures for the protection of our inspectors, put anything specific in place so that they all have certain equipment or follow certain procedures?

Director Pietravoia – I would be happy to include the procedures that I've already put in place that I e-mailed to council and we can discuss that further when we discuss potential for private inspectors.

President Gudenas – If we could include that one more time with the other reports so that we can review that and make sure that is included.

Councilman Langman – In your previous investigations have you and Mr. Beno worked on the procedures to handle the work that these inspectors might do? I don't want us to have them inspect and then have the bottleneck be on our end.

Director Pietravoia – If I'm understanding your question Councilman Langman, as part of the proposals that we solicited, we did lay out exactly what we would expect on the part of the private contractor, the work that they would do. We've outlined the work and asked them for estimates of the cost to do that. So that will be part of the summary we will be presenting.

President Gudenas – A vote tonight will simply finish the administration's planning and presentation. It will still come back to City Council for final vote on any change. Let's proceed with the vote on the ordinance.

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

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

Res. 110-2007 (388-07) Demo Home List

A resolution to require the Director of Community Services and Economic Development to prepare a list of all homes that should be condemned and demolished, and present the list to City Council by June 15, 2007. (Sponsored by Council President Gudenas)

Councilman Delaney moved for passage, Councilman Langman seconded.

President Gudenas – I know after this request for legislation was put in, a list already has been prepared of close to 30 homes. You're ahead of schedule.

Director Pietravoia – Once in awhile we are ahead of schedule. I did e-mail as an attachment to Council the current list of our proposed properties to be demolished. It does include about 28, five

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of which were recently bid and two were approved at Board of Control this afternoon and two were on the agenda this evening. Of that 28, we already have a number that are not only posted and notification to the owners, but also that have actually been bid and about to award the bids.

President Gudenas – Prior to the 15th of June, will that list be updated from what you have given us before?

Director Pietravoia – We will update those that have been bid and if any new homes have been added by that time, we'll update the entire list.

President Gudenas – Ward Councilmen, if you could make sure any homes that are troubled in your areas are included in the list and review that.

Councilman Langman – I did request from Mr. Beno about a month ago this list just because there are several properties in distress. Mr. Beno if you could explain a little bit about the list, for example, you have a home on Williams that was posted in April and obviously it has not been demolished yet. If you could give some detail on the process, what does posted mean, how long do they have before we actually send out the bids to demolish the homes?

Asst. Director Beno – Basically we provide mailed notification to the tax mailing address of the owner. We also post the property with the notification and a placard indicating that it is being condemned in terms of ordered for demolition. That notice has to be in place for 30 days, before we can take the next steps to actually demolish the property. That is what that date is an indication of is the notification has begun as of that date.

Councilman Langman – We don't even go out to bid until the 30 day posting has expired?

Asst. Director Beno – That is correct.

Councilman Langman – I'm a little curious as the department as a whole, because I know we had this situation come up on Oriole where a home was slated to be demolished and then virtually at the last second the owner came in with permits and plans and so forth and the home wasn't demolished. So, what is the emphasis within the department? I believe that probably all of these should come down and I'm really not interested to see them, a last minute save so that they're not demolished. Director Pietravoia?

Director Pietravoia – I thought he was going to ask Mr. Beno that question. We have had a discussion about this Councilman Langman and I and I would say that 90 plus percent of those that are on the list end up actually being demolished. There is a reason for the whole notice requirement and that is to allow the owner either to do one of two things. They can either demolish themselves and then it doesn't become a city expense and a lien on the property. Or, they have the option to undertake a rehab. In most cases these are abandoned properties and we don't hear from anyone. That gives us the right to proceed after notice. There are a few occasions where these are already in the process of being acquired. Either back ownership again through the bank or by a private rehab individual. If they do come forward during that 30 day period, they have a right, as one of the options, to be to provide a plan to rehab the property.

We can and will look at if there are some additional ways that we can assess the property, that would give us a stronger right to go forward with demolition. Everything that we've looked at indicates that's a main reason for the notice process is to give them the right to come forward during that 30 day period.

Councilman Langman – Thank you for that and I look forward to your opinions on how we might speed up this process, make it a little quicker. Because we have many more homes that probably need to come down.

President Gudenas – Goal is 100 homes to remodel or eliminate and again this is an ambitious thing which may require additional upfront investment on the city's behalf in our nuisance abatement fund. So that's one thing we're going to ask from the administration too to keep us abreast on additional monies we may need to invest as we do more and more properties with hopefully the intent that we'll get it back several years from now.

Mayor Cervenik – We also intend to have legislation on the next agenda to allow us to participate with Cuyahoga County in their loan program for these nuisance abatements. We're looking at having it written up that it would be five, \$200,000 or four \$250,000 notes that basically what we do

is issue the notes, the County buys them and they hold them at a below interest rate. That way we don't have to borrow the full million at one time and it will allow us to take care of these problems without any immediate pressure on our general fund. However, in our planning between now and presenting to you in two weeks, we do need to present to the County how we intend to pay that back because some of these notes will become due before the houses may be transferred. But I think we can do that. That will make our goal of trying to get some of these houses off of the condition they are in very doable.

President Gudenas – That is County Treasurer Rokakis, is he helping with that? I know he's paid a lot of effort and visited our city several times and he's been very helpful.

Mayor Cervenik – Treasurer Rokakis is known nationwide right now as a very innovative person in dealing with the foreclosures and predatory lending issues that the City is left to deal with. They have been very, very supportive and we do appreciate that along with the County Commissioners. As I always do, I just want the residents to understand that it is not a Euclid problem, it is a local problem. At the Stroll on Saturday, I talked to a woman that lives in University Heights and I'm not knocking University Heights, only to show that everyone shares in this problem. She says in her neighborhood they have tremendous amount of foreclosed and vacant homes and they are dealing with them just as we are. That's all we can do until it starts to correct itself. It is not a Euclid problem, it is a regional problem and we hope that very shortly it will go away.

President Gudenas – Good thing is we have a Euclid solution that's underway.

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

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

Ord. 111-2007 (391-07) Demo on 200th

An emergency ordinance authorizing the Building Commissioner of the City of Euclid to enter into a contract with C&J Contractors, Inc., as the lowest and best bidder, in an amount not to exceed Sixteen Thousand Eight Hundred Ninety-Eight Dollars (\$16,898.00) for the demolition of the structures located at 614 and 618 East 200th Street, Euclid, Ohio, to be in accordance with specifications on file in the office of the Building Commissioner and pursuant to the provisions of Sections 1703.50-1703.56 of the Codified Ordinances of the City of Euclid. (Sponsored by Mayor Cervenik and Entire Council by request of CS&ED Director)

Councilwoman Walsh moved for passage, Councilman Langman seconded.

Director Pietravoia – These are two of the properties that were on the list that we referenced in the last piece of legislation. They are two doubles that are on E. 200th Street on the west side of the street. They have been vacant and abandoned for some time. One is in a very severe state of disrepair. The plumbing, copper pipes have been removed from both of them, unfortunately stolen. Mr. Beno may have more details if Council is interested. These have been in the works for some time and on our list.

We are packaging the demolition so that we can get a better price. While we did get a better price on doing these two together at the same time, they exceeded the \$15,000 that would normally go to Board of Control. So we're here this evening looking for Council's support so we can get these bid and down very quickly.

President Gudenas – Is there any specific reason that these are a bit more than the other ones? The others may have been running around \$5,000 or so each and these are running \$8,000-\$9,000?

Director Pietravoia – It is both a combination of the size of the structure and the fact that they are immediately at the street, right behind the public sidewalk and we're expecting that there is going to be damage to the sidewalks that we'll expect them to repair as part of the contract.

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

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

Res. 112-2007 (377-07) Purchase Rehab Materials

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A resolution authorizing the Director of CS&ED of the City of Euclid to purchase housing rehabilitation materials and supplies (i.e., vinyl siding and related supplies/ materials, insulation, etc.) from a qualified business enterprise, after soliciting for proposals, as part of the Community Development Block Grant program, at a cost not to exceed Thirty Thousand Dollars (\$30,000.00) (Sponsored by Mayor Cervenik and entire Council by request of CS&ED Director)

Councilwoman Walsh moved for passage, Councilman Delaney seconded.

Director Pietravoia – This is a routine piece of legislation that we bring to Council every year. This allows us to buy the materials and supplies that we need to continue our residing and weatherization program which is funded by Community Development Block Grant dollars. The Federal Government does require that we follow their process for smaller contracts that are under \$100,000, which does requires us to get several proposals before we select the supplier. We have done that each year. We always attempt to use local suppliers. For example, on our lumber, we've used Lakeland Lumber, on our paint we're using Blonder's and we've also used Sherwin Williams in the past.

In this particular instance last year we issued to a local company, they happened not to be in the City of Euclid, but they are also a minority contractor which helps us meet our requirements for federal dollars.

Councilwoman Mancuso – Do we have the list of where we're going to put these materials this year? Do we know how many homes and where they are at yet?

Director Pietravoia – There is a list of applications that are in process. We typically do about 15-20 homes per year, particularly in terms of siding. I can get the list of those that are in the process, a copy of that to you if that's of interest.

Councilwoman Mancuso – What's the cut-off for their application, or is there one?

Director Pietravoia – It is a running application process so they can apply at any time of the year.

Councilwoman Mancuso – So when will you make a decision on which 15 homes?

Director Pietravoia – They are approved individually so as each one is approved it goes forward.

Councilwoman Mancuso – So as they come in, we're just doing them.

Director Pietravoia – Yes. We average about 15-20 houses a year.

President Gudenas – Is there a backlog?

Director Pietravoia – There is a backlog, part of it is weather related. We can only do the siding-type work in the spring and summer months when the weather permits. So I don't know the number but we typically have a carry over from last fall that are waiting to be done this spring.

Councilwoman Mancuso – About how many, do you know?

Director Pietravoia – I can provide a list of that information.

President Gudenas – Are there income requirements to qualify?

Director Pietravoia – Because it is a federal funded program, there are income restrictions.

President Gudenas – that's all available at what phone number?

Director Pietravoia – You can call our main office 289-2830.

President Gudenas – 289-2830 for free vinyl siding, order now.

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

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

Ord. 113-2007 (378-07) Appropriation Amendment

An emergency ordinance amending Ordinance No. 20-2007, which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2007. (Sponsored by Mayor Cervenik and entire Council by request of the Finance Director)

Councilman Lisy moved for passage, Councilman Langman seconded.

President Gudenas – This is an amendment to reflect all the changes we've made since the beginning of the year, all of our extra spending. Director Johnson or Mayor Cervenik?

Director Johnson – One more thing, I wasn't at the Board of Control meeting this afternoon, but I understand there was discussion about the use of the Endowment Fund. We had budgeted the endowment fund to fund the festival, I believe the budget amount was \$35,000, but we also budgeted the anticipated revenue which should make it back into the Endowment Fund.

We also although this was not discretely presented at the budget hearings, it was in the budget packages, budgeted the fireworks show there. So, what I would recommend that if Council finds those budgets objectionable that we should amend them now while we have this amendment on the floor to add those to the general fund and then we will not spend it out of the endowment fund, if that's what Council desires.

President Gudenas – Yes, I was at Board of Control today, there was a proposal of \$4,000 in advertising coming out of the endowment fund. Again the endowment fund legislation is very specific on how the money can be spent, only for capital improvement projects, not for general operating. I would make that amendment if we can, and then the money will not go into the endowment fund from the festival, but back into the General Fund to repair itself. We need to get away from the idea that the endowment fund is a checking account that in the past never did get paid back and was down to a negative amount I think at one point because of loans that were supposed to come out of it. I'm asking that we keep the endowment fund separate so that we save it, it will need to be used at some point for some important projects here. Is there a discussion on Director Johnson's amendment? It would be two amendments?

Director Johnson – It would be a single amendment but it would add an additional \$80,000 to this General Fund amendment.

President Gudenas – The amendment would be to add an additional \$80,000 to the expenditures with the understanding that \$35,000 or so would go back from the Festival, the fireworks we'll have to make up in a different way because there is no revenue from that. Is there a discussion on the amendment?

Mayor Cervenik – Only that sometime in the future, City council may want to review the methodology of the Endowment Fund and possibly allow for certain special expenditures besides capital to be taken out of there and that is perfectly within your authority. However for these purposes and the fact that the Festival is in two weeks and fireworks are July 4th, I would strongly recommend that we amend this to \$45,000 for the Festival and \$35,000 for the fireworks.

President Gudenas – Okay, who wants to offer that amendment? Nobody?

Councilman Lisy moved to amend. Councilman Gruber seconded.

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

Amendment Passed.

President Gudenas – Any discussion on the total budget amendments? We've all obviously had legislation on all the items throughout the course of the year and this reflects to make everything current and accurate and that was one of the State Auditor's report to make sure that we don't spend what's not been appropriated.

Mayor Cervenik – I would just like to call your attention to the last item on the General Fund Debt Service of \$14,310 for the interest on the Shore notes and the Henn Mansion notes. That's on the attachment showing the breakout on the last page of legislation. That is coming out of the General Fund because our Bond Counsel has told us that they really don't qualify to come out of the bond retirement fund. However, in giving a clearer explanation of how the Shore Cultural Centre operates and that it is an asset of the City of Euclid and it has not been turned over to a Shore Board or any outside board, we will before the year is up be able to amend our bond legislation so that those amounts can in fact come out of the bond retirement. I would be very concerned if we were

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going to start taking \$150,000 or more a year out of the general fund for capital improvements at Shore. So that will be forthcoming, there's nothing we can do about the \$14,310 because the legislation is interest from last year's borrowings.

President Gudenas – That sounds like a reasonable recommendation. Those are important civic assets that should be part of the capital budget. Any other discussion?

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

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

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

Ord. 114-2007 (379-07)

Alternative Tax Budget Information. (Sponsored by Mayor Cervenik by request of Finance Director)

Councilman Lisy moved for passage, Councilman Delaney seconded.

President Gudenas – Alternative Tax Budget information is basically something we are required to provide to the county so that we can give an estimate of our budget for next year and this is a routine thing and we can go back and review the budget as part of our budget process later. This is routine things that is just required as part of the tax collection process. Any discussion?

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

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

Res. (386-07) TIF Downtown Business

A resolution to authorize the creation of a Tax Increment Finance (TIF) District for properties in the downtown Euclid business district for the purpose of funding public improvements within the district. (Sponsored by Council President Gudenas)

Councilman Langman moved for passage, Councilman Delaney seconded.

President Gudenas – Director Pietravoia and I have been working on this for quite awhile. I'm going to ask that this be put into Committee to give the administration a chance to make a presentation. There are several different options on how we can proceed, if we are going to proceed. I have given preliminary information about it to the School Board for their review a couple of months ago. I have not heard back officially, but they also have not objected officially either. Director Pietravoia?

Director Pietravoia – Just to comment briefly, as it has been indicated in the opening statement here, this would allow us to fund public improvements in the downtown area. It could help us to leverage as we go forward seeking funding from NOACA as a result of some of the improvements in the downtown planning study. The TIF funds could act as our local share and would help to leverage additional dollars from the federal government. It could include anything that is defined by the State, Ohio Revised Code, as public improvements. That's why there are a number of different options as the Council President indicated that we need to study carefully because each one allows a different type of public improvement. We want to present those options to Council and make a decision so we can go forward.

President Gudenas – Director Pietravoia, how much time do we need to budget for further review at your department before we can present to Council?

Director Pietravoia – If the goal would be to try to have something in place by this fall, I would like to have a report back to Council by the end of this month or mid July at the latest.

President Gudenas – So basically we're just authorizing the administration to keep proceeding. We'll get something to come back to us which we will approve.

Director Pietravoia – We will schedule a committee meeting at that time.

President Gudenas – Yes, although again committee meetings are not permitted during the summertime, if needed, it could be a special council meeting. But we do have a deadline at some point that a TIF has to be in place before the new improvements are made. So that construction is proceeding with the CVS project. The best time is when there is the demolition and the land is appraised empty.

Director Pietravoia – We are going to specifically get some legal advice on that because typically what you just stated is true. In some cases with commercial property, it actually increases in value when its vacant and available for construction. So, we're going to get a legal opinion about that as well. That is one of the issues that we'll report to Council on.

President Gudenas – I'll talk to you also again about those plans, maybe we can have something for Council for the next meeting, because it will still take quite awhile with the legal counsel to do all the work. It would be nice if they could work throughout the summertime and have it ready for us in September.

Director Pietravoia – At a minimum I would like to at least present an outline of the options as a first step to Council, hopefully by the next meeting. Then we'll have legal counsel work over the summer months as you indicated.

President Gudenas – So we may have something come back to us at the next council meeting to approve for the administration to work throughout the summertime. We can approve the resolution, Councilman Delaney?

Councilman Delaney – I was going to move it into committee.

President Gudenas – I'm sorry, right, we were going to move it into committee for now with the understanding that we are going to get the proposal.

Councilman Delaney moved Res. (386-07) into Executive & Finance Committee. Councilman Langman seconded.

Roll Call: Yeas: Conway, Delaney, Gruber, Langman, Lisy, Mancuso, Walsh, Gudenas.
Into Committee.

Res. 115-2007 (370-07) Pricing Ambulance

A resolution authorizing the Director of Public Service and Chief of the Fire Department of the City of Euclid to develop specifications and obtain pricing options for rescue squad vehicles, including multiple unit orders, in anticipation of the 2008 Capital Budget. (Sponsored by Councilwoman Mancuso by request of Fire Chief)

Councilwoman Mancuso moved for passage, Councilman Gruber seconded.

President Gudenas – This was discussed at the capital meeting to start planning for the future. We know we're going to need to replace them. This gives us a little extra lead time.

Asst. Chief Prajtel – This RESolution will allow the Fire Dept. along with Motor Maintenance to begin the process of developing specifications for the purchase of a new ambulance. The current delivery time for an ambulance is about 7 months from the time the specifications are written and the contract is signed. With the anticipation of an ambulance being purchased out of the 2008 capital budget, this would allow for delivery early 2008.

President Gudenas – Are we still looking at the multiple purchases, one for 2008 and the other one for 2009? And maybe contracting them for both at the same time?

Asst. Chief Prajtel – Ideally that's what we'd like to do, yes.

Mayor Cervenik – We are probably going to move a vehicle around from another department and actually try for expediency purchase two ambulances, two squads in 2008 and one in 2009 because

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of the lead time. We'll probably give us a service vehicle or something until 2009 so that we stay within our \$2 million. As soon as we have some good prices and that, then we'll have a better idea.

President Gudenas – What happens with the existing ones we have? Do we budget any amount for the resale value or do we donate them to another Fire Dept.? I know one that is looking for one.

Asst. Chief Prajtel – Rescue 8 & 9 which are the two back-ups that normally the vehicle that is replaced will move into backup service. The one, 8 & 9, which are now the back ups, they happen to be Sentinel units, which the manufacturer is out of business and we can no longer get parts for them. So, I would imagine they'll probably be either scrapped out or sold, bid out by the Motor Maintenance.

President Gudenas – Govdeal.com. Looks like they're going to have some business.

Councilwoman Mancuso – Once you get your specifications, you will be going out to bid with the different manufacturers, correct?

Asst. Chief Prajtel – We are looking at the State bid process right now. There's several manufacturer's that are on State bid and we would like to meet with a couple of those to see where they stand in line with the amount that was budgeted.

Councilwoman Mancuso – so, we will be looking at more than one manufacturer with the same specifications?

Asst. Chief Prajtel – Yes, general basically the same specifications, yes. The same size, the same engine, the same frame, that sort of thing. The differences are in what they customize it.

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

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

Ord. (369-07) Forko Enterprises, Inc.

An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into a renewal agreement, ending June 30, 2008, with Forko Enterprises, Inc., 23555 Euclid Avenue, Euclid, Ohio 44117, for the purpose of acting as rental agent for the Euclid Lakefront Community Center. (Sponsored by Mayor Cervenik)

Councilman Conway moved for passage, Councilman Langman seconded.

President Gudenas – I know we wanted to discuss this further in Committee. I believe Councilman Conway your committee is the Retail Commercial Development?

Councilman Conway – There is a desire to have some more discussion around this emergency ordinance, which we're happy to schedule between now and the next council meeting so that this will be able to come back prior to our break this year. Depending on the availability and schedules of some other meetings, we'd be happy to hold that committee meeting.

President Gudenas – Would next Monday the 11th be okay?

Councilman Conway – That would work for me if it works for the rest of the members of the committee.

Councilman Langman – We have tentatively scheduled next Monday the 11th for the review by the Planning Commission of our zoning code.

President Gudenas – We'll have that first, with the County people and immediately following we could have Councilman Conway's that way everyone is coming for two meetings all at once. 7:00 would be the zoning one and immediately following, around 8:00 probably about an hour for the zoning.

Mayor Cervenik – Might it behoove us to have this meeting at 6:00?

President Gudenas – Are the Cavs playing Monday?

Mayor Cervenik – No, we're lucky, Tuesday, Thursday, Sunday, all the way through 9:00.

President Gudenas – 6:00 is tough because we do have people with full time jobs. It is not a problem for me.

Mayor Cervenik – 6:30?

Councilman Langman – 6:30 would work for me as far as the zoning committee, but it is dependent upon obviously the individual from the planning commission.

President Gudenas – We were thinking the County people first, that way they will get in and know exactly when they are coming and leaving.

Director Pietravoia – Our County rep would be available at 6:00 or 6:30. We just asked her to hold that evening.

Mayor Cervenik – I thought we would do Forko at 6:30 and keep your County Planning at the same time. I don't know if we're going to need more than a half hour to discuss Forko. If we do, if you could please let me know what some of your concerns or questions are about this contract so that I can work that out and get it done before the meeting and we don't have to belabor it all on Monday the 11th.

President Gudenas – Okay, we'll come up with some of the items now.

Councilwoman Mancuso – A would like for a representative from Forko to be here at that time with his numbers and his overview and that type of thing.

President Gudenas – He's here tonight and will be okay?

Mr. Foreman – I'll have to check my schedule.

President Gudenas – Would you prefer the Forko thing at 6:30? Okay, that will be at 6:30. In the meantime, I know that we have some of the questions would be relating to how business is going because we know that we had a change in the rates over a year ago, so we would like to get an idea of revenues in 07 versus 06 versus 05, so we can have a little trend and a projection for next year. I know that we had some comments from residents about certain issues on the condition the facility is left in, how many complaints we've had, if any and how those issues are being addressed regarding if there is some big event, how everything is taken care of for the next meeting. And at the same time, we know that so far we've only been getting Forko Enterprises as the only interested party. We haven't really gone out for bids and we'd like to get a better understanding of why no one else is interested bidding on this work. We'll like to understand what the issues are. We know we never did finish all the landscaping outside that was supposed to be a big draw for the residents and people who use the facility. That's been on the books now for 4 years and Euclid Park has never been brought back to where it was.

Mayor Cervenik – I agree with you Mr. Chairman, unfortunately there was never any money in the budget to complete that until this year and with Councilman Langman's cooperation I think over the next two-three years we will be able to complete that.

President Gudenas – We could have had \$100,000 but anyway. Those are some of the questions, anyone else who has a question, please e-mail the administration so they have enough lead time to work on these things.

Councilman Conway moved Ord. (369-07) to Commercial & Retail Development Committee. Councilman Gruber seconded.

Roll Call: Yeas: Conway, Delaney, Gruber, Langman, Lisy, Mancuso, Walsh, Gudenas. Into Committee.

Res. (385-07) Financial Procedures

A resolution to require that specific procedures be implemented for the posting of receipts to the various City funds. (Sponsored by Council President Gudenas)

Councilman Lisy moved for passage, Councilwoman Walsh seconded.

President Gudenas – I took this word for word out of the State Auditor’s recommendations. I don’t have any specific requests on how exactly we should do it other than they are implying that the City Council needs to ask the administration that we have specific plans in place and make sure they are being used. We’re asking that you so do that and report back to us when you are done.

Mayor Cervenik – There are various policies and procedures that have been adopted through the years for the posting and collection of receipts from all these departments. We are working with the State Auditor’s to address virtually every recommendation that they have in their management report. It is sort of an odd position to be in because their 2005 audit was not completed for 2007, so obviously some of the items they have seen in 2005 are still going to exist in 2006 because they weren’t brought to our attention.

Having said that, this is why we were glad to have the State auditors come in because they do a slightly different, much more comprehensive audit than the private firms that Euclid has used in the past, so it is a very good learning and updating experience for us as well. We will be addressing these and our goal is that when you receive the audit report for 2006, virtually every recommendation will have a notation that since the 2005 audit results we have complied with their recommendations, so we will do that.

Director Johnson – I would just like to add that there were numerous recommendations to document policies and procedures manuals of various types. I think the Mayor brought this up in the post-audit conference that because of the staffing levels in our department, that we might be requesting Council to consider allowing some additional funds to allow us to have some outside services help us in developing these policies and procedures manuals. In order to do policies and procedures manuals of all these types that are being recommended correctly, in some cases, particularly with the ones that affect human resource functions, we may need some outside assistance. So we just ask that maybe you consider that in the future. We are working on all the recommendations that were presented in this audit report.

President Gudenas – We mentioned Briardale Greens in here and some other offices, specifically I know this was something I never had a good grip on our the lessons that are handled at Briardale Greens. How is that money taken and accounted for at the end of the day? Because a certain lesson money goes to the General Fund and certain amounts don’t, same with other activities. How soon if this Resolution is approved will we get a report back on how these issues are being addressed?

Mayor Cervenik – I can give you a report sometime next week because they all have been addressed. There is no uncertainty about the monies for the lessons. All group lessons go directly into the General Fund and they are handled as any other income from the golf course. The private lessons, which is the case in most courses, have a pro, our private income of the golf pro and he must declare those as income and pay federal, state and local taxes on them.

President Gudenas – The question is, when someone has a lesson, how is it rung up at the register? Does somebody go to the register, purchase the lesson and the money is given into the register and then the lesson takes place.

Mayor Cervenik – They can go to the register. I believe they can also pay at the recreation gate over here. Case in point, I think we had for the first time, a group lesson for women only and also for kids this Saturday. Over 30-35 women joined up, they all paid and went into the general fund. We actually had to call in a former golf pro to help because we had such a great response on it. We can give you a synopsis of the policies that are in there. If they are followed correctly, it is fine.

On the gas for the golf carts, one of the problems was and again I used to be an auditor and I understand is with golf carts, they don’t have an odometer so that is left blank. From now on, when they are filling up golf cart, it will say n/a for the golf carts. As long as that line is filled in, then they have correctly filled out the sheet.

Director Johnson – To add to the Mayor’s comments, the money from group lessons that are taken in is actually deposited in the golf course fund. They are rang up just as if they were green fees or what have you.

President Gudenas – We understand. We’ve seen some of that money in the report.

Councilman Langman – My question would be, once we get these recommendations back, what venue are we going to use to go over. I would recommend that we go over in some sort of committee meeting. There are several questions that the document that I received from the second

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post-audit meeting which I could not attend personally, the document was copied every other page, so it is useless to me. In other words, page 2, 4, 6, 8, none of that was given to me. I don't know who copied it or who is responsible, but obviously there are other questions that I have asked of the Law Dept. from February that I still have not received any answers to. I would like to review what you folks are going to come up with in a committee meeting. As to your point, Director Johnson, I would be open to looking at updating our policies and procedures, but we did have a human resource department for many, many years, so I'm not sure how much updating would be required. I would want to see that from you before appropriating money to spend on that particular endeavor.

Mayor Cervenik – If we are talking about simply the employee manual, sometime in July, Jennifer Jackson who has been here in front of you before will be completing the completely updated employee manual for all the human resource problems and procedures. It will be on a CD. Each employee will receive that CD and each employee after 30 or 60 days or whatever she feels appropriate will sign off that they read that manual. I think that will stop some of that.

Some of these things, some of the items here in the internal controls recommendations are little bit beyond that that we're working on with the auditors. As remember during the first post audit report, I answered many of the auditors' items. For instance petty cash, I sent out an Executive Order when we received this report that all people, every person who's in charge of a petty cash fund must reconcile monthly. Now the comments you get are all right, why didn't you do it last month? Well, we only spent \$2.50. Well, that's, regardless the proper accounting procedure is to reconcile it every month so everyone now is doing that. And we will go through each one of these and, and, and we will make them available to you.

President Gudenas – And how about the job descriptions that was mentioned. Is that going to be part of the employee manual? In other words I've asked some employees, such as the Golf Pro once, I remember I said well, what exactly is your job description here and there really wasn't any that could be provided.

Mayor Cervenik – The current job descriptions were done by an outside firm with some help from the inside firm. We may have to look at that again. I, we're asking each, in fact, I know I have it from the Police Department and the Fire Department job descriptions and updated job descriptions so we need to do it with some of the other departments as well.

President Gudenas – Yeah, I would recommend it so we understand who's responsible for what.

Mayor Cervenik – We're also ready to update the Compensation Ordinance, Consolidated Compensation Ordinance. We will need to do that as well.

President Gudenas – That would be important.

Councilman Langman – Just so we're doing everything by the book and taking all the proper steps, do we put this resolution in committee or do we wait for the Administration report back to us then call a committee meeting, how do we do this so that's legal?

President Gudenas – Well, we have several options. This is simply a resolution requiring them to do it. Then once they do it, which a lot of it is being done already, they will report back to us and then we have a committee meeting to review what they've put in place or there's a different way. You know, you could also, in other words, until we get something back from the Administration it's hard to have a committee meeting.

Councilman Langman – Well, I agree with that. I just want to make sure we're doing everything properly.

President Gudenas – Don't worry I'll make sure.

Mayor Cervenik – You can pass these resolutions tonight if you so feel. The fact of the matter is resolutions really aren't necessary. It's really a matter of a function with the auditors and if they continue to show up on the report, then the Administration has a problem with the audit as well. I have no objection to you passing these this evening, but I want to assure you that the steps are being taken to make sure everything is done right so it's your pleasure.

President Gudenas – All right, if it is approved tonight, when will you be able to report back to City Council regarding these specific issues?

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Mayor Cervenik – I would say shortly after the 2007, 2006 audit is completed, which should be some time in July. That's not that far away.

President Gudenas – Well, we prefer probably not to wait that long because last year the audit was supposed to have been done in July then August and September, October, November...

Mayor Cervenik – We're way ahead of the game this year; but if you want them before, I can do them before. Give me, give me couple weeks, I can respond to each. What you will get from me is a response you sort of got it already verbally so I'll reprint it, in the post audit meeting. I can give you a response written as to what the Administration is doing to address the various management report items that the auditor has. That's what you're looking for.

President Gudenas – And the specific ones as part of the resolution, which may or may not have been in the management reports, you know, we're addressing a few specific ones plus the management reports.

Mayor Cervenik – Okay, fine, and those, if they're not included and I believe they are but if they're not, that'll be part of the report I give you as well.

Councilwoman Mancuso – I guess what I'm looking for as we went through the first audit report and then the second post audit report there are, I believe, both Administrative and Legislative responsibilities that had come out of that report that we are all responsible for, which is why I would like us as a group to complete this in a committee meeting where we go through it we say this is what we're doing for this; this is what we're putting in place here; this is where we need legislation; this is where I need a memo; this is where I need a policy where I don't have one. What's the timeline for putting it together? What's it going to cost us to contract it out? I think we have to write a road map because they spent a great deal of time with us and you're correct. They're going to say the same thing for 2006 because we haven't corrected it yet, which is not, let me finish.

President Gudenas – One at a time.

Councilwoman Mancuso – The purpose of this is so that we don't have to go through this type of rigor with these kinds of outcomes again. And quite honestly, I'm not going to be comfortable until I know we have gone through each, done what we need to do and we can walk out of the room going okay, we are now doing this properly, appropriately, fiscally responsibly. I still think we need a committee meeting to do this.

President Gudenas – Okay, Councilwoman Mancuso, so you're saying basically to have a committee meeting to go over all the different things that need to be addressed and why and be very specific on what we're looking for...

Councilwoman Mancuso – What we're going to do.

President Gudenas – And proceed with that first so then the Administration takes what's out of the committee meeting and reports back to us.

Councilwoman Mancuso – That may be done; if it's done, fine then we can move on.

Director Johnson – One of the recommendations was that we should form an audit committee that would do specifically what it is you're talking about doing rather than taking up the Council's time to do that kind of thing and, obviously, there should be members of City Council that would be members of that audit committee; but the recommendation is that it should include professionals knowledgeable in the City's operation and in accounting, such as attorneys or bankers. The audit committee should meet regularly, perhaps quarterly, to monitor the City's financial reporting and control activities. And they should also meet with independent auditors and possibly the formation of this audit committee would not take up the entire Council's time with this kind of thing.

These recommendations and some of the citations in these audits are pretty routine and pretty come up, pretty regularly and much in many of their audits. I happen to have the same audit for the fiscal period of 2000, ending June, 2006 for Euclid City Schools and the, a lot of the citations and the recommendations are very similar. So I don't think these are anything that are earth shattering and I think that they can be taken care of maybe in an audit committee rather than to take Council's time. I think you have a lot of other more important things to do.

President Gudenas – Well, we have plenty. The State Auditor recommends Council be involved.

Councilwoman Mancuso – I, I appreciate your value of our time; however, and I will not speak for my colleagues but I think this first time around since I sat through this and I think some of this stuff is pretty serious and we need to correct it and I want to be comfortable that we have, indeed, appropriately corrected it so that I'm knowledgeable about what we're doing as well as you. You've done more the routine things; I have not so if you need to say to us, we have to go and have communications with an outside auditor, I'm fine with that but I will understand it. And I think as a Council we've been through this with you. I think we deserve to go through the first iterations and then we can decide to set up an audit committee because the clock's ticking and we don't have any substantive resolution yet to the first audit and the second one's going to come and I really don't want to be in that position. So I think Council should participate first time around so we all understand when we turn it over to an audit committee later on that we're all comfortable with it.

President Gudenas – All right, Councilwoman Mancuso, we can send this resolution to our Executive/Finance Committee. We will then go over all the items you're talking about and discuss the formation of an audit committee as separate legislation to be introduced in the future.

Councilman Langman – I would second Councilwoman Mancuso's motion.

President Gudenas – Okay, so we shall send it to Executive/Finance Committee and we will have a meeting fairly soon.

Councilwoman Mancuso moved to place the resolution in to the Executive & Finance Committee; seconded by Councilman Langman.

Roll Call: Yeas: Conway, Delaney, Gruber, Langman, Lisy, Mancuso, Walsh, Gudenas
Resolutions placed in Executive & Finance Committee.

Res. (384-07) Policies: Golf Cart Fuel & Golf Lesson Fees

A resolution to require that specific procedures be implemented at Briardale Greens Golf Course for the dispensing and monitoring of fuel used for course equipment and for the collection of golf lesson fees. (Sponsored by Council President Gudenas)

Councilwoman Mancuso moved for passage; seconded by Councilman Langman.

President Gudenas – Do we want this in the same committee at the same time? Okay.

Councilman Delaney moved to place the resolution in to the Executive & Finance Committee; seconded by Councilman Conway.

Roll Call: Conway, Delaney, Gruber, Langman, Lisy, Mancuso, Walsh, Gudenas
Resolution placed in to Executive & Finance Committee

Ord. (383-07) City Hall Carpeting

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract after soliciting for informal proposals, for the removal of existing carpeting and installation of new carpeting for City Hall. (Sponsored by Mayor Cervenik and Entire Council)

Councilwoman Walsh moved for passage; seconded by Councilman Gruber.

President Gudenas – And this would decrease our budget for duct tape that we need currently as you may have noticed.

Director Gulich – I think as everyone's aware this was approved as part of our Capital Budget for 2007. I'll just mentioned that I asked to have the word emergency placed there because Mr. Valencic's already been hard at work gathering information and we have been told a price increase is coming right around mid-year. We'd like the opportunity to beat those prices by entering into an agreement sooner rather than later.

President Gudenas – Okay, so first we'll have an amendment to make this an emergency ordinance.

Mayor Cervenik – It is already.

President Gudenas – Oh, it is, okay. I thought you asked us for an amendment.

Director Gulich – No, just thought I'd mention it.

President Gudenas – Oh, okay, again, this building is approaching 20 years old and well, since it opened I think it opened right after '87.

Director Johnson – 89.

President Gudenas – 88, 89 so we're getting there. I mean the construction started 20 years ago but some of the furniture out there probably belongs in some garage sale or yard sale and you know, you'll sink right through the cushions and I think it's time maybe we make this an important civic project. Get some of our merchants involved, businesses and civic people because we really need to feel proud about it as we come into our City Hall and maybe see if we can get more involvement in our community to really fix up this place maybe do better planning with the rotunda, maybe not have the Pepsi machine as the focal point as you drive down 222nd Street and, you know, do some other improvements that really make a good impression on our visitors and residents so perhaps we may want to consider additional improvements because as we put in the new carpeting our basement furniture may not look as good.

Councilwoman Walsh – With all due respect, I understand the value of duct tape and once you get the carpeting you're going to have to paint the walls then you're going to have to put new curtains up etc. etc. I think we could straighten the bulletin board, move the boxes that are used for storage in the hall, throw in a couple new plants; but personally, I don't think we need the carpeting if we're in that type of a budget control. I think you could better serve it to put it on employing some more policemen. Thank you very much.

President Gudenas – Again, this is a capital project so we can't use it for operating.

Councilwoman Walsh – I think, I disagree with the carpeting.

President Gudenas – Okay, any other discussion on this? The Administration if this is approved you'll sort of report back and, exactly what the final cost is and what we'd be doing and maybe consider, as actually as Councilwoman Walsh indicated that's probably what will happen is we'll need to start planning for additional.

Mayor Cervenik – We've already begun that planning with Council's input. That's why we went to the 5 year capital plan so that we have some money available to handle the things as they came up each and every year. This is capital money unlike the money for Shore, that would stop us for being able to hire police and fire men and the like but we believe, as I mentioned earlier, we've got that problem taken care of as well.

We make people take care of their own property everyday now. I think we need to take care of our own as well.

Councilwoman Walsh – I just would publicly like to say one thing. Everything that goes wrong in this city cannot be blamed on Shore Cultural Centre. I made a comment about the duct tape in the carpeting and that's my opinion. With all due respect, I don't think we need to buy it now, with all due respect to everybody here. I understand the difference between capital and policemen, I understand all that. I also understand that as a previous renter for Shore since 1995, I never saw anyone in there with a paint brush. My opinion is, I don't believe we need carpeting here right now. If everybody else does, so be it.

President Gudenas – To clarify, how much of the building would, it is a giant building, are we doing this in phases, such as just the entrance area or certain corridors, what is the plan?

Mayor Cervenik – It will be close to \$100,000 to carpet the whole building, remove what is here now. Everything I think except the Director's offices because during the years and in here, this will stay in here as well. This is not original nor is the Director's offices original.

President Gudenas – Do we need to do the entire building all at once, the rest of it? There are certain areas that are better than others.

Mayor Cervenik – We do have it budgeted and obviously I think cost savings to do it all at once will definitely be a positive.

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Councilman Delaney – Can we break down the cost, the different areas, what our lobby would be, some of the other areas anticipated in carpeting, can we get separate estimates?

Director Gulich – Just to be clear on it, the lobby is not include, Council chambers is not included, the Court Record Room, Jury Room, Director’s Office, Judge office are not included. The prices we are assembling now are to do the entire building. I’m sure if we were to do part of it, there would be an increase reflected in price per square foot or square yard.

President Gudenas – so the public spaces are not included but the private offices are. Sounds a little backwards.

Councilman Delaney – I’m more curious as what it is going to cost to fix up the public areas, where the people who own this building come to it to visit it.

President Gudenas – Can you present a little more information? I was expecting that we were taking care of the public places first, the one that everyone sees and everyone uses. That seems to be a priority. The hallways and the areas that people are walking on and some of the private offices are not as important.

Director Gulich – We can share that information.

Councilman Delaney- Can we table it until the next meeting?

President Gudenas – We would like to table it and bring it back the next Council meeting with the Director providing some detailed information and I’ll be happy to talk to the Director about some ideas.

Councilman Gruber – Just in the same vein I can understand Councilwoman Walsh’s concern. However, safety should be another item involved with this because there are some areas where the seams are coming apart and we are self-insured and it could cost us way more in the long run. Keep that in mind as well, even though it is not a public area, our staff and others are being subjected to trip hazards which is one of the number one hazards in the office.

President Gudenas – I would agree, there are areas that are wrinkled and taped up right in the middle of the hallways. I would like to point out to the administration that we have broken glass that has been out there, maybe for a year on that big old conference table, which is a safety hazard. Either remove the glass or fix it. It is right in the middle of our lobby that people are using to write out their tax forms and the like. It is shame to have a bunch of broken glass in our lobby, probably for a year now.

Councilman Gruber moved to table. Councilman Delaney seconded.

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

Ord. 116-2007 (372-07) Resurfacing Bids

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

Councilman Gruber moved for passage, Councilwoman Mancuso seconded.

President Gudenas – The next three items, 20, 21, 22 are all from the capital budget. All have been properly discussed and approved for the funding. We’ll discuss all three at once. Director Gulich, we all know what this is, anything new to add to it?

Director Gulich – I’ll ask for the approved budget and we are already in the bidding process and I don’t think anyone will argue that we don’t need to get some resurfacing done in the city.

President Gudenas – This is for the resurfacing and curb repair and cracksealing and repairing the cracks in the streets. We have been treating our pavement with a special rejuvenator to make it last longer inbetween repairs.

Director Gulich – Yes, very effective method to maintenance.

Councilman Conway – One quick point of clarification. Does this particular item deal with the parking lot that we've talked about outside of Orr, or is that a separate piece of legislation that needs to be done?

Director Gulich – Same. We are going to do that with this.

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

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

Ord. 117-2007 (373-07) Cracksealing

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

Councilman Gruber moved for passage, Councilman Langman seconded.

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

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

Ord. 118-2007 (374-07) Pavement Treatment

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

Councilwoman Walsh moved for passage, Councilman Conway seconded.

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

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

CEREMONIAL RESOLUTION

Res. 101-2007 (392-07) EHS Class of 2007

A resolution of congratulations to the 2007 graduating class of Euclid High School and to all the students who have achieved academic excellence as named on the Honor Roll. (Sponsored by Mayor Cervenik and the Entire Council)

Councilman Langman moved for passage, Councilman Lisy seconded.

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

COMMITTEE OF THE WHOLE

President Gudenas – We have 4 minutes before we have to change a tape. If anyone wants to talk and be first, if you are under 4 minutes, you can come up and be first. Otherwise we will take a break.

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

Mr. Jeff Johnson – 27160 Fullerwood Dr. Good evening Council how are you? I can do this in 4 minutes. Before my time starts though, where Ms. Walsh sits is pretty dangerous actually. That should be addressed ASAP, that's not good.

I'm here tonight to basically ask if I could get a couple of copies of this made to give to Council. They are self-explanatory. Basically what I want to talk about is who owes the City of Euclid money, the residents, and how much they owe.

I'm not an accountant but here we go. Indian Hills actually still does owe the City money. They owe \$2,735 in late fees because they did not pay their fees by January 31st of 2007. There was a so-called agreement, up until 2006 with Juan and Betty Villanueva, no one has ever seen this

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agreement in writing because it really doesn't exist. Ask yourself why we made that agreement and what did we and the Indian Hills residents get for our \$500,000 over that at least decade period.

Charlie, Ed DeFife, and myself can tell you we got next to nothing from the owners, the tenants got zero. Frank Pietravoia asked us all in the office to look for this agreement, again, we came up with nothing for that. What I'm saying is, is that agreement is terminated Indian Hills has a new owner at this point and they paid basically, they paid April 12, 2007. I had started inspecting there March 19, 2007. So yeah, they owe us money, \$2,730 at a 5% late fee on \$54,600. Complicated formula, if you ever have time I'll sit down and show it to you.

Richmond Hills, next building. Two buildings there. I can't verify if they paid the rental fees for 2007, I'm not with the city any more. If they did, they would owe \$6,650 plus the late fee. They do owe point of sale fees however for 2007, which I'm pretty sure they have not paid yet. That number comes to without penalty \$7,010. Currently the owners of Indian Hills Niederst Ltd. are managing that property and have their managers and maintenance people on the site. The sale was made clear to me and Charlie Drazetic in the fall of 2006. Again, why would we not collect the fees from Intercoastal properties, the current owners of this place? Why weren't they asked to pay?

They paid most of all their fees for 2006 but, this goes to Willo Arms. They did pay for 2006. I can't verify that they paid all their fees because they Mayor let them pay in installments and I was not privy to a final payment in 2006. I can't find anything in the housing code that allows a Mayor to do business in this manner.

Willo Arms point of sales fees for 2007, rental fees for 2007, not paid. 78 buildings, 740 units. What I come up with with the math that I use is that they owe us \$65,190. Some of that from last year and certainly some of it from this year divided in two. That's rental fees and point of sale fees. Point of sale fees were due last year.

I may be a few dollars off because I'm not with the Housing Dept. any more. In my office putting this together, I'm not an accountant again, but I read the code several times and no where does it state that a Mayor or his code officials has the right to excuse, waive or delay the collection of fees. For 14 years and some months, one of my duties was to collect and inspect various properties until this Mayor took office. Nobody ever hindered or obstructed my efforts before. Currently the city is owed in excess, just on my end, what I did this year, about \$70,000. I would appreciate someone on Council or all of you on Council taking it upon yourselves to see that the fees are paid. You are all welcome to speak to me at any point, I'm having my home phone number given to you so that maybe you can understand a little bit.

To give you just one last example, the K&D Group who has done point of sales and rentals in Euclid, they do pay both in any given year that they are doing both transaction, always have straight up owners. I left over issues like this and the safety concerns. I would like to ask the Mayor a question tonight. How's the investigation going with the threat on me? That's the last question I'm going to ask.

Mayor Cervenik – I'm not privy to the investigation. It would have to be answered by Chief.

Mr. Johnson – You're the Safety Director, Mayor. Excuse me, you are the Safety Director.

President Gudenas – One question at a time.

Mayor Cervenik – Stop.

President Gudenas – And, we have that question and our tape is running out. What we'll do is we will take our break and then have your questions answered.

Mr. Johnson – One more question to Ms. Walsh, I'm sorry Councilwoman Walsh, if you wish to speak to me about Willo Arms, please feel free to call me. Thank you.

President Gudenas – Thank you Mr. Johnson, appreciate it. When we come back we will ask the Chief to comment if you are permitted regarding the investigation into the issues brought before us. This will give us a little time to review these documents. Director Pietravoia we'll ask you a few questions about what was just presented and we'll get the beginnings of your answers now and then we'll follow up in the future. Thank you very much and we'll be back in 10 minutes, about 10 minutes after 9:00. No Cavs game so stay tuned.

We're back in business here and where we last left off. Some questions were asked and information was presented about some inspection fees. The first question is to follow up, has there every been an agreement in writing with the previous owners regarding an arrangement for inspection fees?

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Director Pietravoia – There was an agreement started under Mayor Lynch and continued through Mayor Oyaski and at the beginning of the current administration. When the Indian Hills owner allowed the city to use the facility for our senior program operation, the agreement that was made starting under Mayor Lynch's administration was that while we will continue to annual inspections in exchange for the value of that space, which we did not pay rent for, we would not charge an annual inspection fee.

President Gudenas – Was that in writing?

Director Pietravoia – I believe that was in writing and I will provide a copy of whatever we are able to find in the files. The only uncertainty that I believe Mr. Johnson might have been referring to was a question about when the first payment was made, what year it started in and therefore when the last year ended with the Senior programs using the space there. It affected the timing of the first payment to be made once the seniors left the facility.

President Gudenas – Can we get that document within a week? Whatever is in writing regarding that arrangement?

Director Pietravoia – Yes, we can go through the files quickly.

President Gudenas – That will be number one and then you'll check about the timing of the payments near the end when the seniors did move out and how that reflected in the additional inspection fees. We'd like that at the same time.

Then now we have this other document here in front of us, there appears to be two different handwritings on it. Who would have put their handwriting on it that says, late fee excused per Mayor. Whose writing would that have been?

Director Pietravoia – I don't really recognize the handwriting but it is most likely our housing secretary's handwriting.

President Gudenas – Whose handwriting would be below that because that's a different handwriting?

Director Pietravoia – I apologize, I don't pay that close attention to individual's handwriting so I don't recognize the handwriting.

President Gudenas – Is there anybody here in the administration who could state it was their handwriting? So we're saying no one here in the administration put that writing down? Is that for sure?

Director Pietravoia – I know its not my writing.

President Gudenas – We understand. No one else will take credit for that? Okay. Then, the question was the late fees. They were waived for what reason?

Director Pietravoia – I don't know if you had an opportunity to view the e-mail that I sent this afternoon because a couple of council members have been asking this question. The late fees are typically charged as of January 31st. This is for any apartment owner that hasn't paid by that point in time. We discovered upon issuing the letter notifying a number of property owners that their fees haven't been paid, that we had an error in the mailing address for Indian Hills. The bill had not gone to the correct mailing address.

Once we had discovered the error, we issued the notice on March 27th and within three business days a check was issued, dated April 1st for the full amount of the fees due. We had agreed because of our mailing address error that we weren't going to charge the late fee.

President Gudenas – What address did we mail them to?

Director Pietravoia – We mailed to the old Indian Hills office at the complex. Mr. Niederst business address where he operates the management of all of his facilities is out of the city of Euclid. I believe it is in North Olmsted. Once we corrected that, we now have the correct address in the system. It was an error on our part with the mailing address and we felt that since it was our error it wasn't fair to actually impose the fee.

President Gudenas – What was the old incorrect address that you used?

Director Pietravoia – The E. 191 Street address which was the management office for Juan Villanueva when he owned and operated the complex.

President Gudenas – But that is the address that is listed on the current renewal form. Where it says paid April 12th, the owner and address is still the same E. 191 Street address. The other address that you had said is not on here.

Director Pietravoia – That is my point. That is how we discovered it at the time that this renewal notice about the late fees was issued. It was then corrected. We sent out a letter on March 27th and within three days the full amount of the fees were paid to the City.

President Gudenas – March 27th?

Director Pietravoia – March 27th and then we received the check dated April 1st.

President Gudenas – It says paid April 12th.

Director Pietravoia – We posted the check on April 12th, but the check was dated April 1st.

President Gudenas – It is a \$54,000 check, we should put them in a little quicker. That is a lot of interest.

Director Pietravoia – I'm sure we probably received it around the 4th or 5th and then it got posted on the 12th.

Councilman Langman – Director Pietravoia, regarding this document, I don't see any date that it was actually drawn up. So when was the original drawn up? Or is this a copy of the original? Without a date it is hard to know, this could have been done ...

Director Pietravoia – This is the Notice indicating that it had not been paid by January 31st. Those went out as a group and our Housing Secretary keeps a record of that. They all went out the same time and that was on March 27th.

Councilman Langman – Okay, but we never put an actual date on the document itself?

Director Pietravoia – This particular document doesn't have a date, but we keep a record of when they are mailed out.

Councilman Langman – To residents question, at least one of them, is there anything in our code that allows this sort of forbearance or special arrangement for individual owners? What does the code say about that?

Director Pietravoia – In my opinion, there is a section of the code that allows the Housing Manager to issue any rules and regulations for the operation of the housing department that are consistent with the actual ordinances in the code book.

Councilman Langman – do we have those rules and regulations in writing that anybody can come see?

Director Pietravoia – These are case by case instances, these don't happen very frequently and of course the situation like this where there was an error in the mailing address, we don't have a specific rule per se regarding that. That was just a common sense decision made on my part in consultation with the Housing Manager.

Councilman Langman – One more thing, when this document come back from anybody, isn't it stamped in? We just wrote in something here, that could be changed or white-out. Isn't there any official stamp that indicates that it was received?

Director Pietravoia – Until our new software system was up and running, this is how we recorded the receipt and we also issued a receipt out of a receipt book which would have been further evidence of when the check was actually received and paid.

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Councilman Langman – for all these late individuals and their complexes the notations would be similar that we received the money back and so forth?

Director Pietravoia – Correct.

Councilman Langman – That seems rather problematic in that it is open, I think you can do lots of things if somebody is just writing it in somewhere. As opposed to officially stamping it in somehow.

Director Pietravoia – I don't know if I can say that we have copies of every check that we receive, but I know in this particular case because of the circumstances we do have a copy of the check itself as further evidence of when it was issued and received.

Councilman Langman – Thank you Director Pietravoia.

President Gudenas – Asst. Law Director Sweeney, you have an e-mail as part of this attachment. I'm a little, if you could explain what your message was. You write to the housing inspectors, got your message after the Mayor gave the go ahead to bill all of the apartment owners who were late with their inspection fees. Debbie did prepare invoices for them which included a late fee charge as well. She was advised by Frank/Paul to hold off on mailing the letters, I'm not sure why. Deb did we get this cleared up yet? Thank you.

What is that all about?

Asst. Law Director Sweeney – Inspectors Johnson and DeFife did advise me and gave me a list of all the individuals, apartment owners, who were late. So I gave that list to Debbie. We double checked, they were late. Debbie prepared all the letters and did hold off on them. We just wanted to run past the Mayor and Director Pietravoia that we were given the go ahead to mail out the letters and Debbie Basalla did mail out the letters. My e-mail is dated March 28th, which was actually after Debbie had already sent all the letters out. I was just following up with Inspector Johnson and Inspector DeFife that those letters and actually exactly a copy of this to all the different people who were late did go out.

Councilwoman Walsh – These are some serious accusations and what without date stamps and so forth it amounts to he said/she said/who said. I would like to request a list of every apartment that was in arrears and I would like to see what other apartments were forgiven. If you forgive one, in my mind, then you forgive all. So if you forgave all, how much money did we lose on this? Why did we start saying we were going to do it and then back off. If we just backed off on two, which we have no documentation of what happened to the \$65,190 from Willo Arms, has that been paid?

Director Pietravoia – To my knowledge this is the only one that we forgave the late fee on because of the mailing address error. I can provide a list of all the apartment owners that did not pay by January 31st that received letters regarding a late fee.

Councilwoman Walsh – I think that would be good. Do the rest of my colleagues want that list also? That's up to them but I would like that list and I would like to have a better explanation on Willo Arms.

President Gudenas – What is the explanation on Willo Arms? Have they paid this year, last year?

Director Pietravoia – They did pay their full fees for last year. We did have a payment plan that we had agreed to with them last year. They weren't able to make the payment all at one time. Again, we're faced with the decision, do we collect no money, or do we try to work out an arrangement where over a period of time we collect everything owed. That's what happened last year and we did collect everything owed by I think it was about the middle or third quarter of the year.

On this year's fees, as all of you know, we are still waiting to see if the complex is actually going to sell. They will have to pay a point of sale fee. If that doesn't go forward, they will have to pay an annual inspection fee. We've agreed to a payment plan on the annual inspection fee if the sale doesn't go forward, but at this time I don't have anything to indicate that they will not go forward with the sale. They are telling us that they will be able to work out their financing and will go forward with the sale. We'll do a point of sale instead.

Councilwoman Walsh – If they are paying late, are they being charged for paying late?

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Director Pietravoia – If they don't go forward with the point of sale and they go forward instead with the annual, then we will charge a late fee.

Councilwoman Walsh – When will all this be due then? What's the final deadline?

Director Pietravoia – As soon as they are able to make a determination on the pending sale. Shortly following that then we will proceed with the proper billing.

Councilwoman Walsh – I really since Willo Arms is in my ward, I'd really like to have a detailed e-mail on that with the track record of what's happening there so that we could try to clear up this he said/she said that they didn't pay. It's a lot of money. That's a lot of policemen.

President Gudenas – The concern I have is certainly we need to work with the owners of the apartment buildings and the like and it is very reasonable to accept payment plans and the like. The only concern I have is that some of these same people involved with these apartments are also contributing to certain campaigns and the question is are some people getting special treatment if they are making contributions. We should have a set policy in place on how that works. If we're going to offer special treatment, which is certainly warranted at times, especially when people have been trying their best. But we should monitor how that is happening especially the way I see it, I see it differently. I've been here long enough that I've known over the years that some people get a little extra special treatment.

Councilwoman Mancuso – Right now we're looking at Willo Arms as a potential sale. Have we met with them and set some timelines for how long we will let this potential sale go on? Let me tell you where I'm going with this. As somebody who needs to collect fees, an owner who is paying me fees, I can put that money in the back for a year, tell the city I'm going to sell, walk down my road. If it doesn't happen in 9-10 months, I still got that money in the bank making dollars on it. I don't pay point of sale, I don't pay my fees. I may pay a late fee come December, I've now had my dollars, \$65,000 or whatever it is in the bank for a year. We have not had it in the bank for a year doing anything with it. Can we go to Willo Arms and say, what's our timeline here? They're business people too, we should have some framework that we work within because money needs to go into the city coffers.

Director Pietravoia – That is a fair issue. None of us anticipated that this sale would be delayed as long as it has and Director Frey has been in regular contact with them asking for updates. We'll ask again for an update. If it seems like this is going to go on again for a month or two months or several months, then we need to just bill for the annual and get those payments to start coming in.

Councilwoman Mancuso – We are six months into the year now.

Ms. Regina Hauck – 116 E. 197 Street. I wasn't going to speak but now I have questions based on what you guys were just talking about. Let me get this right. The inspection fees are due on January 31st and then if they are late, 5% is assessed on top of that. So, my first question is, is it 5% regardless of when they pay? Or is it 5% each month? How is that calculated?

Director Pietravoia – It is a flat 5% that is assessed at the time that the payment was not received as of January 31st. That is per our ordinances.

Ms. Hauck – We may want to think about changing that because what is the incentive for the person to pay that, if penalty isn't going to go up?

Director Pietravoia – There is an incentive, they don't receive a certificate of occupancy or a certificate of inspection for that given year. Also it has been effective in that an overwhelming majority do pay to avoid that late fee.

Ms. Hauck – If the inspection fees are do on January 31st, why aren't we billing for the late fees on February 1st? Again this is my money you are dealing with and the residents of the city money you are doing with. You should not be sending out the notices on March 28th saying oh, guess what, two months ago you didn't pay me. That should be going out on February 1st. There should be a note on somebody's calendar. Again, it all comes down to policies and procedures. Without written policies and procedures, nobody can be held accountable. Again, I am making my offer to sit down with someone from your staff and show you how to do policies and procedures. You do not have to hire an outside firm to do policies and procedures. The employees do their own policies and procedures. They are approved and signed off by the Directors. Nobody knows their jobs

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better than the employees. You do not need an outside person to come in to tell you how you should be doing your job. Without these policies and procedures nobody can be held accountable. And, to go back to the org chart with the residents on the top, it is time the residents who you all report to demand accountability. Thank you.

President Gudenas – Do we have a policy when the late fees are sent out? Is there a certain time we wait?

Director Pietravoia – They typically do go out shortly after the 31st of January. I don't know how many times I can say the same thing. This has been a difficult year, we have been short staffed. We have brought on through the senior employment program two individuals to assist our housing secretary because that is where the largest volume is. That was the simple explanation for why it took until March for those notices to go out.

Mr. Larry Germovsek – FOP President. Once again here I am. I had no plans on coming here. I was going to stay at home, watch this on TV. But I turn on my TV, I got home late and we're fighting over carpet. It is ridiculous. Should we put it in the restrooms, should we put it in this room, should we do half city hall, should we do part of city hall? We should not buy any carpet so we can hire policemen, that's pretty good.

This entire Council had the opportunity when the budget was done to put down 101 policemen, 102 policemen, whatever you thought we needed. You said 96. Now you're finding out 96 isn't enough. Oh, but carpet is going to buy policemen. I guaranty you if I put \$9.2 million down to improve Shore's cultural center, half of you would vote for it.

Once again, here we go, back to that building. You didn't blink an eye in spending \$200,000 on a school, a culinary school for 9 kids. But, we're going to fight over carpet. You know what, take all the carpet out, that's what I did in my house. Just walk on the tile, hardwood floors, whatever you want.

Once again, here we are. Council is willing, okay to put 96 policemen out there and you live with what you got. But spend all the money you want on Shore Cultural Centre. The Golf course, they spend three cents on something and you're all flipping through your papers wanting to know why they did it because it is not your pet project.

Councilwoman Walsh, where were you in January when this budget was going on? You talk to policemen every meeting now. You should have been talking about policemen back in January when the budget was being taken care of. Thank you.

President Gudenas – We don't really respond to the resident, we can do that later unless there is a question.

Ms. Gloria Thompson – I live in Indian Hill apartments. I'm here again, I don't plan on coming back but I still had something to say. The residents that live in the building, they're 70's, 80's and 90's and I told them I was coming to City Hall and they ask me, did I tell you all that we had no snow removal, we had, I know Valentine's Day we had a really bad snowfall, snow storm, there was no snow removal at all. I don't know if I'm out of place because this is only my second time. Never again will I come again, but I had to say this. We had no snow removal at all. The seniors were out trying to shovel their cars out because it was icy. Even myself, I drive a truck, four wheel drive, I'm stuck in ice. The owners when they first bought the place they said they would always be on the grounds and someone from their family would always be there. I live there for 6 years, I think I said that before. They are hardly ever there, I know, I take my grandson to school, I pick him up, I'm in and out. I volunteer at Euclid Hospital, the Cleveland Playhouse and I'm proud of that. I'm not here to lie on anybody but I'm listening to you all and you are very creative in what you are saying. If I'm late paying my rent, you should see what I have to pay as far as late fees if I'm late paying my rent. You say you didn't have their address. I think you are all very educated. You can find them. They can find me. I know their address. I've lived there for six years and I know how long you all have been here.

Again, Jeff Johnson is here. I'm glad to see him. The residents are proud, they will say, well somebody came to my apartment and he asked, I do have allergies, how long have I lived there and they was proud of that. When he complimented them on their apartments and the man that, Jeff said in the newspaper article that had been there for 40 years, he's a friend of mine. He lives in the same building I live in but I couldn't get him to come. He's been there for 40 years, the same apartment because he said Gloria, I don't want to make waves. He's afraid of getting put out. Well I'm afraid of getting put out. But I did renew my lease. I am appreciative of what they have done. But they start a lot of stuff and they do not finish it.

I will say, I can't say what's wrong. I can't say, I have torn ligaments, torn tendons, and pinch nerves and they know why. They are well aware of why. So my neighbor said they kept

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calling the office, please fix the carpet, please fix the carpet and it is just like I'm calling up into the sky because we didn't get any response. So I did come here and again, I love even the ones that don't treat me nice, that's okay too. My neighbor next door, she's visually impaired and then they had cords going across the hallway when they were working in another apartment. That's dangerous, cover it up or do something. I know I have 5 minutes. They told me to come back and tell you we had no snow removal, I said that. Again, well I don't know, I don't understand how you all could not find them. I think they should be fined. We pay a good deal of money. I've never been late but I do know what our late fees are and they are a lot. I'm surprised and I know you are all well educated. I don't know what degrees you all have, but I know you are educated and I know you could have found them. I believe you made up a reason for them not to pay. They are not on the grounds like they said they were. When the newspaper first came out, it was very happy, the things they said we would have. We do have, I know I'm ranting and raving, but we do have a young man there, he's I don't like to say retarded, special needs. He loves to play shuffleboard. Well they promised us that a year ago when they first came. Here it is April, has come and gone, there's no shuffleboard. They promised, let me say this and I'll just sit down, but I know what I'm saying. If you promise to meet with the residents, I'll say this and I'll end on this. Jeff I'm sorry you are gone, I will always miss you.

Let me say that the owners when they came, they said they would meet with the residents. It has been a year and I believe a month if I'm not mistaken. They have never met with the residents. They have never called a meeting and met with us. The residents talk through me because they say Gloria, do you know this, do you know that. The old owners, I did know a little bit. But with the new owners, they have never met with the residents, not one time have they met with us. Emeritus House, the things they said they were going to do, they haven't done it and I can't make them do it.

But I will say this and I see how many seconds I have. The new owners, I know you all can't make them do this. The new owner, his name is David Niederst, he's a real tall guy. I said Dave, I said what are you all going to do about the our lobby. We're going to put new furniture in every lobby. We have chairs that roll. You sit down they roll backwards. So again, I will end this on a note that I believe you are all well educated and you should have been able to fine them. That's what I believe and have a good evening.

President Gudenas – Question about snow removal. Is that a requirement for apartment complexes to remove the snow?

Director Pietravoia – I appreciate the resident coming forward with that issue. This is the first time that it has been brought to my attention. We don't typically get involved in those types of matters which is really the responsibility is on the management of the complex. From the frustration that I am hearing, I will offer and I believe the Mayor will back me up on this to get with Mr. Niederst to encourage him to schedule a meeting with the residents. I don't understand if he's been promising that, why he hasn't come forward in this time period to do it. I know they are making several million dollars worth of improvements. It is not going as quickly as they had planned and it is not going as quickly as the residents would like to see it. But it is occurring and eventually it will all be completed. I think they need to have some face to face communication and explain what the delays have been and whatever other issues the residents are concerned about.

President Gudenas – Good point, but can we clarify one way or the other if snow removal is a requirement of these complexes because if it isn't, maybe we need to make sure certain basic safety issues are addressed. If somebody the Law Department or the Director could report back to us to see if that's being addressed.

Mr. David Fuhr – 1500 Dille. I represent myself and the Heritage Park Association. Some people on the street have made some things known to me, things that I am very well made aware of as well because I live next to the situation.

The situation at hand really needs to be addressed under the nuisance ordinances that we were reading earlier here today. The property in question, or in problem, is 1494 Dille Rd. Mr. Mayor, I understand you've been many times given abreast of the situation at that residence. The neighbor next door, I also speak for at 1490, Mrs. Clark.

There are rodents in the yard. There are ground hogs. I have addressed it to the owner, Mr. Haggard last year, he did nothing. This year, the rodents are still there but they got more. They have three more babies and it is going to get worse. I contacted Mr. Haggard by phone and left him a message last week, he did not respond. That is one of the big things. These rodents are big.

Mrs. Clark they have a dog, the rodents are bigger than their dog. I have a dog. The rodents are going all over. It is a good thing that my dog is bigger. They stay away, but it drives my dog nuts, I have to go out and see what he is barking out, tearing up the yard, tearing at something. Is it someone who is not supposed to be there and all that?

This time I may even state it again, we're tired. Also, this Mr. Haggard has a gas station service, payment center, whatever you want to call the thing that has been sitting in his driveway in the place of his garage for I believe approximately 3 years. Two years ago I believe approximately he was before the Zoning Committee and got permission for it there but he was to cite it and move it. It is still in the same place. His promise, oh I got the siding and I'm going to do this and do that. Well, it is still not done. Back when I was here at the Zoning when he was given approval for it, I didn't have any problem with it, but I also stated when is he going to get it done because he does not keep his word.

Mr. Mayor, lot of things that the tenant, Mr. Al Smith has come before you with is true. All that he has told you in his presence I do not know. But, check it out for yourself, please. A lot of it is true, if not all of it.

Back on May 10th, I had the privilege of meeting Joe O'Donnell one of the housing inspectors doing a point of sale inspection on the house on the other side of me. I made that point known to him of this gas station. Also the guys lawn never gets cut. He said, contact me in a week, if you see no improvements. Nothing done. I contacted him in 10 days, I saw him on a Friday, I contacted him 10 days later on that Monday evening. I left him a voice mail, told him I saw no work being done. The lawn got cut by Mrs. Clark's husband. They are getting tired. We need something done. I don't know what is going to be done, but something needs to be done through the city whether the landlord doesn't have the money for it or what, I don't understand what the excuse is because he is getting rent. Is that rent money not supposed to be used for those upkeeps and maintaining of the property? Help us out. I speak for me, I speak for Al Smith and I also speak Mrs. Clark and her husband. They are tired, we need action.

I think I've been more than patient living next to this guy. For three years seeing this thing and for this year of putting up with these rodents. I don't want it to get worse. I don't want my dog to be attacked by them, I don't want my dog to attack the rodents. I don't want Mrs. Clark also does not want to be attacked by that rodent. She's afraid that she may even have a heart attack stepping out of her door. They come right out by her door.

President Gudenas – Your time is up, I'm sorry. We'll ask Director Pietravoia, 1494 Dille Rd., or Asst. Director Sweeney, what is the status of what will happen there.

Asst. Director Sweeney – I can speak a little bit about this property. I was not aware of any of these issues until right now. I know Mr. Haggard recently paid for the rental registration, he was on my warrant list. I did track him down in Toledo. He has had some health problems so he's not living locally any more. He's giving some extended care, I won't go into the details of his medical issues, he's living in Toledo right now. I was not aware of any issues with rodents. I will send the County Sanitarian over there tomorrow to take care of that. With respect to the gas station situation, I don't know anything about that, but since he did recently pay for the rental inspection, that is going to be scheduled for an inspection so hopefully we can get a picture of all that is going on over there, ASAP. I will also make it known to the housing department about any grass issues and we'll get the inspectors over there to tag for any high grass.

President Gudenas – Can you keep the City Council informed of what the administration has done, I'm sure you'll follow through and a time period that the owner will have to respond.

Asst. Director Sweeney – If any violations are found, I'm assuming there are going to be violations found, they will be given a time frame to fix these conditions.

President Gudenas – So we can keep informed so we can make sure.

Asst. Director Sweeney – If I can get Mr. Fuhr's e-mail or phone number if he wishes to give it to me and I can keep him apprised of the situation as well.

President Gudenas – That would be advisable. Asst. Director Sweeney is very good at returning the e-mails and keeping you informed and she does follow through. I think you'll get some good service. Unfortunately, you had to wait so long but I'm sure something will happen.

Councilman Gruber – Mr. Mayor, I believe you were handling the issues with Mr. Smith and the property. The property is pretty disgraceful and I know that you've been there. I'm sure that you will expedite the situation as quickly as possible.

Mayor Cervenik – In my two conversations that I've had with Mr. Smith I was not aware of any rodent problems because that is always done immediately by the County. I've got a couple of

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meetings in the morning, I'm going to stop up there again and take a look at it. We will get it done in short order.

Councilman Gruber – I'll be glad to meet you up there.

President Gudenas – These are probably ground hogs and my guess is the County deals with rats and the like. Ground hogs they may not deal with. That is a different situation and they usually like piles of wood and junk and things like that or bury into the ground and other areas. There might be some other issues, but the County may not help us.

Asst. Director Sweeney – I can send Greg over there to take a look at what we are dealing with.

Ms. Lisa Wiggins – 1497 E. 193 St. I have a couple of comments and a couple of questions. One being is the last meeting when it was aired on TV there was a lot of technical difficulties. I wanted to find out if there is any way, I remember once before I seen a council meeting where we could e-mail in. Could we do that still to where our comments can be made known publicly?

President Gudenas – We have done it for just twice regarding the appointment of certain positions and other things. It is a bit of a production for us but it is something that we might look into, but we have not, you can send e-mails any time of the week, any day and we'll respond, but we don't have that provision for every meeting.

Ms. Wiggins – I can't always make it to the Council meetings and I like to come. I have my little one here with me and she fell asleep, that is one of the reasons why I don't get a chance to come because they end up being late in the evening and what not. That is why I was saying when I watched it, there was a lot of things that I was not able to finish seeing because it was bleeped out in between. There was a lot of technical difficulties. In other words, the other things I wanted to find out, what was done in regards to grass, the situation that was talked about last time as far as getting somebody to come out to do the cutting of grasses in different locations?

President Gudenas – We heard that a couple of other firms were hired. If you could let us know the names of those firms that were retained.

Director Pietravoia – We did bring on two back up contractors, and Mr. Beno can contact on those.

President Gudenas – Who are those firms?

Asst. Director Beno – The two back up contractors are D&S Landscape and Unique Concepts Landscaping. They are both serving on smaller contracts than the main one, not to exceed \$14,000, but that enabled us to get more workers onto the site in a short order. So far this year we've issued, if you don't mind me going forward into a kind of general statement.

Ms. Wiggins – This is running into my 5 minutes. The other thing is I'm hearing about a lot of beautifying as far as the downtown Euclid area. But from my understanding, we are supposed to be having a Walgreen's being done right there at Dille & Euclid. What is going on about that? If anybody can tell.

President Gudenas – We've been told it is moving along but delayed a bit.

Director Pietravoia – Nothing has changed since I last reported to Council. They are trying to work out an issue with the lease at their current location in the Indian Hills Plaza. As soon as that is worked out then they'll go forward with the construction. I'm told that since the time period will lapse and it will take about a 9 months to a year for construction, they may start ahead of the lease expiring.

Ms. Wiggins – There was a couple of other things, one I wanted to indicate that was said about the Indian Hills complex with their late fees and the reason why I know about it is because my mother stays there. After the 5th they have to pay \$30; after the 12th they have to pay \$70; it is like the 20th they go into an eviction to where there is a \$245 fee that has to be paid. As far as the snow removal, none of the other buildings were done, but the leasing office area was. That's not fair to those residents because my mother and others stay in the E building and they are on the side of 193rd with me, so the lease office is over on 191st, that's not fair to those residents over there, as far as that part of it.

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The last thing I wanted to find out because I was told when I talked to the Mayor a couple of years ago over the phone, I asked about the curfew law changing and at that time I can't remember what our conversation was, but I'm seeing that the city of Cleveland has done it. According to Maple Heights they've done it and it worked well as far as changing it to 9:30 because over on 196th, the trouble house that is over there right now is 1496 over there, the eyesore of the street because it has a board on the window. I've driven up that street in the middle of the night and there are kids 12-14 different kids standing out there at that house that are just hanging out. That's not fair to those residents over there. I can't say to much, I can't do any calling because I'm not on that street, I just see what I see. As far as the curfew thing, if I could have something about that one.

President Gudenas – Chief Repicky, our curfew rules, should they be strengthened?

Chief Repicky – Cleveland did it due to their crime and we cannot justify that and it won't hold up in Court. So we have to keep it what it is right now.

President Gudenas – Can you announce for our residents what the rule is?

Chief Repicky – I don't have it off the top of my head but I think 11 & 12 might be around 9:00-9:30 and then it progresses up to midnight. But, our officers are out there and they are enforcing. What was that address on 196th?

Ms. Wiggins – 1496.

Chief Repicky – You'll see somebody there tomorrow at the latest. It's not 196?

Ms. Wiggins – I'm not on that street any more, I used to be and the reason why I know about the eyesore of the house and the board is because I used to live there at that house. So that's what I wanted to be known.

Chief Repicky – What was the street address?

Ms. Wiggins – 1496 E. 196. Thank you.

President Gudenas – To follow up on the grass cutting, how did we pick these two firms?

Mayor Cervenik – They had already been working with us in various stages either beautification or nuisance abatement and we asked if they could get some crews out immediately and they both responded positively and they're doing a pretty good job now, we're getting pretty well caught up.

President Gudenas – We can get this report later, the original firm, how many cuttings it is doing compared to the two new ones. We can get that later, I'm sure you don't have it all right now. Just curious on how the original one is doing compared to the other two.

Mr. David M. Gilliam – 20240 Kathy Dr. What I'm here to talk about today is a very sensitive subject but I would just like to know if we could possibly get some updates on this very sensitive subject. September 27, 2007, the News Herald had covered the Executive & Finance Meeting about the DOJ law suit and the complaint against the City of Euclid, the Board of Elections and the current Council. One of the quotes in there was the Committee voted unanimously throughout the full Council to consider the Gudenas and other options to show Federal Prosecutors it can solve it's own problems.

Currently I have a few questions. Has Council submitted any of the plans to the Department of Justice related to the at-large ward election system? Has the DOJ at any time submitted other at-large ward election proposals beyond the eight wards and the one council president that has been stated in the newspaper? At this point, is it the intent of council to go to federal court and proceed with this litigation and how much would this cost the city, an estimate please?

President Gudenas – Regarding what's gone back and forth, we have been under attorney-client privilege, we've been ordered not to discuss anything that the Department of Justice has given us, that's by their instruction. We're not going to upset the Department of Justice. Unless our lead counsel tells us we can disclose that, and he had said he will prosecute anyone who does, we cannot discuss anything going back and forth. We do have mediation scheduled for later this month, June 21st or so and 22, maybe even two days, to go back and forth between the two areas. I think so far we have budgeted about \$200,000 which is about equal to what we're spending on the former Fire

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Chief's law suit. I think we're over \$200,000 on that one. When cities are involved, \$200,000 is not unusual.

Mayor Cervenik – With today's budget amendment, we're much closer to the \$400,000 figure. Between what we spent last year, what is budgeted this year and what you amended tonight. \$375,000.

President Gudenas – We have not spent all that yet.

Mayor Cervenik – We're not sure after last month.

President Gudenas – The government is intentionally drive, well whatever. They had depositions of half the population here for eight hours at a time. If you're not there yet, you might be.

Mr. Gilliam – I doubt they'll come talk to me. To make a long story short, a lot of dollars are spent on litigation and this is just me, one citizen, one vote. As a citizen of the city, I think that in this point in time we are in a perfect storm. We are having difficulties with our School, crimes, loss of business and resident income, depreciation of housing values, low voter registration and participation, the growing split between communities and neighborhood flight. Believe it or not, Blacks and White, some of them are leaving Euclid because these issues haven't been resolved. What I think the residents all will say in common is that we need peace and quiet. We need good neighbors. We need high standards in schools and city services. We need strong and quality safety forces. We need to respect each other. We want prosperity for our families and our children's families. We need representation from all corners of the city. Most importantly, these needs must be developed, implemented and delivered through a diverse group of people cooperating for these common goals. You will continue to have divisive political, economic, and social environment in this city until you exhaust every avenue to promote, recruit and implement diverse people in every sector of this city. Currently this complaint deals with African Americans. What's next, Latinos? What's next, gays and lesbians? What's next, Asians?

I think that the leaders of this community need to take charge and look at the social cause that this brings to us. It is time to close this chapter. What about this city's reputation? Who wants to invest in the city that is perceived to be adverse to diversity? Who wants to live in a city that is perceived to be adverse to diversity? Not saying that the city is racist but perceptions carry a lot of weight. There are great people in Euclid of all races and ethnicities. I've volunteered with them, I've coached their kids, I've ate at their homes and I've talked to them about the large cloud of this DOJ hanging over this city. We do not agree on everything but we all agree that elected officials should have every resource to avoid litigation. The longer we stay on this course, the longer the healing process is and the longer these discussions will exist.

Euclid has changed. The only thing that has remained the same is the 10.2 square miles, the Lake and the land. The population has changed. I ask Council and Mayor Cervenik, either one of you to take the lead. I implore you to use all of your powers to speak to the DOJ and look at a possible fair and equitable consent decree so that we can avoid litigation costs and begin to heal this city. Let's get our city back on track. This money we're using even for the police chief's law suit could be utilized to better enhance our city for the future. Thank you.

Mr. James Foreman – President, CEO of Forko Enterprises, 23555 Euclid Ave. I would like to answer one of the residents first question about looking for the website for the Euclid Lakefront Community Center. If you go to the city's website and click on recreation, and scroll down past Kathy Will's picture, you'll see Euclid Lakefront Community Center. You can click on that, maybe Mr. Lisy could pull it up for the rest of Council. It has all the rates, pictures, frequently asked questions and everything you might need to know about that.

I do have one question, did any of the council members get a packet or ask for any information about tonight's #16 on the agenda today? Anybody get anything from the city as far as whatever questions you might have that we, the third time in a row we have to put this into a committee meeting?

President Gudenas – We received a sample of the blank contract.

Mr. Foreman – Any questions about the ones you were asking about how the fees are doing, any of that?

President Gudenas – I think we've asked for that before and we have not had an update probably for a year or so.

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Mayor Cervenik – Each and every time you've asked for that you have received it. There were no questions asked for this specific lease for this specific meeting.

President Gudenas – I think that is why we have Council meetings too. I'm not sure what your point is.

Mr. Foreman – You have council meetings but then you give yourself a homework assignment. I don't understand. I can give you some numbers and I was willing to do that before because as you know time is money. We're all running businesses and have families and working and things like that and it gets frustrating that I feel I've, nobody has e-mailed me and said I did a bad job or felt I've been respectful and very committed as well as the administration has been to me. Then to hear that it is going into committee because something is wrong or what, I'm puzzled. It is frustrating to me.

For some of your questions, in 2005 we did with an abbreviated year and kind of all falling into the mix, not knowing what we were going to get into, we did do about \$19,000 in total sales which is not too bad, but not that great either. In 2006, I had a meeting with Mr. Conway and President Gudenas about changing some rates which we did, I agreed to. That year we talked about marketing and things like that. I had mentioned that we really didn't need to market the property because it was just so beautiful and brand new and once they see it, it is going to take off. In the year 2006, we did \$43,000, which is really good I thought.

Already today, June 4th, I've collected \$51,000. If you add the two years combined, the city is already collected about two thousand away from collecting the same amount of money they did in the first two years.

There's been complaints and there's been this person didn't clean or this person didn't do that. We can go back and forth. You want to put it out for bid? You only had two bids the first time and the one wasn't even accepted. I don't mind doing it. I live here. I love that place. I love the city. But I'm not going to be sitting here wondering and asking myself the same questions wondering what is going on. It is just stupid. I don't deserve that I feel. If you want to e-mail me before the next meeting any other questions you have, please do so instead of coming to your own conclusion.

President Gudenas – Thank you for the report. We are pleased that sales are up. We had a little concern. We were told that as we increase the rates that we'd be turning people away, but it is nice that people appreciate our building.

Mr. Joe Koskovic – 25201 Richards, I'm to be speaking as the Cable Commission Chair. I couldn't help notice the comment made earlier, the Cable Commission shall take a look at that at the next meeting. I'm also inviting any and every member of Council, you are more than welcome at any time to attend any of our Cable Commission meetings as is the general public. They are published on the community channel, there is also an e-mail address to reach ECTV. If there are residential concerns about the cable channel, we encourage the residents of this community to send us the correspondence as necessary to look at the cable channel.

How does the President in that one commercial go? I'm not just the President, I'm the user too. Well we're not just the Cable Commission, we are also residents too and we feel a solid commitment and responsibility to our fellow residents. We will do what's necessary for this community, but please, we need the input from not only our fellow residents, but also from Council and the administration. We are always open and always welcome to receive that and we will act on it. Thank you.

President Gudenas – I know at Indian Hills I don't think they get the cable, but to watch our meetings, you can get it off the Euclid Library's website. They do provide that service for all the Euclid residents.

Mr. Willie Brown – 21323 Milan Drive. As I watch some of the proceedings of this evening's council meetings, some questions came to mind and a few persons ago, there was a question asked regarding the Department of Justice law suit and I understand that there are specifics that you can't discuss publicly. But as I heard the concern about the late fees being paid on the properties of Willo Arms and Indian Hills, I couldn't help but think that those same sites are some of the sites that the Department of Justice alleges that the residents there are being disenfranchised as voters.

The question that I have, Councilman Gudenas is, in the course of dealing with the Department of Justice law suit, what specific measures were taken by Council to engage conversation with the African American community to get their input on the allegations? Is that something you're allowed to discuss?

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President Gudenas – That was part of the previous question for the first time in the history of the City of Euclid and possibly the State of Ohio, we had public hearings, not just shown live on TV, we also permitted the live e-mails for those that couldn't make the meetings. We also created another group that was also highlighted as one of the first items on the Agenda called EPIC to increase participation of all Euclid residents. They are holding their first meeting on Saturday June 9th. That whole committee was created by the City Council.

Mr. Brown – I know that the 5 minutes is going to be running out. I'm familiar with EPIC, and I didn't make an allegation, I simply asked what efforts have been made.

President Gudenas – I was trying to give them to you.

Mr. Brown – So you answered that question. As far as EPIC, EPIC was one of the part of the solution that you offered to the Department of Justice. Since that was part of the solution that you offered, I ask when you formulated your plan to give to the Department of Justice, what African Americans were involved in the formulation of that plan or were there any?

President Gudenas – We relied on our legal experts and the officials at Cleveland State University.

Mr. Brown – That means no. Okay thank you. My last question is, how many African American voters has EPIC registered to this point?

President Gudenas – I would suggest you ask them that.

Mr. Brown – That was part of the plan that Council put together so Council is not aware of what they have achieved to this point, is that correct?

President Gudenas – We know they have achieved quite a bit. They are having their first Open House meeting.

Mr. Brown – Council is not aware of what they have achieved to this point. Okay I'm just really glad that we're that focused on whether the late fees are paid for those buildings that African American residents live in. But it seems to me in this entire process they've been kind of left out in terms of their input as to how they should be dealt with with the Department of Justice. The former answers about people could send e-mails and people could come to the meetings and voice their opinions, let's look at the reality of what has happened. I say that the reality of what has happened is that it is just interesting that when the late fees aren't paid on the buildings that those people live in, they can become a very big concern. But when somebody alleges that their voices are not being heard in the political process, it is not openly discussed and spent as much time debating publicly as what I saw here tonight on that.

President Gudenas – I believe the late fees for the first time were discussed today because a former inspector brought them up. This is the first time we've ever discussed them.

Mr. Brown – I'm not being argumentative, just stating what I observed as a resident of the City. I just wonder, since we have some of those residents here from Willo Arms and Indian Hills, anybody ask you for your input on how you felt about the Department of Justice law suit that saying that your voting rights are violated?

President Gudenas – You'd be out of order at this point. Anybody can speak for themselves.

Mr. Brown – Okay thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. Boy I only had a few subjects to talk about but now. First of all, welcome back Kathy, we missed you. I hope everything turned out fine.

Secondly, the Lakefront Festival that is coming up, seems to have an amazing amount of things going on and certainly is a family venue for the City of Euclid. Now I know that a lot of people here probably have no idea about the gentleman that I'm about to speak about for a second. But in my religion ethic, we sort of believe that as long as you say somebody's name they actually never pass, so you have to keep reminding people of their existence.

Today a true icon of the City of Cleveland passed away, one day before his 98th birthday, that is Rabbi Armond Cohen Park Synagogue. One of the leading leaders in this community to have done what he has done. I just want to make sure that his name is mentioned.

Next I want to talk about this Special Meeting and this controversy. If there is any fault, it has to be put solely on the shoulders of the Law Director, who advised Council, that in fact they were doing what was correct. So I do not blame anybody that is on Council, but they can only do what they were directed. They did ask those questions.

As for the Ward 1 Candidate, I don't live in Ward 1, but I took special note of watching it. Now I was amazed that you brought it down to four people of which two absolutely stated openly they will not run in November. If they will not run in November, I don't know how they could even be considered, no matter what their qualifications for a temporary job, where they would have no consistency afterward. Why not at least try to have a candidate that does have an intention of running who would bring consistency. Also would have these months to do what most council new members do which is get acclimated, so they are in full run if they do win again.

I can't understand why it has to take two more weeks. I think there are only two candidates that should be considered, both of who have indicated they will run. I find it hard to believe that out of eight people on Council, everybody received two votes. I think you need to get on it now. There is no reason to keep procrastinating this issue.

But I have just a little more time so, I've got to thank the Police Dept., tremendous response Capt. Repicky. We had a very major incident next door to me, very scary and your police guys came, five cars eventually, and we had a very high kid who locked himself into my neighbor's car in their garage and I want to thank you, great work. We were kind of petrified, we didn't know what was happening and I did talk to the gentlemen.

I will stand here until the day I die and I will say that the DOJ is out of their minds. Anybody who would even consider supporting this, is asking to go back 50 years to segregation. The DOJ stated specifically that two wards would have to be super Black wards. That's segregation. Means that it is not open all the city, but hey, we're going to give you two wards in that you can run. I find that disgraceful and I can't believe anybody that is Black even could consider such a statement and the DOJ has made that statement.

We're defending our integrity. Maybe there are some here who do not believe we have done anything wrong, that we have done something wrong, I don't. In the question of, well I'm not going to have time for that. Segregation was abandoned in the 50's and 60's. I don't want it to come back in Euclid in 2008.

Mr. Stan Kebe – 951 Babbitt Road. Corner of Babbitt and the Marginal there. I appreciate some of the things that Mr. Gilliam shared with us tonight and Mr. Brown. Maybe the problem starts from the ability of Council members to communicate to the voters and empathize with them.

I have an issue with one of the Council members and that is Councilwoman Walsh. I think that Mr. Germovsek shared a challenge with her also who was the President of the Fraternal Order of Police, whatever, he had a challenge with her also, I believe that he said that he called you on the carpet, no pun intended Mrs. Walsh.

I had an issue over the weekend, to be short here, I inherited a 1979 Starcraft inboard/outboard boat from a tenant that did not pay rent for storage. Last year the boat was parked in front of my yard without a current registration. I received a personal call from Mayor Cervenik to remove the boat, am I cut off here? To remove the boat and or it would be towed out of my yard by the City. I was advised to get proper registration in order to park the boat in the yard. So this year, I did obtain proper registration for the boat and I parked the boat in the drive with a for sale sign. Thursday, May 31st, Inspector Castelletti drove up the drive and said there was an issue with the boat being parked there and I had to move it immediately.

Since I did secure proper registration and title for the boat, I wasn't aware that I was in violation of any city ordinance. To say the least I was a bit confused at this time. I was pressured to move this boat out of my yard immediately and I had no access to a vehicle with a, a vehicle to tow the boat, the hitch. So, what I attempted to do is.

I wasn't clear as to where I should move the boat in my yard and I did want to comply with the City, I didn't want to make any waves. So my only access to any communication, it was getting into the weekend was with my Councilwoman Bernadette Walsh. So, I did call Ms. Walsh over the weekend and I was very polite, I was very respectful and Ms. Walsh refused to listen to my questions and my concerns regarding this boat. She was short with the phone calls, she was shouting at me.

President Gudenas – Now you're getting to the personal attack which is out of our rules.

Mr. Kebe – Then she hung up the phone on me, Mr. Gudenas.

President Gudenas – I understand but we have certain rules we do follow here.

Mr. Kebe – I appreciate that Mr. Gudenas. May I finish I have 5 minutes?

President Gudenas – As long as you don't keep it personal.

Mr. Kebe – Okay. So as a reminder, Councilwoman Walsh, your salary is paid by the voters of the city. I am a voter of the city. I appreciate the words of Police Chief Repicky tonight. He said to the newly appointed police officer, he said, treat everyone, treat the people like they are in your family and Euclid will be a great place to live. I would also like to share that with you. Treat the taxpayers in your Ward like they are your family and your Ward will be a great place to deal with. Thank you.

Mr. Smith – 1494 Dille. I wasn't going to say nothing tonight until I heard the Mayor and forgive me the lady and the other guy sitting next to him, made a comment about Dave Haggard. They gave this guy a permit to allow him to have this shanty in the yard. But who gave him permission to bring it over there in the first place? I would like to have that answered. That's wrong. That's not in the law book, but yet still they're going to give him a permit, not move it out of the yard. But I would like to know where he got permission to bring it in the yard.

President Gudenas – Would you like that answered now?

Mr. Smith – Yes sir. Thank you.

President Gudenas – Who would like to answer how it got there to begin with, who gave them permission.

Director Pietravoia – I don't know that I will be able to answer this specific question because this does go back a couple of years. I do recall that once it was brought to our attention, it was there, we informed the owner that he didn't have a right to keep it there unless it came to Planning & Zoning. He did come to Planning & Zoning, I think it was mentioned earlier that with certain conditions, if it was placed in certain location and resided, that he'd be able to keep it on his property.

This is the first time that I'm hearing tonight that he did not follow through with those conditions so we will immediately follow up. If he hasn't he will be cited and if he doesn't comply, he'll have to remove it from his property.

President Gudenas – So, there was no official permission to begin with, he just brought it there and when it was discovered he was asked to either remove it or apply for the proper permit. Then he was given a permit subject to certain conditions, which apparently have not been met and so far have been overlooked, but as of tomorrow morning they will not be overlooked and the administration will check those conditions and report back to all of Council as we've asked about these properties to make sure that we understand what is happening here. No everyone knows that there is a problem, so we can't say that we don't have the address.

Director Pietravoia – It was a very unusual circumstance, I will grant to Mr. Smith and others. This gentleman purchased what was probably the, I don't know how to describe it, it was like the booth at a gas station where you pay.

President Gudenas – A collector's item.

Director Pietravoia – Brought it onto his property and intended to turn it into a storage shed for his outdoor equipment, lawn mower, etc. He showed drawing that indicated how he would make it look like the typical storage shed. Apparently he hasn't even come close to attempting to do that.

President Gudenas – We don't go back and forth here, I'm sorry.

Director Pietravoia – We will look into it tomorrow.

President Gudenas – The meeting will end shortly so please stand and you'll get your answers directly taken care of, but we understand that there is a problem and it will be addressed. I understand. Thank you, we can't really go back and forth this way. Anyone else?

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

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Councilman Lisy – Director Pietravoia, I gave you a long list of questions this morning regarding the Mary Mavec project that were brought up over the last 6-8 weeks. We consolidated all those questions into one e-mail. When do you think that you can get the answers to those questions? I know you had a lot of them answered by right before this meeting, but there is a small amount left. When can we get the answers to the remaining questions?

Director Pietravoia – I would like to get the answers back to Council as quickly as possible so that this can be resolved at the next Council Meeting if necessary. So by the end of this week we should have everything responded to.

Councilman Lisy – There has been a lot of comments that make it look like Euclid is going downhill. The Department of Justice issues, they do not help us. However, my interactions with members of the community, I get an opposite viewpoint on this, in two matters, as a Council person I am privy to our budget information which we talk about monthly. Our revenues are going up. It is one of our best collections we've had since 1999, for the first quarter. Our businesses are doing well. Our tax base is doing well and that is going up. I don't think there's many inner-ring suburbs that can say that our revenues are going up like that.

We are not laying off police officers or firefighters and we are trying to fully staff our housing department and inspectors. We provided all the police and fire that were asked of us during our budget hearings. If we knew there were more needed, we tried to figure out how to bring more on. But I hear that they are doing a great job out there and we do appreciate the service of the police and fire. Again, we have to live within our means and that is why we are trying to cut expenses elsewhere and come up with creative ways to help with point of sale inspections.

With regard to racial issues, my kids are in the public schools. They are doing quite well. We can't deal with school issues here, that's a separate governing entity. My wife is on the School Board and we paid to go to Prom with the Euclid High School. It was unbelievable, it was a great experience. I wish everyone could have that opportunity to see how the students in the public schools interact with one another. We talked to other individuals that go to other inner-ring suburbs and the Black kids dance on the one side of the room, the White kids dance on the other side. In Euclid they all interact together. That's a great feeling. When we play soccer, our kids sit with the Black kids and White kids sit together and the Black families and the White families sit together. We don't see that when we go to other suburbs.

So I think Euclid is on the verge of doing things right in this City. Unfortunately we have this big Department of Justice shadowing over this progress here. I wish residents would speak about the positives in the city instead of always focusing on the negatives. Thank you.

Councilwoman Mancuso – Just to add to the comments by Councilman Lisy, I do think we need to stay very positive. There's a lot of constructive things going on here. To spend our time either placing blame or being skeptical about the very critical nature of what Council or administration does to make this city run, does not serve anybody's purpose. There are many good things going on here and there's a lot of work going on in a very, very positive light. The Department of Justice and this is the only time I mention it and will mention it, is being handled appropriately. The fact that we cannot talk about it has nothing to do with right or wrong, it is the way the process works, let it work. The rest of us need to go on with taking care of the city, building the things we know how to build, taking care of our families, taking care of the budget and making the city even better. To do that, one of the things you can do on a lighter note is to make sure you tell everybody about the Lakefest. This is our community festival. It is going to be outstanding. Get the families, the neighbors, everybody out there. They are going to enjoy this city on the lakefront, our major asset. Good night.

Councilwoman Walsh – First of all, it was a marvelous event. If you hung around the orchestra, Director Pietravoia and I did do some very mean dancing. And it was Dancing with the Stars, the Stars were Director Pietravoia and myself and any other passerby that wanted to dance. I promised a new little store that had come to the podium that I would mention them. They love coming to Council. They were going to try to make it tonight, but I want all of you to try to stop in at the S&L Variety at 522 E. 200th Street. She says she's competing with the Dollar Store, but they've got a lot of cute little things in there. I also would like to thank my favorite team Brittany Ratcliffe for sitting out there and working with Sherrie to make the day a success.

The issue of the boat on the property. Hands down I work for the residents. Hands down many residents have called to complain about the boat. Hands down if it was a rental boat and it is not a commercial house, then there's a problem there also. I didn't invent the complaints. I do not tell who made the complaints. All of the arguments can come back on me because I do not betray who complained to me. The boat sits there. I thought it would go over the weekend because it was \$499 with no engine. The boat still sits there. I was in the middle of a meeting. I told him I was

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hanging up the phone and I did hang up the phone. That is my prerogative. As to he said, she said, who yelled, who didn't yell, well we could go on about that.

In regard to Willo Arms, I have many, many residents who will call me, some cannot come here because they are older. I have been to houses. I have been to Willo Arms. I have walked Willo Arms. I have tried to defend Willo Arms and do the best for Willo Arms. But if the Willo Arms management, not the people, did not pay \$65,000 then the problem is with the management, not the people. No one said it was the people. They need to be defended and they have problems there just as the Indian Hills people claim that they have problems.

Now, I'm going to embarrass Chief Repicky. The gentleman came up and he asked why I changed my mind about the cops. Because since January we were keeping it very low key. The Chief and I have had conversations. I respect this man. I think he is a cops cop. I think he defends his men and at one Council meeting he made a statement that caught my attention. It was in regard to the police station and that his men were not boys and you needed to clean that police station up.

In our last conversation, Chief Repicky and I talked about the CART program. The CART program is a valuable program. He supported it, he took the book from me, he read the book. I went through the training. I now have a different perspective on what police have to go through when a child is abandoned. What if it was my grandchildren? What if it was a child from Euclid? He supported that legislation. If its carpeting or a policeman, I will pick the policeman. I always for safety forces. Did I change my mind? No. I think Chief Repicky opened my mind on a one and one conversation more than once to broaden my scope of just what more policemen could do for the city. That's why duct tape is fine and cops need to have more help and more equipment. That's why I changed my mind, it was broadened by a good chief. Thank you.

President Gudenas – I would like to bring up a few more items that City Council will need to maybe look at and address. As I was doing a little research on notification rules, I also had a chance to revisit how Councilmen's Comments are supposed to work and public comments. I can report that we probably have all been mostly out of order because we're supposed to keep them to general things for the general welfare of the city, not go into specific issues, property addresses and the like. What I'm going to do is ask that the Council members get a list of the current rules that we have in place to review to see how we want to change them. Because either I need to enforce the way they are written, now that I'm more aware of them. Or, we need to change them. We'll have all that and we can discuss this at the next Council Meeting. In the meantime I would like to stick to the way they are done and we'll have copies out here for the public also on how things should be addressed. At the same time, we should look into how Council members are notified of special meetings and the like to make sure we're all on the same page. The rules are very specific and the penalties are very specific if you don't follow them and they can be severe. I'm going to ask that between now and the next meeting, we also review that. I know Councilman Lisy is already putting in some time. We've had some ideas on that to make sure that we're up to date and on the same page so that in the future we avoid any controversy over the procedures of our government.

Speaking of that, I've had people ask me questions about our no smoking policy, especially in city vehicles and the like. Do we have, I know the State law has kicked in and we have to follow the State law. Do we have a specific written policy for the vehicles in place for our workers?

Mayor Cervenik – Yes we do and our policy mirrors exactly the State law. You cannot smoke in a city vehicle.

President Gudenas – If somebody discovers that is happening, is there a procedure in place to report that?

Mayor Cervenik – They should report it to the supervisor. I would prefer them not calling the Hotline first. I'd prefer they report it to their supervisor so we can rectify that.

President Gudenas – If it is reported to the supervisor, is there a procedure in place on what the supervisor does to investigate and conclude the investigation?

Mayor Cervenik – It will be treated as any other possible violation by an employee. There will be an investigation. There will be a discussion with the supervisor. It may go to the Director's level. The results of that will be entered into the personnel file.

President Gudenas – We do have specific things in place.

Mayor Cervenik – For much more than just smoking in a car.

President Gudenas – have we received any complaints regarding smoking in vehicles?

Mayor Cervenik – I believe I received one and I made one.

President Gudenas – What happened to the one you received?

Mayor Cervenik – To the one I received, it was inconclusive whether or not the person was actually smoking in the car or his cloths smelled.

President Gudenas – Who did the investigation?

Director Pietravoia – This involved a situation in weatherization. More recently with Senior Programs staff member.

President Gudenas – Who did the investigation?

Director Pietravoia – In the case of the senior program, it was the manager of Senior programs.

President Gudenas – Did he provide a written report of the investigation?

Director Pietravoia – In the form of an e-mail back to me and that was the one that was inconclusive.

President Gudenas – I would just like to see that and the other one just to make sure that we have fair reporting system that treats all the issues raised in an equal way. If you could put that on the list. The Department of Justice thing is proceeding along, as I mentioned before. We do have mediation coming up. That's something that we're required to meet at, the city government and the Department of Justice to see if issues can be settled before the trial starts in July. So far we have been, in my opinion, quite a bit apart because of the things the Department of Justice wants the City of Euclid to admit and to do in the future. Things that the City of Euclid has not done.

The important issue is that once you sign something with the Department of Justice, they now control your form of government. If you decide to go with a certain ward plan and after 5 years or ten years, it doesn't work and you want to change and you want to put something on the ballot, you're not allowed to do any of that without the Federal Government's approval. That could go on for decades and decades and the City of Euclid residents lose control over our form of government. That is something that we have to keep in mind that if the plan they are presenting requires us to enter into these kinds of agreements, they then control what happens in the future.

We have a lot of research that has been provided to us that a balance system like we have or even more of an at-large system, has often resulted in much better governments. If you look at the cities that are doing well, none of them have a majority or all ward form of government. Cleveland and Youngstown would be two examples of the only three in the entire State of Ohio that have a ward form of government. In my opinion, that is hurting the City of Cleveland. When ward "x" needs something, ward "y" has to get something and ward "a" and "b" and "c" and you become very inefficient in how you spend money and handle problems.

We have a very tight budget. We have a lot of important issues and our balanced system, in my opinion has often resulted in being able to, thank you very much. I am out of order. We have a meeting coming up, just to announce, this Wednesday, is that still on, Councilman Lisy, we need to make sure you are here? That's the Service Committee, Councilman Gruber's and then Monday.

Councilman Conway – Just to remind the residents that might just be tuning in a little bit late tonight, on June 11th at 6:30 is the Retail and Commercial Committee Meeting to discuss the lease with Forko Enterprises and the renewing of the lease for their services that they provide at the Lakefront Community Center. I think it is something that is important to do. I'll apologize to Mr. Foreman if we did not provide comments prior to that meeting. But I don't think it is uncommon, especially when it comes to renewing leases, especially to one of the major assets to the city that taxpayer dollars make quite a bit of investment into, that it would be uncommon for us to have a committee meeting. I think it would be very productive. We're committed to doing it very quickly so at the most a 7-10 day potential day may as a result of it, but I think it is well worth the taxpayers' time to have committee meetings when we're looking at renewing leases.

The next topic I wanted to comment on was in regards to Indian Hills and I believe Councilman Gruber would agree with me, Director Pietravoia, that any meeting that takes place that we would like to be invited to, obviously Councilman Gruber having Indian Hills in his ward, but as an at-large Councilman I've had the opportunity to go to Indian Hills, meet with some residents. I've heard many of their concerns as well as the concerns raised by some of the neighbors of Indian

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Hills and those that live in Indian Hills. Please include us if appropriate to be at those meetings, myself and Councilman Gruber.

Regarding garage sale signs that continue to come up probably every council meeting. I just have not noticed this, I'm not sure if it is on there, but are the rules regarding garage sales currently on Channel 23?

President Gudenas – Who would answer that question, rules regarding garage sale permits and signs?

Director Pietravoia – I believe they are. I know when we first passed the rules, they were aired and I believe they have continued since then. I'll double check and let you know.

Councilman Conway – I appreciate that and I'm sure if there needs to be any updates that you'll take care of that. One other topic when it comes to sign ordinances, where do we stand right now, I believe you're preparing some legislation for us to update the sign ordinances. Is that something we'll see before the break, so one more council meeting to vote on that?

Director Pietravoia – We are about to extend our contract for the next phase of work with the county. That will occur as soon as we complete the work on group homes and churches. So it will not be before June 18th. That work will continue over the summer months.

Councilman Conway – Maybe I got a little confused there. The group homes and the churches is complete the review, but the sign ordinances that we want to update, is that in progress?

Director Pietravoia – That is part of the next contract work that they'll prepare over the summer.

Councilman Conway – The only other couple of comments that I wanted to make to and most of them on the positive side looking forward. We passed a resolution tonight in support of the EPIC committee. We've talked time and time again about asking for participation in Charter Review Commission so every resident has their opportunity to express their concerns, their voice that they may have. I would certainly reiterate again that I would hope that people would take advantage, specifically of those two forums that have put in place for you to come out. I hope to see a more diverse participation, however you want to define diverse. But I know there is the constant appeal that goes out asking for people to participate in these meetings and I hope that the open houses are well attended by a diverse group of people who maybe interested in serving in the role of a council person as we continue to move forward.

On the last two positive notes, again I would like to thank members of the Joint Veterans Council for all their hard work in Memorial Day and all their extra doing in having such beautiful weather compared to the year before when it was almost 100 degrees. So thank them again for a wonderful Memorial Day and I look forward to seeing everybody at Lakefest on June 14th, 15th, 16th and 17th. With that, have a good night.

Councilman Delaney – Thank you Mr. Chairman and thank you for changing the rules before I got to speak about Councilmen's Comments. I think we should make him speak last so we all get our just due. And how disappointed I am that many of our government critics have left. I look forward to answering questions and different things raised at the Committee of the Whole, where people measure their thoughts carefully and bring them in every two weeks. I wish to speak to them as some of the projects that I have been involved with that were singled out and correct me if I'm wrong Mr. Chairman, I won't mention names but our FOP President, the Officer that was here, he had mentioned the carpeting. I think that just tabling it and looking at it closer is just being diligent with our taxpayer money.

There were several budget amendments to this budget and the Mayor had singled out Shore and the Henn Mansion are on the same line item, it is a \$14,000 issue that he had mentioned that is going to be changed to be out of the capital fund, not our general fund that is operating to pay salaries, that is always something that we have to be particularly diligent about.

As far as the culinary school project, it is not a pet project, it is a partnership with the City and the Schools. It is a very important vocational program. It is shared with 5 other high schools. The schools are combined and all of the students participate in different vocational programs. The Euclid students will go to Mentor for that vocation if it is offered. We are fortunate to be able to offer it here. It is a growing market. It is a market that is underserved. There's great demand for it. It is not for 9 children, it is 50 students. Three hundred had expressed interest in it.

I think it is incumbent upon us to take advantage of these opportunities when they present themselves and also, when it was presented to pursue this, both the Council President and the Mayor said until there is an end user signed on the dotted line, we won't go forward with spending

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the money. That was not an easy process, that took a long time, a lot of meetings, a lot of hours, a lot of dedicated volunteers put in time in figuring it out, doing something different, something innovative that we could offer our community and be proud of. Again, as I wonder why I sometimes have to keep defending this, I'm looking forward to it and I think we're all going to be very, very pleased when it comes in.

As far as the DOJ issue, I agree that our perception in the broader community has been trampled and it was even before the DOJ. The City I've grown up in, the City that I stay in, the City that I serve, is not the City that is portrayed. One of the reasons why we have to stand up to these accusations is so we can send that message to the broader community that they are wrong. To settle on a Consent Decree that quite frankly, made me ill. I would never sign the accusations that DOJ was making to us. I think that it is prudent that we need to have our day in court. That we need to go through and we need to get judgment on this and then we can move on. I don't think that the broader perception of the community will be served by, at this point, trying to settle what has been raised, it is important and I think it is very important to our future.

What I did intend to talk about in my comments is I wanted to thank the Polka Hall of Fame, the Softball Hall of Fame, the Historical Society, the Henn Mansion, the Shore Cultural Centre, for receiving a large field trip of second graders that I took to what I've always deemed, a mini-Smithsonian institution to the Western Reserve. We've got to hit all the spots in one morning and it was absolutely wonderful.

In the same week, the Cleveland Magazine came out with its annual rating of the suburbs issue. Mayor I hope you'd comment on our, as Safety Director, our rating of 74 out of 76 communities. As we talk about perception, as we talk about marketing in almost everything we do, that article comes out every year and seems to really get us. One thing the Cleveland Magazine does is find something positive in every community and they actually highlighted our Historical Society. They showed a picture of the Historical Society. That is something I think we can all be proud of and take interest in how other people outside of our community view us. Thank you.

President Gudenas – Addressing that might require some additional discussion because it is an important issue.

Mayor Cervenik – I'm not going to address this evening what Cleveland Magazine perceives as an unsafe city. The rankings, what people turn in, they are all different, it is not really as scientific of a survey as possible. I did want to make one comment on the Shore, my comments concerning the \$14,000 to the Shore interest and the Henn Mansion was a positive comment that we are able to get that out of capital. I wanted to make sure you knew that. Thank you. We've been arguing with the, having discussions with Bond Counsel for months on this and I think we finally persevered.

President Gudenas – Mr. Order himself, Councilman Gruber.

Councilman Gruber – I'll try not to be out of.

President Gudenas – Time's clicking.

Councilman Gruber – It wouldn't be the first time. First of all I would like to send out sympathy to the Hepp family on the loss of Richard Hepp, longtime Euclid resident. Also best wishes to Marilyn Allison and Rasaal on her retirement. Also we have an event coming up at the mini-station and this is put on by Weed & Seed in conjunction with the Euclid Police Dept. It is the Teen Pre-Employment Workshop. They'll give you tips on interviewing, resumes, filling out applications and dressing for success. This will be Tuesday, June 12 from 10:00 AM until 1:00 PM at the Euclid Police Mini-station, at 20001 Euclid Ave. All attending this workshop will have the opportunity to interview with local businesses for possible summer positions. You must be between the ages of 16-19 years of age. The number for more information will be 216-289-2933. That will get you Audrey at the mini-station. Many Euclid businesses have been kind enough to take our information and they are reviewing their operations to see if they may be able to hire some of these teenagers. So that's a positive program put on by the Weed & Seed and Community Policing Department so I thank them for that.

Indian Hills, Kristal Skovira, speaking of the community policing and myself, who started several neighborhood associations, have tried more than once to get into that building. They don't want to have anything to do with us. They don't want the tenants to actually have a forum. I know that Councilman Conway was fortunate enough to get into one meeting with a handful of residents, but as much as we try, they keep telling us it is under control over there, which I know it is not. The owners have done work without permits, considerable work without permits, their staff are rude, they feel they are above the law. I have lost total control over there. I don't think anybody in the City has control over there. It concerns me. A lot of the promises that were made have not been

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kept. I hope that somebody can get this back in order over there and if anybody would like to go over, I'd be glad to show them some of the situations going on over there.

After this meeting, I will be going with Mr. Smith and his neighbor over to Dille Road, to his home, if anybody from the Administration would like to go with me, you are more than welcome. I found out some other information about this property just a little while ago that I think will help us in ending the problem. I'll tell Ms. Sweeney about that at the end. You guys are all welcome, we're going to go over to Dille Rd. and spend some time with Mr. Smith.

Also I would like to know from the administration, who would we contact about the progress at the Culinary School? Who is the actual contact person as far as budgets, timelines, is there a number where we can get a hold of them, basically the point person?

Director Gulich – Councilman Gruber, me.

Councilman Gruber – Okay, I'll hold you to that Director. That's all I have for tonight, have a good night.

President Gudenas – Oh, I'm sorry, Langman, I forgot about you the other time too. Sorry.

Councilman Langman – I want my full time too. Thank you Mr. Chairman. Director Pietravoia, if you can gather the information regarding apartment inspections and who has been timely on fee filing and who hasn't been and maybe if you can give us some historical data. It is troubling that three complexes that were mentioned were near or on Euclid Ave. Obviously that's money, the fees we collect, is money for the citizens of this city that we can obviously put to good use in other areas. Also, if we were to let something like that go, that could jeopardize the safety of the residents.

Ultimately in our job, what we have to base our actions on, is what does the law say. The law is clear in this case. I think our ordinances are pretty clear in delineating when fees are due. I'm more concerned now about our administrative approach to these issues. Some leeway is good, obviously you want to be flexible in dealing with owners of apartment complexes or owner. Too much leeway opens the avenue to unsubstantiated actions that can cast doubt that it is a fair playing field for all owners. I know we have some that pay regularly and have for many, many years. This is an important issue, like many issues that we get here in the city. When we get phone calls at City council to that resident that calls, whatever it is, that's the most important issue, so it doesn't matter if it is about dog ordinance or street that needs to be repaved or a house next door, to that particular resident, that's the most important issue. For us on Council, we have a very interesting job in that we have to treat all these things with equal importance. Because in fact it has been mentioned, we do work for you.

Now I would like to turn to Director Gulich, and our continuing struggles with ODOT. Were they out there today, picking up the trash along the freeway?

Director Gulich – As we discussed earlier, they were out Friday. They did have crews working from the Cleveland line to the county line. I did observe myself today crews out there collecting up the bags that had been filled previously to that. I don't know if they got all the bags picked up, I didn't get back there later today.

Councilman Langman – We're still looking for progress on no mowing areas and sound walls and the chain link fences that are falling down. So we hope to have some very soon, correct?

Director Gulich – We observed a crew doing fence repairs last week. They still can do a lot more though.

Councilman Langman – There's an example, sound walls, freeway corridor, that doesn't register with a lot of people. But we do get calls about that and it is an issue. Because drive through our city and that's what they see, dilapidated sound walls, trashy freeway corridor, yes that may not jump out as the most important issue, but it is for some residents and it should be because that helps project what the city is all about.

Finally, I'll just close with expressing my sympathy and my colleagues sympathy to the DiDomenico family. The just recently lost Grace DiDomenico, so our heartfelt sympathies go out to their family.

ADJOURNMENT

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

Attest:

Clerk of Council

President of Council