

COUNCIL MINTUES

November 19, 2007

The regular Council Meeting was held on Monday, November 19, 2007 at 7 PM in the Euclid City Hall Council Chamber. President Gudenas presided.

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

Others Present: Mayor Cervenik, Law Director Frey, Finance Director Johnson, Service Director Gulich, Recreation Director Will, CS&ED Director Pietravoia, Asst. Director Beno, Chief Repicky, Fire Chief Cosgriff, Housing Manager Drazetic, Asst. Director Sweeney, Asst. Director Gliha, Sgt.-at-Arms NovoseI, Clerk of Council Cahill.

COMMUNICATIONS

Council has received the following communications:

Information from Director Pietravoia on Res. 523-07.

A letter from Governor Strickland's office acknowledging receipt of our Resolution on Make A Difference Day.

A letter from Time Warner Cable announcing new retail rates for 2008.

Councilman Lisy moved to receive the Monthly Finance Report through October 31, 2007.

Councilman Gruber seconded. Yeas: Unanimous.

COUNCIL MINUTES

Councilman Gruber moved to receive the Council Minutes of November 5, 2007. Councilman Conway seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik presented Res. 223-2007 to Howard Drake, Jr. for setting the new all-time all purpose yards record in football at Euclid High School.

Mayor Cervenik presented Res. 222-2007 to Mr. Ray Petrea for his efforts and leadership in promoting diabetes awareness and control.

Director Will – I would like to at this time introduce a program that we actually started this past summer. It is the Euclid Adopt-A-Spot program. Although again like I said we did start it this past summer, and we do have currently seven sites that are a part of our program, we're looking at the rest of the City of Euclid to get you involved. Our goal is to help beautify our city, but it is also to instill the community people and have them take pride and involvement in their city.

The program is actually pretty simple. If you or your neighborhood group would like to be involved, you would have to be responsible for planting, weeding, mulching and the general upkeep of a site. We would need to have an idea of what you would be planting, we would assist you with that. Again, the general idea would be for you to sign a volunteer agreement and then your group, you would receive a sign on that location stating Adopt-A-Spot, maintained by and then the current group that is doing it.

Currently we have the Henn Mansion, Cathedral Worship and the Senior Center who are participating in it. Fortunately we had two residents, Paul Dietrich and Kirsten Holzheimer Gail that will be overseeing that program. If anybody is interested in adopting a spot, please contact the department at 289-8114 and I'll make sure the information gets to Kirsten Holzheimer Gail and Paul Dietrich and they can follow through with you.

We are currently still offering our programs of our learn to skate and our swimming programs, but with the Holiday approaching we have several holiday events coming up. Our first one is our Santa's mailbox. Beginning November 26 and going through December 17th, there will be a mailbox dedicated for Santa and the North Pole in the lobby of City Hall. You can drop your letters off or you can mail them, attention Santa, to 585 E. 222 Street, Euclid. Parents please have your children include a self-addressed stamped envelope so Santa can have more time working in his workshop. Any letter that is received by December 17th will receive a return letter from Santa from the North Pole. That will begin on November 26 and go through Monday, December 17th.

Second, we'll be having a Candy Cane hunt at City Hall on Saturday, December 8th from 10:00 AM until 11:30 AM. It is free for any residents, \$5 for non-residents. Please register by December 5th by calling the Recreation Office. Santa will be here and we will have cookies and punch. Candy Cane Hunt on Saturday, December 8th from 10:00-11:30 AM.

Next, will be our Swim with Santa. It is free for all residents, \$5 for non-residents. We are asking you to pre-register and that will be on Wednesday, December 12th, from 7:00-8:30 PM. Yes, Santa will be there to swim with your children. We will also be retrieving snow balls from the pool and making your very own snowman. Wednesday, December 12th.

Finally our Skate with Santa on Sunday, December 16th at the C.E. Orr Ice Arena from 1:00-2:30 PM. It is \$4 per resident, \$6 per non-resident. That includes your skates, pizza, pop and the opportunity to ice skate with Santa. If you have any questions about any of the programs over the Holidays, please call 289-8114. Thank you.

Mayor Cervenik – Santa can swim? Okay, very good.

Director Gulich – This Thursday, November 22 is Thanksgiving Day. We will not have trash pick-up on Thursday, Thanksgiving Day. Pick up on Friday and Saturday will make up for that. Those pick-ups will be one day late this week. We're out picking up leaves late, Monday, Tuesday and Wednesday, but we will not be picking up leaves on Thanksgiving or the following day. We'll be back with overtime on Saturday, staying caught up. Right now we're in Monday section and with the nice weather, there's plenty of people out there raking. Keep on raking and we'll keep on picking.

Saturday, November 10th we had our first and hopefully what is a series of community shred days in conjunction with Iron Mountain behind City Hall. We ended up shredding about 4 tons of our citizen's private records that they brought in. It was kind of fun seeing the stuff loaded up and shredded right before your eyes. It was very well received and Iron Mountain tells me that's the highest turn out they've had for any city they've done this in the Greater Cleveland area so far. Hopefully we can bring that back in 2008.

Finally a lot of people have noticed that South Lake Shore and E. 200th Street, the traffic light is no longer there. What happened, last week, the pole at the corner of that intersection that supplies electricity and holds that structure up was struck, had to be removed by the Illuminating Company. During the process of that struck pole, all of our equipment there was burned out, made unusable. We did not have any materials in stock to repair it, nor do we have money in the budget to make those repairs. On top of that, I think as Council is aware in 2008, we're going to be going to bid for the re-signalization of all the County roads and all the streets that were not done in the 2000 signalization which did all the State routes within the city. There were a number of intersections that were redesigned as per our engineer's plan and work they did. They're also some intersections that are not scheduled to be replaced because they did not meet any of the warrants. This intersection was one of those. Even if we did get it back up and I've been talking to Capt. Repicky about the insurance status of the driver that struck that, again, that intersection did not meet any of the warrants. I had a conversation as recently as this afternoon with Traff-Pro, again that is going to bid in February, 2008 and that is scheduled to come down sometime in early or mid-2008.

President Gudenas – Will Santa be raking leaves too with all the other stuff? We could use that around here.

REPORTS & COMMITTEE MINUTES

Councilman Gruber moved to receive the Police Report of October, 2007; Fire Report of October, 2007; Monthly Finance Report through 10/31/07; EPIC Min. of 10-16-07 and Board of Control Min. of 10/29/07 & 11/5/07. Councilwoman Walsh seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE

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

President Gudenas – We were told that item #10 which is regarding E. 214 St. will be pulled, that will not be on the Agenda. #2, which is labeled the First Reading, may have the readings waived and may become the third reading tonight.

Mr. Willie Brown – 21323 Milan Ave. I'm just here this evening to speak in support of #15 on the agenda, which addresses the Resolution approving the Annual Action Plan under the Community Development Block Grant program. I believe that Councilwoman Minarik who co-

sponsors this along with Mayor Cervenik can attest to the time and thought that was given to this plan. These funds do support some very important programs for the city involving seniors as well as the neighborhood. I hope that Council sees fit to move that plan forward. Thank.

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

LEGISLATION

Res. (494-07) UDE Bethlehem Lutheran

A resolution granting a Use District Exception, pursuant to Chapter 1364.03 of the Codified Ordinances of the City of Euclid, to Bethlehem Lutheran Church, in cooperation with Laparade Early Learning and Training Center, Inc., to allow the use of its Parish Hall kitchen facilities for food preparation for off-premise use by nearby day care centers. (Sponsored by Planning and Zoning Commission)

Councilman Gruber moved for passage, Councilman Conway seconded.

Director Pietravoia – I'll start. I don't think the applicant is present tonight, but we do have a report from Planning & Zoning so we can have Mr. Beno give that report.

Asst. Director Beno – On October 9, 2007, the Planning & Zoning Commission held a public meeting and took testimony and gave an opportunity for public input related to establishing a catering kitchen accessory to the Church and daycare use at Bethlehem Lutheran Church. The Commission voted to recommend approval of the subject use district exception.

President Gudenas – Any other discussion on Council?

Councilman Delaney – Do we know, it doesn't say in the legislation, do we know if they did apply and get the license from the County Health Dept. that would allow for catering off premise? I know it is one of the highest licenses to be able to obtain.

Asst. Director Beno – They would not be able to obtain that license until the kitchen has been renovated. What would occur as a result of the granting of this would a permit would be issued to install the additional equipment into the kitchen that would allow them to become licensed.

Councilman Delaney – So they haven't renovated the kitchen yet?

Asst. Director Beno – No, of course not.

Councilman Gruber – There have been several safety concerns raised by this issue and upon speaking with the Pastor at the Church, I think that it would be best if our Council rejected this opportunity this evening and I'm working with the folks to find another spot on Euclid Ave.

President Gudenas – So the Pastor of the Church that would have the kitchen wants us to vote against it?

Councilman Gruber – He has spoke that the folks that applied for the permit may not have had all the information necessary at the time and we're working with both of those parties.

Councilman Langman – Mr. Beno, it reads in the legislation that nearby daycare centers would be the beneficiaries of this. Is it limited to that, could they prepare food for nearby factories or other establishments in that area?

Asst. Director Beno – Their application is limited to supplying cooked meals for daycare operations.

Councilman Langman – In that area or throughout the city?

Asst. Director Beno – Actually throughout the city.

Councilman Langman – So they could supply food throughout the city?

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Asst. Director Beno – There is no specific limitation as to where they would, how far away a daycare would be that they could deliver food to.

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

Roll Call: Yeas: Delaney

Nays: Conway, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas

Failed.

Res. 224-2007 (515-07) UDE Daycare

A resolution granting a Use District Exception, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid to Ms. Sharon Brand to allow a UR-1 (Daycare) use in a U-4 (Local Retail or Wholesale) Use District at 22293 Euclid Avenue, Permanent Parcel Nos. 647-36-001. (Sponsored by Planning & Zoning Commission)

Councilman Gruber moved for passage, Councilman Lisy seconded.

Director Pietravoia – I just want to start by saying that we were in contact with the applicant this afternoon, I wasn't sure you were here, just wanted to identify. With that I'll let Mr. Beno give the report and I believe Councilman Gruber has some comments as well.

Asst. Director Beno – I would like to begin by stating that we do have to correct the address on this. The address, the street numerical address should be 22639 Euclid Ave. It is an error that occurred in the processing here. On November 13th the Planning & Zoning Commission held a public meeting where testimony was taken and opportunity for public input was given. The Commission voted to recommend approval of a Use District Exception for an adult daycare use subject to a limitation of hours, that being hours from 7:00 AM until 7:00 PM.

President Gudenas – Councilman Gruber, is this a good one or a bad one?

Councilman Gruber – This is a good one Mr. Chairman. They are all good ones, we just have to work through some issues with some of them. This is a permissible use in this area with the Use District Exception. It will fill a need in the community. They currently have a facility in South Euclid, it has no violations or no problems. We welcome them to the new Ward 1 or Ward 2 of they do.

President Gudenas – First we need to amend the legislation with the address?

Director Frey – It sounds like we just need to make the typographical correction if what Commissioner Beno is saying is a typographical error, we'll fix that in the final signed version and it will read 22639 Euclid Ave. I assume the permanent parcel number is correct?

Asst. Director Beno – Yes.

President Gudenas – Councilman Gruber, do we want to waive the second and third readings?

Councilman Gruber moved to waive the second and third reading. Councilman Delaney seconded.

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

Nay: Conway

Readings waived.

President Gudenas – Any further discussion on the resolution? I see none.

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

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

Passed.

Ord. 225-2007 (524-07) Committees Extended

An emergency ordinance extending the term of the current committees of the Council of the City of Euclid, as defined in Ord. 178-2005 and appointing Regina Cahill as Clerk of Council and Mark Novosel as Sergeant-At-Arms through the commencement of the new term of Council, on or after April 4, 2008. (Sponsored by entire Council)

Councilwoman Walsh moved for passage, Councilman Gruber seconded.

President Gudenas – This is because of our good Judge has extended things a bit so we have to extend our paperwork over here too. Any discussion on it?

Councilwoman Minarik – Is this just for Regina and Mark or is this for the committees as well?

President Gudenas – This is for all of our committees because they normally would have expired after this meeting.

Councilwoman Minarik – I'd like to amend this so that Kirsten Holzheimer Gail's name is taken out of all those committees and my name is put in. Okay.

President Gudenas – That's a good point. Do we need an amendment to that affect Law Director Frey?

Director Frey – It is not amending the legislation, you need to amend the committee assignments. Councilwoman Gail no longer serves and Councilwoman Minarik is in her place. You would just amend that committee list.

President Gudenas – We'll handle that on our own.

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

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

Passed.

Ord. (512-07) Slo-Pitch Hall of Fame

An ordinance authorizing the Mayor of the City of Euclid to enter into a lease agreement with the Greater Cleveland Slo-Pitch Hall of Fame (GCSHF) for the second floor at "Old" City Hall. (Sponsored by Mayor Cervenik)

Councilman Lisy moved for passage, Councilman Delaney seconded.

Director Frey – We were approached by the Slo-Pitch Hall of Fame organization, their lease expires in February 28, 2008. We told them we would work on a renewal for that premise. The changes in this lease from the prior lease are an increase in the rent so that it is commensurate with the rent charged for the Polka Hall of Fame which is on the first floor of the Old City Hall building. There is an escalating provision in there for the second five year period. We also increased the amount in this first period by \$25 per month and an additional \$25 a month for the renewal period for the cost of utilities in that building. Finally we took out the provision that required the Slo-Pitch Hall of Fame to make a one-time capital payment to the City of \$4,000. They did that in the first term of the first lease. We took that out of this language since it was no longer applicable. Other than that there are no changes to the lease agreement. This would be two terms of 5 years each, starting March 1, 2008 and finally ending on, if they exercise the renewal period, would end then on February 28, 2018.

Councilwoman Walsh – Is it possible for us to see a copy of the lease?

Director Frey – Yes, the lease was, I believe sent to the Council Office, wasn't it?

President Gudenas – No, we didn't receive it.

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Director Frey – I apologize. We're having some issues with our secretary is out, she's had her knee replaced, I apologize. I think I had indicated in the legislation that the agreement was on file with the Clerk of Council. I apologize for it not being there and I will get it over there this evening.

President Gudenas – So the Slo-pitch lease is coming slowly. Would we like to table it until we read it? It's our first reading and we'll have a second reading at our next meeting. I see our Slo-Pitch Director here, Paul Serra is in the back, welcome.

Ord. 226-2007 (500a-07) Ward Boundaries

An emergency ordinance amending the City of Euclid Codified Ordinances to reflect the boundary changes in the wards as required by the Court decision in United States v. City of Euclid, 1:06-CV-01652. (Sponsored by Mayor Cervenik and entire Council)

Councilman Conway moved for passage, Councilman Langman seconded.

President Gudenas – We had a flurry of e-mails I saw over the last few weeks including one today where apparently the Federal Court and our attorneys signed off on this legislation to proceed, would that be correct?

Director Frey – There was an e-mail communication today and in that chain was correspondence from Peter Hilbert from the United States District Court, he is Clerk of Judge Kathleen O'Malley. Thanking Mr. Taylor for a copy of the proposed ordinance. The Judge has reviewed it and has no comments on it. Then Mr. Taylor's response is it appears to be appropriate for adoption.

What this ordinance does is merely provide a street description for the eight ward boundaries as was drawn, submitted and ordered as part of the Court entry and sent to the Board of Elections. This would modify the codified ordinances to actually put that street description in for the eight wards.

Councilwoman Minarik – Law Director Frey, if I vote no on this, will I be held in Contempt of Court?

President Gudenas – It won't matter really.

Councilwoman Minarik – It doesn't matter either way does it?

Director Frey – Councilwoman, it is not part of the Court's order. This is part of our codified ordinances where we have provided street descriptions for the use of our residents in identifying their ward boundaries. That's all this does. This identifies the ward boundaries that match the map that is hanging in the lobby of City Hall.

Councilwoman Minarik – Forgive my denseness but by approving this we're basically saying, yes we agree with the Court and we're fine with this, correct?

Director Frey – That's not my interpretation at all, pardon me for interrupting. First of all to answer your first question, no you would not be held in Contempt, this is not part of the Court Order.

Councilwoman Minarik – Thank you.

Director Frey – Secondly, this is an aid to the residents to define the ward boundaries, that's all this does. Currently there is a description in our codified ordinances of the four ward boundaries. Those wards will become eight. You're not doing anything other than saying, yes that those are the street descriptions that define those eight wards. There's no other motive or reason for this piece of legislation other than to update the Codified Ordinances.

Councilman Lisy – We may disagree with the Settlement on it, but this is something that we have to do because our Charter needs to be updated according to the new Wards that we have. A lot time went into figuring out how to make them compact, to maintain a somewhat equivalent number of voters in each of the wards. It is something that we have to do, it is one of those formalities to get this now into our new Charter. Thank you.

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

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

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

Passed.

Res. 227-2007 (520-07) Hiring Freeze Amended

A resolution to allow certain exceptions to the present freeze on replacing employees funded by the General Fund specifically to provide authorization for the hiring of an Assistant Director of Law to fill a vacancy created by resignation and to authorize the hiring of an Inspector in the Housing department to fill a vacancy created by a promotion. (Sponsored by Mayor Cervenik)

Councilman Lisy moved for passage, Councilwoman Mancuso seconded.

President Gudenas – These are two positions that the administration would like to fill. Anyone would like to address this?

Director Frey – I'll address the issue with the Asst. Director of Law and I presume Mr. Pietravoia will discuss that with the Housing Inspector. Jennifer Jackson who has been with the City a little less than two years has accepted a position outside of the City of Euclid, so is resigning her seat effective at the end of this week. I did not put this into the piece of legislation that we had last meeting, because I wasn't sure she was taking the position until after that deadline for that legislation. I included that here. I know Councilwoman Minarik asked some specific questions. I did ask for the Cuyahoga County Law Director's Association to provide me some information. Unfortunately I have not had any response from any community, but I have provided some detail from a comparative sheet of city government that we received last year including the cities of Lakewood, Cleveland Heights, Cuyahoga Falls, Elyria and Mentor.

Our Law Department had four full time attorneys when I started here at the end of 2003. We currently operate and have for some period of time with three and a half attorneys, that includes the Prosecutor's Office, the additional work that we have done with the Housing Code enforcement. I think the department would be at a critical shortage if we were not to fill this position. The activities, the employment related activities for this position, the dealing with claims and the civil litigation associated with some of those claims has to be done. It would mean other activities would have to get put off in order to accommodate that.

This position is not adding to either the long term in the time that the four year period that I've been here. It still would maintain only three and a half attorneys in the department, so still half an attorney less than when I started. I think it is an effective way of handling most of our work in-house. Obviously we go outside when the case dictates, such as the litigation that we have with the former Fire Chief. We have some worker's comp that is pretty specialized that we send outside. Obviously the matter with the Department of Justice we sent out. Also send bond work out, that is not reflected in those numbers that I provided because those are paid by the bond issuance itself. I'll be glad to answer other questions if there are any on this.

Director Pietravoia – We budgeted for 9 housing inspectors for the 2007 year. We currently have 8 inspectors. We had made an offer on one inspectors position that was open as a result of Charlie Drazetic being promoted to Housing Manager, so that was included in the last meeting when we talked about the exceptions.

Since that time we started in the fall with a process to refill the position that was vacated by Mr. DeWine. We ended up offering to an internal candidate and that offer was accepted after the last meeting. As a result of that we'll have an inspector's position open in the Housing Division, in addition to the one that we already have filled.

So we will be at nine, if we are given permission to fill this position, at the budget level that we had been budgeted for, for the year 2007.

President Gudenas – So the position that Mr. DeWine had had been empty, now that was filled by a city worker?

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Director Pietravoia – A housing inspector. We went through a process to interview and hire for Mr. DeWine's position and that was offered to an internal candidate, a housing inspector.

President Gudenas – Was that in our budget?

Director Pietravoia – Yes, that's part of the block grant budget.

President Gudenas – Who is that person?

Director Pietravoia – Marty Castelletti was the successful candidate in that search. In addition to doing some of the block grant related work, he will also be responsible for helping to run the purchase rehab program with the NHS organization. That will be a large part of the role of that position.

President Gudenas – All right, so that's how that became available. Any question on that?

Director Frey – We had a request to amend this piece of legislation and I almost forgot that. I saw Mr. Gulich put his light on so pardon me for the interruption.

President Gudenas- Mr. Gulich wants to add somebody too then.

Director Gulich – We were anticipating a retirement from the building maintenance department at the end of the year. It was budgeted for December 31st. That employee approached us last week and has expressed his need to leave the City on November 30th instead. This person is the custodian currently down at the Lakefront Community Center. I think if I've heard anything from Council, it is our need to take care of all of our buildings, that one maybe more so than the others with our great investment we've had. I would like to ask council for the ability to fill this position and I intend of doing some people moving around so that we can give that building more attention than we have been in the last year or two.

President Gudenas – Is that a full time position for one person to be there?

Director Gulich – Yes sir.

President Gudenas – Have we looked into other firms to handle that like we do at the police station and other buildings?

Director Gulich – We did get prices initially and the prices really did come in high. We looked at that when we were first anticipating the opening of the building.

President Gudenas – But not since then. The amendment would be for what position?

Director Gulich – Custodian in the Building Maintenance Dept.

President Gudenas – Any discussion on the amendment? This would first be on the amendment and then we'll go back to the other two.

Councilman Lisy – With respect to the amendment, is this just complicating matters by adding a third one to it if there's one over the other? If we wanted the Housing Inspector versus the Asst. Law Director versus the Building Maintenance person? Are we going to be adding three and then canceling one out if we don't want to hire that one? Or do we vote as all three we don't want?

President Gudenas – If you're sure regarding, one of them, the one that's not on there, if you're not interested in that position to be filled right now, then we don't make that amendment and we proceed with the other two. Then you vote one way or the other on the other two or someone could amend the other two to have one or the other. You can do them any way you want.

Councilman Lisy – My comments now are with respect to the amendment. Before we make that amendment I would like to try to rationalize with my colleagues through a discussion that I'm in favor of bringing all three on in the very near future upon review of the 2008 budget. So my question is, when can we have a budget hearing for the 2008 fiscal year?

President Gudenas – Question Director Johnson, we can meet in December if you're ready but I know last year we had a little trouble until right after the New Year.

Director Johnson – My plans were to conduct budget hearings in the same time period that we did last year. My intentions were to present a temporary at the next Council Meeting for 2008 and then schedule budget hearings sometime after the first of the year. We will try to have them prepared as soon after the first of the year as possible. But, we have not completed that process yet.

Councilman Lisy – With respect to the amendment, I'm uncomfortable about adding another person on right now until we have a better picture of what the 2008 forecast looks like because in my opinion I think people become creative when they have a shortcoming within their area to try to figure out how to fill that vacancy.

President Gudenas – This position will be empty November 30th and who's going to clean the senior center?

Councilman Lisy – That's my point. If there is somebody else available.

President Gudenas- Director Gulich volunteers.

Director Gulich – I've done quite a few things and we won't talk about that right now, but I just wanted to emphasize there are currently three vacant positions there. As Councilman Lisy said, we've learned to get creative, trust me, I've learned to get creative with three vacant positions. Moving to a fourth vacant position will make it very difficult to do the job I'm expected to do.

President Gudenas – this one person handles the entire building generally?

Director Gulich –Yes.

Councilman Conway – Just more of a comment because I will ultimately support the three positions, especially since they're replacements. But I think procedurally in the future these need to be individualized and not bundled into one package so that when we have discussions like this we're not put in an awkward position of trying to justify one position over another and then be forced to turn down the piece of legislation that we may want to move forward with. I would like to make that recommendation that in the future if we're in this situation, please don't bundle them together and submit them individually. Thank you.

Director Frey – If I could address that. Councilman Conway I'll be glad to have separate pieces of legislation. I anticipate we're probably going to have more of these before we're done.

President Gudenas – What is the starting pay for the Custodian position at the Senior Center?

Director Gulich – I believe as of January 1st that will be about \$17 an hour.

Councilman Lisy moved to amend to add the custodian position in Building Maintenance for the Senior Center. Councilman Conway seconded.

Roll Call on Amendment:

Yeas: Conway, Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh,
Gudenas

Amendment passes.

Councilman Lisy – You provided us a monthly financial report and I'm very pleased to see that two months in a row we've had a nice positive increase in revenues. So roughly we brought in an additional \$400,000 in the last two months which is very nice to see. That puts us up about \$150,000 for the year on our revenues. When I was looking at our expenses, we seemed to be tracking very close to what we had projected for the entire year. So, given the salary positions we're talking about and the need within the departments, I still would encourage the administration to be creative in trying to figure out how to do with who we have and juggle things around. I know it is not fun, it is unfortunate we have to be in this position right now.

But once I see a budget I'll be much more comfortable about removing the hiring freeze. Given the need of these three positions, I'm in favor of this piece of legislation given our current financial situation in the last two months.

Mayor Cervenik – We just received our settlement from the County for the real estate and property taxes and it is going to bring us very close to what we projected, close to additional \$300,000 that will be reflected in November. If the number of people that have been in the lobby of City Hall over the past couple of weeks is any indication the delinquency program is running real strong so we should see a nice generation of income tax numbers as well.

President Gudenas – We'll get Christmas Eve off for that.

Mayor Cervenik – We will.

Councilman Lisy – Another comment. As I was looking over the budget, if we could fill out the anticipated revenues for November and December so we can compare them to the previous years on the later documents. It is a nice comparison, you can see how well we're doing going back to 2001 to current time. On one of the documents I'd like to be able to compare it, it is like the third sheet down on what we anticipate the actual revenues for 2007. Yes, there's a month shift because we went from CCA to our own collection. Given that we're going to be collecting our net profit taxes from our companies in December, I think we're going to see a nice increase there compared to what we projected in 2007. I am feeling quite comfortable that our revenues are going to be one of the largest revenue collections we've ever had and so I just hope that trend continues. I do want to make sure that our expenses are in control. Thank you.

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

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

Passed.

Res. (513-07) Policy Manual

A Resolution adopting the 2007 Employee Policy and Procedure Manual for the City Departments. (Sponsored by Council President Gudenas)

Councilman Delaney moved for passage, Councilwoman Walsh seconded.

President Gudenas – I'll ask to place this into Committee so that when we have our first budget meeting we'll talk about this also so that all members can get a chance to read all these pages and we can discuss it at our first meeting probably in January when we do the other things.

Director Frey – I know the question was asked. We are down to 21 outstanding receipts needed for employees who have received copies of the current policy and procedural manual. As I had indicated in a response to your e-mail, we are making some corrections that were obvious from the supervisory level and then we're going to form an employee supervisory team to go through the policy book and perhaps recommend more substantive changes. We've had a good response. We're following up on the remaining receipts that have not been turned in at this point.

President Gudenas – Do you believe you'll have some additional recommendations by January?

Director Frey – I would anticipate we would yes.

President Gudenas – We should be able to have a good discussion in January. But, in the meantime, this manual is still being used subject to revisions? As opposed to not being used at all?

Director Frey – Right, correct.

Councilman Gruber moved to place Res. (513-07) into Executive & Finance Committee.
Councilman Langman seconded.

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

Into Committee.

Ord. 228-2007 (487a-07) Storage Units

An ordinance enacting Section 1377.12 of the Planning and Zoning Code to regulate the use of temporary portable storage units and dumpsters within the City of Euclid. (Sponsored by Councilman Langman)

Councilman Langman moved for passage, Councilwoman Minarik seconded.

Councilman Langman – We did address this piece of legislation when it first came up it went to Planning & Zoning. There were a couple of changes to it to make it a little bit more flexible and to add some items regarding identification of the dumpsters, pods, etc. So at this point, if Mr. Beno has some comments on the Planning & Zoning side of it, we can go from there.

Asst. Director Beno – Planning & Zoning Commission did review this ordinance and recommends its approval subject to the amendments that Councilman Langman discussed.

President Gudenas – How will our residents know about this new rule? Right now they're just having dumpsters and what have you delivered and now we have new rules in place that weren't there before.

Asst. Director Sweeney – This likely will be enforced by complaint basis. Of course all our ordinances are on-line and if we do happen to see a dumpster pop-up we're always able to give the homeowner or property owner notice of our ordinance and make them aware that they cannot have the dumpster or the POD on their property longer than 30 days.

President Gudenas – That's the key change, you're allowed to have it but 30 days at a time?

Asst. Director Sweeney – Correct, under subsection B(3), an event shall consist of the delivery and pick up of the portable storage unit or multiple deliveries and pick ups within a 30 day period.

Councilman Langman – It was decided not to have this as a separate permit item just because of the paperwork and staffing concerns. That's why it is more of a passive section.

Director Pietravoia – We'll also put an announcement on the website and on the community channel, as we've done in the past when we've amended the ordinances for daycare operations and for garage sales. We'll get the word out that way as well. I just wanted to comment on that.

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

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

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

Passed.

Ord. 229-2007 (514-07) Utility Agreement on E. 222 St.

An ordinance authorizing the Mayor of the City of Euclid to enter into a Utility Agreement and Permit to Occupy with the Illuminating Company for the placement of underground structures in the East 222nd Street right of way. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Lisy seconded.

Director Gulich – On E. 222 Street where we are currently underway with our Issue 2 project for the reconstruction and widening. As part of the project we are moving the distribution lines from the east side of the street to the west side of the street. This is in order to reduce all the overhead crossovers that you've seen out there. We still have three locations that we need to put underground ducts to get electricity to Hose Master, Cleveland Glass Block and to Lincoln Electric. The Illuminating Company has agreed to place these ducts underground, something

they don't normally do, but they are asking via this legislation that in the future if they need to be dug up as part of a further Euclid infrastructure improvement problem, say a waterline or a storm sewer, that we would accept to incur cost relative to that replacement. Also, stipulated in this is if we did not agree to accept those costs, they would simply put their lines back overhead the way they were before which of course we don't plan on intending to happen. That's basically the two things we've agreed to with this piece of legislation.

President Gudenas – Okay, you've got your ducts in order.

Councilman Lisy – If it is a waterline issue and it is a City of Cleveland coming in, would the City of Cleveland be responsible for working on the replacing the electrical underground?

Director Gulich – Probably the best answer I could give you right at this moment is that we would have to work something like that out with the Water Dept. as they have taken over the jurisdiction of the lines. I'm certainly not anticipating since we've got distribution main and two large mains over there that were looking at any Water Dept. work in the near future.

Councilman Lisy – Usually you don't want the waterline work and it happens naturally and there's a big eruption in the street. That's what I'm concerned about. Something like that happens, especially with the electrical underground. I like the idea of putting all our utilities underground. It removes it from above, there's a lot of advantages to doing it. But, the engineer in me is always worried about problems with the containment of the utilities underground and that's why waterlines is just one of my biggest concerns with it.

Director Gulich – I certainly appreciate those concerns as well.

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

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

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

Passed.

Ord. (516-07) PULLED

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into an agreement with CT Consultants, Inc. for Engineering Services required for the preparation of construction plans and supplemental specifications for East 214th Street and Lakeshore Boulevard Improvements in the City of Euclid, (OPWC Project No. CA14K/CA 15K), as per agreement on file in the Council Clerk's office.

(Sponsored by Councilman Gruber by request of Service Director)

Ord. 230-2007 (517-07) Euclid Ave.

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into an agreement with CT Consultants, Inc. for Engineering Services required for the preparation of construction plans and supplemental specifications for the Euclid Avenue and Sundry Street Improvements in the City of Euclid, (OPWC Project No. CA18K/CA 19K), as per agreement on file in the Council Clerk's office. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Delaney seconded.

Director Gulich – This particular project, Euclid Avenue and Sundry Street Improvement, this is an Issue 2 project. We were successful in getting grant and loan for the funding of this project. Everyone wants to know what Sundry Streets means. In order to comply or stay in compliance with the US EPA in regard to our long term control plan, we've been told that we need to deal with certain sanitary sewer overflows within the City of Euclid. Amongst those are ones on 250 and Briardale, Priday, Bishop Lane, Glenbrook and Effingham and E. 276 and Lake Shore Blvd. This is work we need to do as part of that long term control plan. I'm hoping toward the end of the year to have an update out to Council. Director Frey and myself have been continuing to work with the US EPA to negotiate the final terms as the long term control plan. Hate to say it is

going to be quite a way down the road for all that to work out, but the US EPA made it real clear that we have to proceed with the correction of these certain sanitary sewer overflows. I just want to add that these sanitary sewer overflows were recognized in our first Consent Decree. It was resolved in the 1990's. At that time they were accepted by the US EPA. They made it evident that's no longer the case and we need to take action on these certain overflows. Fortunately we've been able to secure this funding from Issue 2 and Euclid's share of the engineering cost will be \$38,000, in accordance to this contract.

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

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

Passed.

Ord. 231-2007 (518-07) Dille & 204

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into an agreement with CT Consultants, Inc. for Engineering Services required for the preparation of construction plans and supplemental specifications for the Dille Road and East 204th Street Improvements in the City of Euclid, (OPWC Project No. CA22K/CA 23K), as per agreement on file in the Council Clerk's office. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Delaney seconded.

Director Gulich – Dille Rd. and E. 204 Street is amongst our oldest sewers in the City of Euclid dating back to the very early '20's. We have done significant smoke testing of the sewers in this area. We were aware that there were a number of problems with the sanitary sewer. We had to make that evident to the US EPA again as part of our long term control plan. The idea is to get sanitary flow, quite frankly out of Euclid Creek that doesn't belong there. Again we were successful with Issue 2 funds, based on that. Euclid's share of this engineering cost will be \$76,000, not to exceed.

President Gudenas – That's the engineering part. How about the rest of it, the actual construction?

Director Gulich – The actual construction, of course we were talking Dille and E. 204, we're talking considerable rehabilitation of the road itself and sanitary sewers. Total project cost is \$2,375,000. We have a \$475,000 grant, \$950,000 loan and the remainder being the local share of the City of Euclid, \$950,000.

President Gudenas – The \$950,000 will that come out of the capital budget or the sewer budget?

Director Gulich – Coming out of the Waste Water budget.

President Gudenas – The zero percent loan? Is that Waste Water also?

Director Gulich – Yes.

Councilman Lisy – We had a public hearing on this several months ago. When do you anticipate the next public hearing regarding the US EPA and the sewer lines in Euclid, and our combined sewer overflows?

Director Gulich – Good question Dr. Lisy. If I recall you sat through the first one which I think you probably found entertaining. It was pretty tough because it is a lot of information. Actually we don't have a, we are required to have two more public hearings and that's a good question. I will be sitting down with CT before the end of the year and we'll be needing to schedule those and inform the US EPA so you can expect two more meetings sometime in the calendar year 2008. It has been brought to my attention as part of this ordinance we will need to make a minor amendment, actually a major amendment. Under Section 2, where it says permanent improvement, needs to say Waste Water.

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Councilman Lisy moved to amend the funding to Waste Water. Councilman Conway seconded.
Roll Call: Yeas: Conway, Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh,
Gudenas

Amended.

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

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

Passed.

Ord. 232-2007 (522-07) Euclid Ave. & Sundry

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 construction of the Euclid Avenue and Sundry Street Improvements in the City of Euclid, Ohio, Ohio Public Works Project No. CA 18K/CA 19K. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Langman seconded.

President Gudenas – Here we go again, more sundry streets.

Director Gulich – You approved the engineering a few minutes ago. What we're asking here to proceed is the correction of something we endearingly call SSO #10, it is on E. 250th Street by Briardale. We have been monitoring that via the study that Council approved earlier this year with Geotivity. We've completed that monitoring. This particular CSO was constructed so that it cannot be visually monitored. We are continuing to visually monitor the rest of the SSO's during rain events. This one was constructed so that it cannot be visually monitored. The US EPA has expressed that we need to take action on SSO #10, sooner rather than later in order to stay in compliance. So we're asking to proceed with correcting the problems at SSO #10 and discussions with CT Consultants we expect these corrective measures to cost about \$100,000. I'm asking for that same amendment to Section C.

President Gudenas – We have Waste Water Treatment Fund.

Director Gulich – Okay, we don't need that one. Sorry about that. We're asking to proceed with SSO #10 to avoid the bad graces of the US EPA.

President Gudenas – SSO #10 will be taken care of as long as we vote yes. Any discussion? I see none.

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

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

Passed.

Ord. 233-2007 (521-07) Traff Pro

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into an amendment to the professional services agreement with Traff Pro Consultants, Inc., 28917 Euclid Avenue, Wickliffe, Ohio, for the City of Euclid's Signal Upgrade Project. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Conway seconded.

Director Gulich – As everyone is quite aware we do have a contract already with Traff Pro to perform the engineering services for the upcoming signal project. We do have a NOACCA grant which pays for approximately 80% of the construction cost. City of Euclid though is responsible for all the engineering cost. We're asking to include the intersections of Babbitt Rd and Rockwell and also E. 222 St. and Tungsten. With the recent expansions of H.C. Stark over 222

St. and the soon to be open Stack Container and other expansion on Rockwell Dr. near Babbitt, we've already submitted letters, paperwork to ODOT and also letters on behalf of Traff Pro to ODOT asking that these two intersections be reconsidered because of the change in traffic flows. We would like to see those bid in February inclusive of those two intersections.

President Gudenas – Is the Babbitt Rockwell intersection the one RTA uses? I remember they had a concern with some of their buses as they leave, the signals take a very long time to change because the traffic is different when the Mall closed.

Director Gulich – That's a good question President Gudenas. That concern is a little up the street over at St. Clair. We have a situation where we have a malfunction with that traffic control system, it is simply not showing the green arrow. It has the green light there so nothing has really changed. We could invest the money to make those changes. Mr. Carlo tells me it is a little more complicated than just changing a light, it is getting some new circuitry taken care of over there. Our preference we expressed is to wait until this is bid in February 2008 and let the re-signalization handle that complaint we've had over there from both RTA and from Lincoln Electric.

President Gudenas – So that work will be done by when if it is included in February?

Director Gulich – We expect that to be performed sometime in calendar 2008. No schedule as of yet.

President Gudenas – Buses could appreciate that.

Councilwoman Mancuso – The amount of \$20,500 is already been budgeted for in capital improvement?

Director Gulich – That would be the engineering cost and actually if you look back at what was submitted to Council as our share that would be included in our share.

Councilwoman Mancuso – So it has already been budgeted for?

Director Gulich – In effect, yes. It wasn't specifically for that, but we're making it specifically for that.

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

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

Passed.

Res. 234-2007 (523-07) CDBG

A resolution approving the Annual Action Plan for the FY 2008 Entitlement Year under the Community Development Block Grant Program of the United States Department of Housing and Urban Development as recommended by the Citizens' Advisory Committee appointed by the Mayor of the City of Euclid and authorizing the Mayor to submit said Annual Action Plan to the Department of Housing and Urban Development. (Sponsored by Mayor Cervenik and Councilwoman Minarik by request of CS&ED Director)

Councilwoman Minarik moved for passage, Councilman Langman seconded.

Director Pietravoia - I'll start and then I've invited Asst. Director Bob Gliha who runs this whole program for the City of Euclid to help respond to questions or any comments that Council may have. This is the annual process as indicated by the legislation itself. We submit an application every year based on this citizen advisory process to HUD seeking funding for the following year.

HUD has reported to us that they are advising us to budget for approximately the same amount that we received in 2007 which was a little over \$1 million. This is a little bit of a decrease in the past few years from what we have received in 2001, we were at a high of about \$1.2 million. It is a difficult process especially as the funds are diminishing and there are more

requests for different programs, but the Committee does a great job of reviewing everything that comes before them. Mary Jo Minarik was part of the committee this year as Council liaison.

Three Committee meetings were held and two public hearings as part of the process. We have provided a memo that summarizes the whole plan to help ease the review by City Council. At this time, Mr. Gliha do you have other comments?

Asst. Director Gliha – I would like to take this opportunity to thank the committee for their hard work. As the Director said, Mary Jo Minarik was the Council liaison. The Committee consisted of Kirsten Holzheimer Gail, Edward Dickson, Madeline Scarniench, Willie Brown, Laura Gorsche and Dorothy Fike ex-officio. Dorothy as I like to say every year has been with the Block Grant program in the City of Euclid since 1974. Her insight has always been very beneficial to the committee.

As the Director stated, each year it gets tougher and tougher because either the funding remains the same or decreases and our needs or our eligible needs are always increasing. We are required to go through this process by the Department of Housing and Urban Development even though they know they cannot provide us additional funding for the additional requests we get. We are hoping that we are bottoming out as far as funding by Congress and in the future the funding will continue to rise.

As the Director stated, our highest amount of funding was \$1.3 million approximately, that was in 2002. We are down approximately \$300,000 over those years. If we were to look at present day value of where we should be in comparison to where we are, we should be receiving well over \$2 million. That figure probably reflects the needs that this program could serve.

Once again I would like to thank the Committee and I ask for your support for this program.

Councilwoman Minarik – I would like to thank Mr. Gliha and Mr. Sonnhalter, they were wonderful with us. But there are, the committee, we do want to keep a better eye on the funds in terms of specifics so we will be more involved in terms of. Quite frankly I don't think when the 2010 census comes out, I don't think we'll be eligible for this Block Grant money any more because it is a 50,000 population, correct? I think we'll be below it. I hope I'm wrong. If I'm right though, it is very critical that we start watching these dollars very closely and spend them as best as we can. That's why the Advisory Committee will probably be meeting on a regular basis to get updates from Mr. Gliha and Mr. Sonnhalter, but overall, I think Mr. Gliha has done a tremendous job of informing us and he's watching the dollars as closely as possible. I truly do support his resolution, thank you.

Asst. Director Gliha – If I may, I would like to thank the Councilwoman for her involvement and I will say in 1999 all the various agencies had the City of Euclid coming in at about 48,500-49,000 in population for the 2000 census data. Our department along with many other organizations throughout the community got together to get the word out on the census to make sure that everyone filled out their census forms and that everyone not be afraid to fill out their forms. We're going to have to do the same thing of course in another year or so, we may start even a little earlier. But the fruits of that labor brought us in close to 54,000 in population when everyone had predicted 49,000 and under. I think we can do it again. I still believe that we're going to be over 50,000 but we're all going to get together and work very hard to get the numbers out. Thank you.

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

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

Passed.

CEREMONIAL RESOLUTIONS

Res. 222-2007 (511-07) Mr. Petrea

A resolution of recognition to **Ray Petrea** for his efforts and leadership in promoting diabetes awareness and control. (Sponsored by Mayor Cervenik and entire Council)

Res. 223-2007 (519-07) Howard Drake, Jr.

A resolution recognizing **Howard Drake, Jr.** for setting **the new all-time all-purpose yards record** in football at Euclid High School. (Sponsored by Mayor Cervenik and entire Council)

Councilman Lisy moved for passage, Councilman Delaney seconded.

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

COMMITTEE OF THE WHOLE

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

Mr. Christopher Litwinowicz – 21970 Morris Ave. Last week we had an election for the Mayor and it was known that my name was off the ballot.

President Gudenas – The election was two weeks ago.

Mr. Litwinowicz – Thirty-five, you're laughing but this is not a funny matter, you're about to go to zero votes. 3505.03, do you have this in front of you? This is the Ohio Revised Code, our City Charter, do you have that? Can you tell me what Article VII says Section 1? It is a general welfare question for the city because we do have an election for our council.

3501.01 of the Ohio Revised Code. If you read in there it describes a definition of a candidate, H. Candidate means any qualified person certified in accordance with the provisions of the Revised Code for placement on an official ballot of the primary, general or special election to be held in this State, or any qualified assent to such representation by another to represent him to be a write-in candidate or who knowingly has sent such a representation by another as a primary or general or special election to be held in that State. That states that I'm a candidate.

This has nothing to do with the city. This actually proves the City, Department of Justice, was the Judge made a wrong decision. 3599.32. Failure of an election official to enforce the law. Ain't that enforcing the law? Ohio Revised Code. Isn't that enforcing the law? It states all candidates will be on the ballot. What are we going to do in March? What are we going to do in January? What are we going to do right now for people that want to run for office, council?

I didn't come here to bicker, but it is just not fair. If I walked down the street and asked somebody for a quarter, I'm going to Euclid City Jail for panhandling. That's in the Ohio Revised Code. But how can Board of Elections and you can call them and they could just allow this to happen. I don't want to sit here and go to Judge LeBarron court now. Forty-eight precincts, that's just the absentee ballot. \$15,000 each precinct. Not the whole situation but each precinct. Now I've got to sit here for 96 court day and go to Judge LeBarron and figure this all out because the Board of Election already made their decision six months ago when I filled out my paper.

Back to the general welfare of the city that is. Priority two, Euclid Square Mall. If I do become the Mayor or if I become a certified candidate after everybody gets disqualified with their votes, meaning the two candidates that were certified have zero and I have whatever I have, 28, 18, 56, 3,718. All I suggest is that the Council, when you guys run, if you guys win, and you guys have your parties on the night of the election, don't come out until the Board of Elections says who is the winner. Don't go hit the papers and put misprints because it is all unofficial right now.

I wasted four minutes on the election, which I wasted six months of my time, but I didn't waste six months of my time because now I've got more respect. I'm still going to be right here. I'm still going to ask you about at-will employment. What's up with the Mall? I guess we figured that one out, I just go to Judge LeBarron and get a settlement and then get my money and buy the Mall. Since Senator Yuko doesn't want to sit down with our Council and our Mayor but already represents them and doesn't want to give us an economic development plan which was in his newsletter.

Governor Strickland was here in Euclid. Representative Yuko was here, but why wasn't my name on the ballot? Learning experience. Not suing nobody but the next person that comes up to this podium that wants to run, I can't stop them from suing the City of Euclid. I'm here for time for change. I still will be time for change. I just talked to Barry Sweet and I can't get an attorney. I need \$10,000 to represent.

President Gudenas – Thank you very much.

Mr. Litwinowicz – Thank you.

Ms. Karen Murray – 1520 E. 195. Congratulations on your re-election Mayor Cervenik. Council President Ed Gudenas, I admire your courage and tenacity. My question remains the same, are there any plans on the back-burner for the area of Euclid 193 to 204 Street, beautification or perhaps any programs at the southeast police mini-station. PAL is doing a wonderful job but I guess I consider basketball as an activity, not a program. When I say program I mean life skills, perhaps GED, computer classes, something pertaining to that, life skills, something that the children can take with them. Those are my questions, thanks.

President Gudenas – Anyone who would like to address that?

Chief Repicky – There are activities at the southwest mini-station now. Computers we tried to do but the kids are better than we are at it, unfortunately. As far as life skills and other things, we've tried those programs and they've had little or no response. We're looking at other programming for 2008 to be more effective for the neighborhood.

Mayor Cervenik – If it hasn't started, I've met with some representatives as well as Pastor Maiden from Providence Baptist Church and it is my understanding that they're going to be putting together some lifestyle and life skill programs with the Central students, many of them are in that area as well.

Councilman Gruber – Tonight I believe they have, it is not a life skill but it is an enjoyable evening. They had pizza and a movie and we just approved over \$2 million for 204 and Dille. Those are two improvement projects on the way.

Mr. Mike Maggio – 731 E. 250 St. I'm just here because it is Thanksgiving and I figure this will be a good time to thank everybody in front of me for the hard work they've put in representing my city this year. I know it was a real difficult thing. You may not hear it enough, so thank you very much to everybody.

I also want to thank Hank Gulich for helping our Homeowner's Association take care of some things earlier this year. He was pretty quick and responsive to our needs. I want to thank Kathy Will for the hard work that she put in to promote the Pond and Garden Tour that we did this year, I appreciate it and I don't forget that kind of stuff.

Thanks for everyone at our golf course for providing me a great course to play golf and as a resident and as a golfer, I find this course to be an enjoyable asset to my community. I can't tell you how I look forward in my busy schedule to put four hours aside each week to play in a weekly golf league. I think everybody from the laborers on the course to the people in the clubhouse created an enjoyable time for me. The greens were always in great shape and even though I didn't find the fairways to always be to my liking, there were some rounds that I didn't find the fairways at all. That's a golf joke.

I had a great time as my team won a Mayor's outing. I had a great time as my team won the Chamber of Commerce outing. I almost won my week championship this year, but my partner played like crap. Where's the camera? I hope he's watching. So thank you for giving me a great place to get away from the real world.

Just to kind of summarize once again, to give thanks. I appreciate everyone's efforts this year. Thank you. Thanks to the golf course, my ex-partner played like crap.

President Gudenas – I think that's played like heck.

Mr. Maggio – Right, right. Happy Thanksgiving. Thank you.

Mr. George Riggan – 18901 Renwood Ave. Congratulations Mayor. My big bugaboo is you had a communication from Time Warner Cable, their rates went up. AT&T was supposed to help stabilize the rates. You voted to bring AT&T in, their cable company is in. I don't even know anybody who has AT&T cable. But they were supposed to help stabilize. Is this Council protest or even the administration, do they protest these rate increases? Since AT&T, you let AT&T come in, the rates have gone up from Time Warner at least three times. You never hear any complaints from anyone about, just basic cable we're paying over \$50 now. Nobody is doing a thing about it. Then the State got involved in it, AT&T got in with you guys before the State got involved so they're in good. But where is AT&T? Are they help stabilizing our rates? Cable is getting so dang expensive now, that people can't afford it. Thank you.

President Gudenas – I believe this cable issue, the State of Ohio has pre-empted all the local governments with all the rules, franchise fees. The Federal government long ago took away any rate setting. We had that option back in the 80's early 90's where we did fight the cable systems, but those laws were changed. Local governments no longer have any say and we can protest all we want and that will be like yelling out at the lake about it.

Mayor Cervenik – We are provided calculations on their rate changes, based upon their overhead and their cost. I know organizations like the Municipal League and that evaluate those as we do. AT&T is on the eastern end of the city right now. I did talk to some people the other day at the community center that they do have AT&T, they like it, but they can't get the local channels yet. I think they need about 750 customers and then they will get the local channel. They are moving, they are making calls. That in the long run should be able to help, but in the short run the rates are still going up.

Ms. Pearlitha Taylor – 1495 E. 193. Congratulation Mayor Cervenik on your re-election. Congratulation President of Council Ed Gudenas for a great job you have done. I have seen a big change in the two years that this Council has been in in the whole four years. I would like to thank you for that and I would like to thank you for fighting for the people rights by fighting the law suit. I believe that everyone should stand up for their right.

I also want to thank Councilman Conway for voting against the daycare because Euclid Ave. has enough daycare. We need business. We need a grocery store. Something like Giant Eagle and Get Go. This is something we need in this city. No more daycare. No more, we have too many.

Also another question, I have a lot written down of questions that I want to ask. But I may have to cut to chase because I only have a few minutes. Seems like when I get up here the clock goes fast. Number one, I want to ask a question I asked once before. Where does the money from Weed & Seed, what budget is it placed in? You don't have to answer it now, but I would like to know.

I will also like to have Council at-large since you still have your jobs into March. I would like for someone to look into that. I feel it should really be checked out because over the past couple of years we have had two children drown. Both of these kids that drowned was African-American kids. Okay, I have a problem with that. I feel that every child should know how to swim before going to high school. The weed & seed money, when I was on the program, I asked to many questions, they said I bad mouthed to much, so they asked me to leave. It seems like it is a big secret, so I feel someone should look into their budget because basketball and going fishing and all this stuff is not really helping out kids. Teach these kids how to swim. Bring more swimming pool in the Black neighborhood. I noticed when the child drowned at Willo Arms, that pool was closed. But when the child drowned at the High School, what happened? We have a problem here at the city and administration, you need to address it because it has happened twice and it can't happen again.

My next question and Weed & Seed get money and something need to be done. Okay, my next question is, all of these people that's being hired are asking to new positions or refill positions. Are these positions going to be filled by some of the residents in Euclid? Or have you already picked people to go in these positions? Will these position be posted? That's another question.

To the Chief of Police, you article in the Sun Journal, it really disappointed me. You made a statement, you don't have time to look into the problem with the robbery of a Councilman home because an Officer died. What about the young man that got killed? His family was up here begging trying to find this killer that's still loose on the street. I was very disappointed. Sure you lost an officer, everyone is grieving, but this family is grieving too and we still have a killer a loose. This should be addressed.

Also another thing that I have to ask and I want to thank Councilman Langman also. I noticed in your ward, homes are being torn down and I really appreciate that. I think that's a good thing.

Another thing I want to mention, before the election in March for the Council seat, please no more mud slinging. What happened this last election was just totally disgraceful. The people that put out all the bad publicity did not only hurt that person that they were trying to attack, but it also hurt the city. It's going to take a long time for this city to heal. If you want a position or you want somebody out that bad, please, do not throw mud like that, put it in the paper, on TV, I think that is really disgusting and it make me afraid and I see why people won't come to Council meetings and speak because they feel that retaliation will come on them. If you did it to one person, you'll do it to all. Thank you and Happy Thanksgiving.

Mr. Vic Leanza – 25651 Edgecliff Dr., right next to Tom Cooke. I'm up here to speak about the YMCA here in Euclid. I happened to be acting Chair of the YMCA Board here. I have a life history with the Y, my wife and I built our home on the lake here and moved down 9 years ago and became active in some community activities and of course we joined the Y because up in Cleveland Heights, I had been on that Board for 15 years and we had been members for 40. And we lost that Y over the objections of the Board and the community because of some skullduggery downtown at the Y Association headquarters.

So, I want to talk to you about the Euclid Y. It is a wonderful organization. It is a community resource and we cannot lose it. Failure is not an option for this Y. The day after the election I called Mayor Cervenik to congratulate him and when he got back from his few days off, he returned my call and we talked about the Euclid Y and he assured us he was going to be supporting us as we try to, I don't know if the word rescue is in order, but keep this Y, improve this Y and eventually build a new Y with city partnership. That's been in the offing for several years.

My wife and I held a reception at our home in June to try to build some support for the Y. We got about 30 people, of which, seven of these nine councilmen came. That was a great show of support from Council. I know that on April 4th, there'll be some new faces here, I hope not to many, and we'll move forward with the Y and other things that this city has. As a Doctor of Psychology, I have great faith in the resilience of human potential. Things aren't always easy, and you don't always have power, but you always have influence.

So, this is going to be a series. You'll see me and some other members of the Board come up here to talk about this rich resource. The Motto of the Y is, Body, Mind, Spirit. It is not just a health club like Bally's, it is a community resource. If you know the history of the Y, it developed after the Civil War, after 600,000 Americans were killed on both sides, that left a lot of fatherless boys running around the street, and that's how you got Young Men Christian Association. It is no longer closed to anybody. It is open to children, adolescents, adults, seniors and people with special needs. It is one of our truly integrated and diverse organizations. So, congratulations Mayor, you'll be seeing a lot of us. We have an acting Director, Michelle White. So if you want to be on a Y committee, or you want to serve on a Y Board, incidentally I was successful in conducting Councilman Gruber to serve on our facilities committee, that's not an easy thing to do.

So, if you want to know more about the Y, Ms. Cahill, here are the numbers. 731-7454, that's the Y. 731-7454, Michelle White is our current Euclid Exec. My phone numbers are: office, 289-7676; home 289-7575. Thank you all and have a Blessed Thanksgiving.

Mr. Greg Miller – 564 Babbitt. I guess I should start by saying both congratulations Mr. Mayor and thank you for your service. Likewise, thank you Mr. Chairman for your service. The community has truly been blessed by the talents of both of you. I think there have been those times of friction across the last couple of years. There's been an awful lot of fruitfulness as well through the sharing of those talents and the blending and the harmony of those talents across the last couple of years and I thank you, thank you for your perseverance, for your service for the community.

I thought that tonight would be an especially appropriate night to add a reflection on the blending of Thanksgiving, this being the week of Thanksgiving and the theme that we've dealt with in recent meetings and that is the theme of public invocations. Sadly tonight the public invocation speaker again was not able to make it. We confirmed that he was serving at the hospital, praise God for his service there. But, with regard to the origins of the feast of Thanksgiving, it think it is especially telling that we can enter into Thanksgiving week and for many of us, not give much thought to the religious roots of the feast of Thanksgiving as we observe it in our nation's history.

The reason I say it is especially telling is because so also are other rights that are so rooted in religious history, here in our nation can easily be forgotten in terms of those religious foundations and they can be thought to simply stand apart from those roots, apart from that foundation.

This evening in the minutes remaining, I would just like to read to you very quickly the Proclamation of President George Washington on the first feast of Thanksgiving. This was a Proclamation and a Feast established by the Congress three days after the Congress passed the Bill of Rights which included of course, the First Amendment with the establishment clause. So, President Washington gave this proclamation.

WHEREAS it is the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His

protection and favor; And whereas both Houses have, by their joint committee, requested me and then he quotes Congress "to recommend to the people of the United States, a DAY of PUBLIC THANKSGIVING and PRAYER, to be observed by acknowledging with grateful hearts the many and signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a form of government for their safety and happiness;"

NOW THEREFORE, Washington continues, I do recommend and assign THURSDAY, the TWENTY-SIXTH DAY of NOVEMBER next, to be devoted by the people of these States, to the service of that great and glorious Being, who is the beneficent Author of all the good that was, that is, or that will be; That we may then all unite in rendering unto Him our sincere and humble thanks for His kind care and protection of the people of this country previous to their becoming a nation; for the signal and manifold mercies, and the favorable interpositions of His Providence in the course and conclusion of the late war; for the great degree of tranquility, union and plenty which we have since enjoyed; for the peaceable and rational manner in which we have been enabled to establish Constitutions of Government for our safety and happiness, and particularly the national one now lately instituted; for the civil and religious Liberty with which we are blessed, and the means we have of acquiring and diffusing useful knowledge; and in general, for all the great and various favors which He hath been pleased to confer upon us. AND ALSO, That we may then unite in most humbly offering our prayers and supplications to the great Lord and Ruler of Nations, and beseech Him to pardon our national and other transgressions; to enable us all, whether in public or private stations, to perform our several and relative duties properly and punctually; to render our national government a blessing to all the people, by constantly being a government of wise, just and constitutional laws, discreetly and faithfully executed and obeyed; to protect and guide all sovereigns and nations (especially such as have shown kindness unto us); and to bless them with good government, peace and concord; to promote the knowledge and practice of true religion and virtue, and the increase of science among them and us; and, generally ...

President Gudenas – How long did President Washington go on?

Mr. Miller – I'm sorry.

President Gudenas – I hate to cut off the President.

Mr. Miller – He's now concluding. and, generally, to grant unto all mankind such a degree of temporary prosperity as He alone knows to be best.

GIVEN under my hand, at the city of New York, the third day of October, in the year of our Lord, one thousand seven hundred and eighty-nine. /s/ George Washington

Mrs. Madeline Scarniench – 1511 E. 221. Congratulations Mayor on your re-election and to you Council President Gudenas, congratulations to you on all the years of service and I hope you will be like me and don't go away because you still have a lot of good things going on. So, stay in touch, stay with us, so we know that you are still alive and well and kicking.

Question on #11, 12 & 13, and maybe it is just a typo, it says in the legislation that it is Issue 1 and you kept saying Issue 2. I know that was changed but because they voted on the way it is done now, is that okay?

Director Gulich – We're okay.

Mrs. Scarniench – The other thing I guess and unfortunately the ladies that asked the question, aren't here any more, so I'm still going to address them. Weed and Seed. First of all as far as programming is concerned, there are a lot of programs that go on at the southwest mini-station. Audrey is a fantastic person. Every month she puts out a flyer, a brochure about what's going on all month long. She has had Home Depot come in and work with Dads and Sons on doing small home repairs and when they finish their course, they all walked away with a home repair kit, tool kit. That's the kinds of things that are going on over there.

I believe Mrs. Riha is still doing a sewing class with the girls over there. This is going on the second year of that. And just a week and a half ago, Councilwoman Minarik and I attended a forum that had to do with people who were interested in doing home daycare. It was very enlightening so I'm telling you there's a lot of things going on over there.

As far as Weed & Seed money is concerned, Euclid is a pass-through. The City of Euclid is the fiscal agent. All of the money in Weed & Seed has to go to the government. The DOJ has to know where every penny is and where it is spent and how it is spent. It is very specific on

how much money is supposed to be spent in each area. That has to go to Washington, they have to approve it, it comes back to us. There's a Finance Committee who watches every penny. If there's changes that have to be made, it goes to the Steering Committee. Nothing is ever done without everybody knowing and understanding it.

It goes to the Police Dept., because they are the fiscal agent and they take care of it. I have personally invited Councilman Conway, he has attended meetings. I have personally invited our former Council Ward One Kirsten Holzheimer Gail, she has attended many meetings. Councilman Gruber attends almost all meetings. Just last week Councilwoman Minarik attended our orientation. She learned all about what we are doing and what our plans are. In one more year, there will be no more Weed & Seed money. We have to come up with a way to continue the programs that we have and these are good programs because you can look at what we've done and how the crime has gone down in our city and it is a wonderful program and I hope everybody gets on board. I did send an e-mail and I had a problem with my computer, but I tried to e-mail everybody to invite them to the orientation and the only one I heard from was Councilwoman Minarik. So, any questions, the government is the one who can give the answers. They're the ones who we're accountable to. We spend the money that's fronted by the city. Then once its done, the city gets reimbursed. There is no line item for that, it's just the way it works. Believe me, the federal government is not going to let you spend money where it doesn't need to be spent or allow you to mismanage the funds and I'm really tired of hearing that's what we do because that is not what we do. Thank you.

Mr. Joseph Udovic – 21371 Naumann. I know it has been ages since I've addressed this Council. First thing I want to talk about this evening is #8, you were talking about getting the word out on portable storage units. I noticed that when I'm talking to a couple of residents that we also have a problem with people putting up garage sale signs still on telephone poles. Maybe we should get a hold of some of the neighborhood associations, eventually we're going to have eight wards, means maybe more ward council people will be able to spread the word out in their neighborhood of what the new ordinances are, especially with this one.

Number 15, we gave thanks for residents for going out there and participating in a census count of 2000. Please let us not forget all the census workers. I was one of them and I was even a supervisor. I cannot tell you how much time I spent double checking, triple checking data. Not only in the City of Euclid but the City of Cleveland and other communities, so all factual information was presented. I can't even tell you how many times I've gone to the same people's homes to double check, triple check and quadruple check someone else's work. So the census workers did a lot of work to making sure the numbers were very accurate in each and every community that we participated in Cuyahoga County.

Yes, Mr. Mayor, I would like to congratulate you on your election. You are the winner. But I also have some concerns myself. Council President Gudenas, I want to say thank you very much for allowing me to have a small part in your efforts to try to become the Mayor. But I am very concerned about also some of the dirty politics that was occurring. I think we should have kept the literature and everything more above board on your side, Mr. Mayor.

President Gudenas – Now we're getting off the subject.

Mr. Udovic – All I'm saying is we should have dealt with issues only. The City of Euclid is in the precipitous of change. I think the residents should have voted on what the issues were, not on who's doing what or who can we trust and who we cannot trust. I do have to go to work so thank you very much, have a good evening, God Bless.

Mrs. Dawn Knez – 1884 Braeburn Park Dr. An avid viewer of these meetings, I welcome the opportunity to participate, thank you. There will always be something to complain about, to express concern about or a pressing problem to address. But I too tonight come here with gratitude to convey. In fact my four year old son and I today visited the fire station and we wanted to drop off a thank you note to you Chief Cosgriff for the service that you provide and your department provide to the community.

An alarming carbon monoxide detector a few days ago woke us in our home and I called emergency services and the dispatcher to the crew, the service was excellent, professional, just what you'd expect and I thank you. They were able to find the location of the gas, the deadly gas I might add, that was present in our home. We didn't require evacuation, they were able to vent and give us some advisement. So I guess this is my public service announcement as well for everyone this time of the year when people are cooped up in their homes, to please if you don't have a carbon monoxide detector, please get one. If you do have one, please check it and make

sure it is functioning properly because it can readily save your life. When I think about what might have happened, I makes me shudder. Please, heed the call.

Next I wanted to convey gratitude to the East Beverly Hills Neighborhood Association. I've been fortunate to oversee this group for the past two years and work with a variety of great individuals that are concerned, pro-active, invested in the betterment of their neighborhood and the community at large. So, I wanted to thank all of them and really appreciate their efforts and their time in meeting each month.

Thanks to Kristal Skovira in the community policing department for her efforts in getting the association started. Thanks for the Weed & Seed program. Thanks to Councilman Gruber for his advocacy. Thanks to Pastor Bode for opening the doors of Bethlehem Lutheran Church and allowing our group to meet there on a monthly basis.

Thanks to Councilman Langman who was once on-call for Councilman Gruber. Little did he know several months ago that the one phone call and a series of e-mails afterward in addressing a single problem for our community, outside of his ward, would yield several phone calls and exchanges thereafter. I appreciate that support in Councilman Gruber's absence. Your continued support is tremendous and your willingness to see beyond Ward boundaries and to see how a problem in one neighborhood could be a challenge in another, and affect the entire city, is admirable.

Thanks to Councilman Conway. Councilman Langman suggested that you contact our association. Your support has been tremendous as well. We appreciate you coming and participating and thank you.

There have actually been many municipal leaders over the past two years that have come to speak and address our group and provide a lot of information, too many in fact to identify right now. But, most recently I think of Director Gulich and Director Will. Director Will was very helpful in removing damaged trees from the Beverly Hills area. Director Gulich, street lamps that are out, sewer problems, you name it, when we call, you respond promptly and professionally and we appreciate that.

The responsibility for our community well being is a shared one and I look forward to continued progress in the areas of public safety and communication and cooperation. Those are two areas that we all know Mayor Cervenik is striving to improve with the assistance of his colleagues. I, again, look forward to those improvements and I do have questions, I do have concerns, and you know I'll speak my mind, but now is not the time. I just wanted to wish everyone a Happy Thanksgiving and thank you for all your efforts.

Ms. Susie Restifo – 1974 E. 228 St. I usually watch from my chair, but I felt compelled to come down here tonight and first congratulate Mayor Cervenik in hopes that the next few years are a little less rocky than the last few years. I've lived in Euclid since I was 15 and I own a home and my mother, I own a home with her also here. Before I do get to the good part, I just have a couple of comments to make. With all due respect to anybody I'm talking about or directed to, it is just meant in the spirit that we're all in one city working for the same thing, hopefully.

I just have to say that after watching and watching and watching for years these meetings on television, in the last year or so a couple of times I've turned it off in anger because some of the things I hear just don't seem to get anybody anywhere. For example, arguing, or not really arguing but there was an article in the Sun Journal about where the Mayor spends his Sunday afternoon. As a reading teacher, I also go to the parish where Mayor Cervenik was talking to the Boy Scouts. In the article it said that he was supposed to have been maybe one place and he was somewhere else. That to me just says and I could be idealistic, but in my mind politics is united we stand, divided we fall. Whether Mayor Cervenik wants to go to the Church and support the Boy Scouts or go to a dinner elsewhere if he calls his superior and has it checked it, whether he wants to watch television on Sunday afternoon, watch football, I don't really think it is something that we need to read about in the paper, but I can't control that.

All I hope is that the bickering and the wasting of time that I've seen going on sometimes here stops, or at least subsides to some point. I wanted to thank also the Police Dept. and I've had occasion to have to contact the Police Dept. about 5-7 times since last July. I've had nothing but helpful and professional service from our policemen. My mother has called, I've called from everything from break-ins to helping us get somebody out of my mother's garage who wouldn't leave, and they've been nothing more than professional. Also one time my daughter was afraid in our neighborhood and there was a policewoman that spoke to me on the phone as Gracie's mom, telling me what to tell my daughter so that she wasn't afraid. That to me is an excellent police department. I feel safe. I tell people about the Are You Okay program for our seniors and people in other cities have no idea what I'm talking about and I do because it makes my job

easier as a daughter to know that somebody's checking on my mom and that's what we do here in Euclid. So thank you very much for all that you do.

Other than that, I just want to thank Mayor Cervenik also for writing my daughter a personal letter about Petpals. That's to me what a Mayor should do and be around for our community and be visible. I think you really care about our community and I appreciate that. Thank you and Happy Thanksgiving.

President Gudenas – We have two minutes before the tape changes. We'll need to take a break. Let's just stay right here, don't go anywhere. Two minute break just to change the tape, don't go anywhere. We're back.

Ms. Rose M. Allen – 26241 Lake Shore Blvd. Yes, I'm back and I did bring an update. I've mentioned before some ideas for bringing some business to Euclid and I'm not going to give up. I believe this city has to move forward or it will die. Let me just take a moment right now and say congratulations to Mayor Cervenik on his re-election and thank you to a Council that has served. The one thing that I think we all know is that change is coming. Right now I think things are still pretty much undecided as to what's going to happen, who is going to be serving on Council, but the one thing that we still have to focus on is what is good for this city.

I brought an update and if someone could distribute these to the Council persons. It is an update on what I've mentioned before, Prime Outlets, because somebody did ask me previously how is it that the City of Euclid or the residents of Euclid would be able to support such a business. One thing that is important, this does not rely on the citizens of Euclid to support this type of business or retail. This relies on people coming from other cities, other communities, driving to Euclid to shop. Currently there are 140 shops. Prime Outlets in Grove City get 5 million visitors per year. I don't know if my math is exactly perfect, but if everyone of those 5 million visitors spend only \$1, that's \$5 million coming into one business. If we multiply that by ten, we're looking at \$50 million. I think it is easy to assume that anybody shopping might spend \$100 if they are going to drive an hour and a half to two hours to go shop and then we're looking at \$500 million which is a half billion dollars. I think it is something that we need to look at. I'm not saying that it has to be done or that it can be done, but I think it is something that we need to look at because what else might happen as a result of having such an operation in Euclid is there maybe people who decide to come to shop in Euclid and see what we have here and find out that this is such a great city, they might want to move here. That would present a problem because we would have to build this business. If people decide they want to move here, we would probably have a problem that we're going to need to build new homes to house these people that might want to move here. Then of course we're going to have a problem of having to hire people to build those houses. So we can have a lot of problems develop for Euclid out of this, because it would mean that things would start moving and we could start to see this city turn around. Because I think we have maybe a five year window of opportunity to make Euclid into what it can be or let it fall into what some people might want to see it become. I'm not willing to sit back and let that happen. I will keep coming up with ideas and presenting until somebody does something. Because to sit and stagnate and do nothing for the city is certainly not going to get us any place.

In thinking about some of the other things that affect Euclid. We can have probably the best community on the lake because I've mentioned before the wars of the future that will be fought in this country will not be over oil, but over water. If you take a look now at what is happening in Atlanta, GA people are having real issues over a lack of water. What we have out there is, the Great Lakes make up 20% of the world's fresh water. If we've got one of the Great Lakes that we're sitting on, that means that we have a good portion, one-fifth of that 20% available to us. I think Euclid needs to become pro-active right now and decide how we're going to manage such a great asset before somebody else steps up and starts making decisions for us and then we have to be re-active. Because water is something and living on a lake is something a lot of people would absolutely love. Maybe we need to get some ambassadors to get out there and sell Euclid to other communities and other places that are hurting for what we have right here in this great City of Euclid. On that I'll stop and say thank you.

Mrs. Kirsten Holzheimer Gail – 55 E. 202. I came tonight to give a brief update on the Adopt-a-Spot program, but before I do that, I just want to earlier tonight I was at Forest Park School where they were having an honors assembly. I was very pleased, 33% of the whole school, 6th, 7th & 8th grade, received honors of some type, which I think is great. 71% of all the kids were referral free for the first quarter so they're going to be having a program for them as well. But I thought that was a great sign that the kids are working hard, the teachers and the administrators

are really pushing the schools forward and I thought that was a good sign of the success there so I thought people would like to know that.

But if you remember in May we passed the Adopt-A-Spot program and I just received another request about it so I thought it was timely to come and let Council know kind of what happened with that and where we are going. We, thanks to the help of Paul Dietrich, Kathy Will, Dean Grida and the Law Dept. who helped approve all the forms, we had seven initial sites. For those, just a quick reminder, Adopt-a-Spot is residents, businesses, community groups, neighborhood groups, religious organizations, taken on a spot themselves. It can be a planter, it can be a garden, it can be a sign, Welcome to Euclid sign. They adopt-a-spot which means they plant, they take care of weeding, mulching and generally take care of it. We were pleased, we had a little bit of a later start than we thought and got going mid-summer so we didn't see as much as we had hoped, but now's the time maybe if there's still time to plant bulbs or at least to get ready for the next spring planting, get your ideas together, so I will be in touch with the neighborhood association that requested information. Anyone else who would like information can contact either myself or Paul Dietrich who are working as the volunteer coordinators and you can get our numbers through Kathy Will or the Parks Dept. We look forward to beautifying the city. The goals are really to help beautify the city but also to get volunteer involvement and really help the community buy into, this is our community, we all need to be a part. Thank you.

President Gudenas – So you're here to get the spots out. Anyone else?

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

COUNCILMEN'S COMMENTS

Councilwoman Mancuso – First of all I would like to know, each of my colleagues did receive the correspondence from our Treasurer of State about some legislation they would like us to support. Director Frey do we have any intention of putting this on as a Resolution for us at the next meeting?

Director Frey – I'm not sure I've seen.

Councilwoman Mancuso – It is about the foreclosure prevention.

Director Frey- I'll get it and draft it up for the next meeting.

Councilwoman Mancuso – That would be wonderful. I'd also like to get an update from Chief Cosgriff on our emergency planning and where we are on that, it has been awhile.

Chief Cosgriff – We are still working on it. I have a number of departments that have submitted their pieces of the puzzle to me. I'm in the process of gathering all the information together and putting it in a binder. One of the things that has held it up significantly is some of the changes that have been made from the fire service aspect over the last few months. I think you're aware that we used to function under the Mavis plan, upon exhausting all the five levels of our Mavis alarm, we then escalated it to an I-Mavis system. The Ohio Fire Chiefs have decided that that plan really wasn't working as well as they had liked it to work, so they devised a State plan. So we now have an Ohio Emergency Response Plan that has been used I think 11 times over the last year throughout the State, most recently it was held in Mentor when they had the train derailment. They found the plan is working significantly better than the I-Mavis which was in place prior to that. It allows for three different response levels based on time limits. So we have to incorporate that plan into our plan because anything significant would have to follow that plan.

Also, I think we're significantly better off than we were months ago. We've been going through our incident command training. Our command staff has been trained to, all our firefighters have been trained to the 100-200 and 700 level. The command staff has been trained to the 800, 300 and 400 level and it doesn't go in a logical progression, I'm not sure why. The highest level right now that we're required to be is at the 400 level. As you know also Council approved the hazard training that we have begun that will allow us, that's an agreement that we made with the Heights Area Team, which also has, they've been working in conjunction with the Hillcrest Area Team. So, we've been sending our members to that training. We're getting training in rope rescue and trench rescue.

I had a meeting this afternoon with some of the Heights Chiefs. We're working on a plan for a secondary hazmat response. Right now we have Cleveland Fire as our Hazmat initial response. This secondary plan would call for the southeast Chagrin Hazmat team to be our second level of Hazmat.

We are moving towards it. I don't have a finalized plan, but that's pretty much the status of where we are right now.

Councilwoman Mancuso – Do we have a timeline for when we think, we'll never be totally finished, but something that we can actually roll out to the community because they have been waiting.

Chief Cosgriff – I'm hoping within the next few months that we can get it all together in a binder and put something on the Council floor to approve of it.

Councilwoman Mancuso – That would be great because I think the community is looking for it. With that, I will just wish everybody a very happy and safe Thanksgiving.

Councilwoman Walsh – I kind of missed the Fire Chief's warning about the deep frying the turkey, in which the Walsh family will be deep frying a turkey. It will be on 236 Street about 2:00 on Thursday just in case.

Not to be outdone by mini-station number 4, the mini-station that's in three or whatever three is now, will be having a Neighbor's Together Meeting tomorrow night at 7:00 PM. I just want to say that this past week I was really honored to work on something, a homeless stand down for Veterans and we really need to get out there and thank these servicemen. When people who have served and fought for our freedom have to come to a rec center and they haven't had the opportunity to take a shower in three days because they are homeless and they are thrilled that 26 beautiful barbers from Paul Mitchell are going to cut and design their hair. It was just like the TV show. They took this man that looked like Santa Claus and he came out of there looking very handsome. These are the people who fought for our freedom and 65 % of them do not have proper hospitalization. They went into the showers, they were all given new underwear, they were given toiletries, they were given blankets and these were all American Legion, Volunteers of America and of course the Salvation Army. The gentleman that came up and talked about his non-profit, if he gave those words about the non-profit that I work for, they were beautiful. We do need to support the Y. Non-profits are the backbone and we take a lot of hits because the donations are really down.

Tonight we collected almost 7,000 coats for Coats for Kids and we gave away 3,000 turkeys. I was saddened to hear that many of my friends at the radio station were laid off today. Lay offs are with us and we struggle with these things. We have much to be thankful for in this city. I have much to be thankful for because I have a privilege of working two of the most wonderful jobs in the world. I try to handle both of those jobs where the people are what matters, not me or anything else. If you misjudge that sincerity, that's all I can tell you. I'm just there for the people, that's it.

With that, everybody have a Happy Turkey Day and deep frying 2:00 Thursday, we'll try not to put the thing to close to the garage. God Bless.

President Gudenas – Mayor Cervenik, I would like to congratulate you on your big win. I certainly wish you the very best and your administration and the Chiefs, I certainly will cooperate as we finish up our term. I can remember we both started 18 years ago in these Chambers way back in 1989 and I'm sure you'll do a great job. We have a notice here, I don't know if most residents know, but the Swearing In Ceremony will be a week from today, Monday, November 26th at 6:30 right here in the Council Chambers. I'll be here, of course, not in the spot I was planning to, but I will certainly be here to give you off to a good start.

Mayor Cervenik – I'd be honored to have you.

President Gudenas – Thank you. I would also like to wish all Euclid residents a very Happy Thanksgiving.

Councilman Conway – I just need to step back and address a comment that a resident made earlier. Though the resident I think was trying to be very nice by stating that she appreciated the fact that I voted no on a day care this evening, I can already see the Plain Dealer headline tomorrow, Conway votes no on daycare. But what I need to clarify is that I supported the

daycare this evening and I did vote yes. My no vote was to the earlier I guess amendment to waive the second and third reading on that daycare. So obviously a big difference and then I voted in favor of the daycare when it came time for the roll call on that particular piece of legislation.

To explain my no vote a little bit so people are clear is fundamentally I have a belief and I've always stated this in my capacity that I encourage public involvement in really all matters that impact, all future decisions that we need to make here for the city. Fundamentally I'm not a believer in waiving all of the readings. I will typically waive a third reading, if we wanted to go ahead and vote on something at the second reading time, but I'm very unlikely to waive all the readings unless there is an urgency placed upon the fact that procedurally we make that move. So I did want to go ahead and clarify that. I did not vote for the daycare. When projects come up, I will always look at them individually, make sure the projects that we need to vote on or are in the best fit and need of that particular piece that we are looking upon. I would say looking forward to address the resident's comment that we don't need more daycares, I think what we need to do a better job is looking how each project that comes in front of us fits a bigger picture. I think far too often we make some piecemeal decisions and maybe we regret them looking back, but I would like to think that we'll be a little bit more proactive looking big picture going forward. I know maybe not everybody will hear these comments and initially thought that I voted on the daycare, but I did not, I do support the daycare going in. Hopefully that clears it up.

The second question I have, this one is directed to Director Frey and we don't necessarily need the answer tonight, but there are some Charter Amendments that potentially I would like to sponsor for the March 4th ballot. Is it possible for you to provide the timelines that we would need to meet in order to have a Charter Amendment that is sponsored by City Council placed on the March 4th ballot? If you don't have it tonight it is something we can talk about at a later date.

Director Frey – There's a schedule published by the Board of Elections and I'll have to get that out. I'm not sure, but I think that it is 60 days.

President Gudenas – January 4th.

Director Frey – I think so yes.

Councilman Conway – So it would follow the same deadlines that a candidate would have?

Director Frey – I believe so for a Charter Amendment, I will look at that schedule.

Councilman Conway – Thank you very much if you could let me know and then perhaps I'll ask your assistance on probably at least two things to be considered by the voters in March. Director Gulich, I would like to echo some comments made by a resident this evening and thank you for your quick responsiveness in some of the issues impacting East Beverly Hills Homeowner Association. I certainly hope that your responsiveness is something that all the Directors is valuable and it becomes contagious as we continue to work through some issues. There continues to be a few issues that will rely on the Mayor and the Law Director regarding the East Beverly Hills Association that we look forward to getting some responses on and work through some of the issues that have been brought forward. But for now I would like to thank Director Gulich for his responsiveness. With that, I will wish everybody a very Happy and Safe Thanksgiving. Thank you.

Councilman Delaney – I'll be very brief. I'd just like to wish a Happy Birthday to six year old resident Grace Delaney. I would like to wish everybody a very, very nice and restful Happy Thanksgiving.

Mayor Cervenik – Before you introduce Councilman Gruber, I would like to, on behalf of all of you, because you know it is his birthday tomorrow, Councilman Gruber's. So we just want to wish him a very Happy Birthday.

President Gudenas – Councilman Gruber will be celebrating the anniversary of 29.

Councilman Gruber – I was going to wear my birthday suit tonight, but I figured I better not. Anyway, with that, I'd also like a clarification on the daycare. That was an adult daycare and it is moving into the former job services building that had been long vacant. The adult daycare will provide services for working families who are taking care of their senior parents or other

relatives, with Alzheimer's and other types of needs and disabilities where they can't really be left home alone and they can't afford to have people come in. So it fills a void that is a really growing market in the City of Euclid and it will provide local jobs in that neighborhood. It is a good fit with that.

The other issue I would just like to talk about tonight is the PAL program and what goes on at the mini-station. There's a wonderful reference guide that comes out with the Weed & Seed information. This was just out in November and here are some of the programs. I know they were touched on by Madeline Scarniench. But there's of course, Talk with Your Councilman, that's always very important. That will be on the 26th from 6:00-8:00. Home Based Day Care is that For You, Mentoring Programs, the Euclid Police Dept. through a partnership with the Berea Children's Home with the help and guidance of an adult mentor, each child can discover how to unlock and achieve his or her potential. Pre-employment workshops, they hold those for folks in the neighborhood. Fred's Club tutoring. Fun with Sewing. Also they have 12 step recovery programs that meet there and a real nice variety of things. So if anybody would like this, they'll send it to your house, you can sign up for it. You can call 216-289-2733 or 289-2933 and just ask for the brochure and they'll put you on the mailing list and I think they can get you via e-mail as well. With that I would like to thank everybody who came out and voted. It wasn't a very pleasant day, but for everyone that did, thank you. We hope to see you again in March. Happy Thanksgiving to everyone and have a good evening. Thank you.

President Gudenas – I forgot, Director Gulich, there's also a deadline coming up to sign up for the summer sprinkling program where your sewer rates are frozen. Is that deadline coming up soon?

Director Gulich – End of the year.

President Gudenas – End of December?

Director Gulich – Yes.

President Gudenas – If anyone is interested, what number do they call on that one?

Director Gulich – 289-8346.

President Gudenas – That's where if you do a lot of watering of your lawns and the like in the summertime with all the water that we have out here in Lake Erie, that your sewer rate will not increase, it will take your average over the rest of the year. You'll pay for the water but not the sewer because you're not using the sewer. Deadline is at the end of December.

Councilwoman Minarik – I don't need that, the reason is and I was going to wait until spring, but I have a diverter system off my garage. So I don't need to sign up for this. You get a good 30 gallon barrel from Home Depot and I've got three of them attached to the front of my gutter on the garage in the back and when I get a half inch of rain, I collect 200 gallons of water and it lasts me usually until the next rain. Something to think about. I was going to talk more about that later. Two hundred gallons off a half-inch of rain, it is an incredible, incredible system and it is green.

Regarding the cable issue, you're not really paying basic. There's a cheaper basic than what you're paying. Time Warner, you can get channels 1 through I believe 25, for \$7 a month. There is a \$15 installation set up fee. But if you call Time Warner so that if you dish or whatever, and you just want to get the Indians and the Council meetings, you can get all these stations for \$7 a month. You call the regular number, you tell them you want basic, basic, not the \$50 basic, the \$7 a month basic. I don't have that number with me right now.

In terms of Thanksgiving, I think we should all be very, very thankful that this country was founded on the moral premise that people derive their rights from God and not from government and we have no kings. This is a government by the people, for the people and we enforce it and we can have property and we have liberty and it is just an amazing country and I actually picked up a turkey today because I took a coat down there. Had to find some parents that had children so I could get a coat. But, I've got to say, until you see someone who is worse off than you, you don't realize how much you've got. Sometimes I sit and I think, I want so much more than I have, then I meet someone who has less than I have and I am so thankful for what I have. We need to be thankful and that's what this is all about this week. Thankful for our form of government. Thankful for the troops that keep us safe. Thank you for the police and the

fire who keep us safe. Thank you for the government officials, unless they legislate to much, okay, but we need to be even thankful for government holidays, because that's when the government shuts down and we can all get a break from the government. So there's lots to be thankful for. With that, good night.

President Gudenas – Incidentally the basic cable is going up from \$5.35 to \$6.35. If you lived in Richmond Heights, you'd be only paying \$5.50. You get about .80 savings, who knows why.

Councilman Langman – Director Gulich, Dominion has been working around 271 Street and other areas around the second ward. Can you give us an update on their progress and when they might be finished?

Director Gulich – We've corresponded quite a bit over the last few weeks and I do apologize for not bringing that up at the beginning of the meeting, I neglected to do so. But, the new main is installed on E. 271 St. south of Lake Shore Blvd. The gas company is in the process of switching over the homes from the old main to the new main. So right now the old main is still in service as well. So there's still a source of water infiltration because that's the problem with the old main. As soon as everyone switched over to the new main, the old main will be taken out of service. That source of water will then be eliminated. I did talk with the gas company again today. They're still outlying affects anywhere from Wells down to over by 260th. They are going to continue to work on that. They believe they've gotten rid of the major source of infiltration going back to when there was a large water main break back there at the end of the summer. Even when they are done on 271st, they will continue efforts working throughout the neighborhood. There were a couple of crews working second shift even tonight in that area. They are aware of the problem. They are not going to stop just with 271st. The need is to eliminate the sources of water infiltration. How does water get into a gas line, it is simple. The older mains do develop leaks and that's the source of infiltration. They will remain vigilant in those efforts.

Councilman Langman – We'll keep them on the hope through springtime as they hopefully restore all the tree lawns that they've dug up?

Director Gulich – They've got plenty of restoration to do indeed, yes.

Councilman Langman – With that I would like to wish everyone a very Happy Thanksgiving. I would like to thank the resident who got up and spoke and said those kinds about my colleagues and myself. Makes the job worthwhile when you get a compliment every once and awhile. With that, again, Happy Thanksgiving to everybody and we will see you in December.

Councilman Lisy – On the same lines as the gas line infiltration with water, water is coming in, there must be some type of breach in the gas line. Is there a safety hazard with gas coming out of those same lines?

Director Gulich – The psi is something that is less than a pound. It is only a matter of ounces per square foot. So, we would encourage anybody that does notice a gas odor to call the gas company immediately. But, again, as far as a safety problem, normally the gas is in such low concentrations it dissipates rapidly, it doesn't pose a fire hazard or a health hazard. Again, if you do notice a gas odor, it is infused with the rotten egg smell, please do not hesitate to notify the gas company.

Councilman Lisy – I've noticed that they're repairing the sound walls along 90 and I'm glad they're doing so. I'm surprised the walls only lasted 6-7 years. The amount of repairs that they are working on is quite extensive in some of the sections. Plus the weather that they're doing it under, is there any concern with the repairs not adhering or taking and how are we checking that?

Director Gulich – In my last conversation with ODOT, I expressed that same concern with the weather and they felt that there would be enough time with above freezing weather to complete those repairs. They need to put a sealant on after those repairs are done and that was their main concern because that's a pretty temperature process. They want to make sure they're doing that when it is going to give the most bang for the buck.

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Councilman Lisy – A public service announcement. I want to also thank all the volunteers throughout the city. There was a request from the Sports Plant regarding volunteer coaches, assistant managers, score keepers, secretaries or anybody willing to help for 8-15 year old girls softball league. If you are interested in coaching or playing, please contact Stacey at the Euclid Sports Plant or the Euclid Recreation Dept. for additional information. With that I'd like to thank all the volunteers and everybody have a Happy Thanksgiving.

ADJOURNMENT

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

Attest:

Clerk of Council

President of Council