

COUNCIL MINUTES
MONDAY, MARCH 16, 2009

The regular Council Meeting was held on Monday, March 16, 2009 at 7:00 PM in the Euclid Municipal Center Council Chamber. Council President Holzheimer Gail presided.

Members Present: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

All Present.

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

Invocation was given by Sr. Phyllis Ann of Our Lady of Lourdes Shrine.

Council Minutes

Councilman Gruber moved to accept the Council Minutes of March 2, 2009. Councilwoman Jones seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik, Police Chief Repicky and Sgt. Andy Veres recognized Euclid Police auxiliaries for 25 years of service: Mary Lou Jost, Jeff Zimmer, Walter Keene, Raymond Klancar. Mr. Steve Haydk was presented with Resolution 42-2009, in recognition of his 50 years of service to the Auxiliary Unit.

Mayor Cervenik and Chamber President Dave Carlsen presented Proclamations to Chamber of Commerce businesses: Sam Foti Sr. and Anthony Foti for being awarded the Large Business of the Year, Hose Master; Small Business of the Year, Chefs for Hire, James Foreman and John Zivko; Organization of the Year, Euclid Public Library, Donna Perdzock Director and Jerry McPherson Board President; Business Person of the Year Peter Goumas from Babcock & Wilcox (formerly Marine Mechanical); Lifetime Achievement Award Recipient Joe Mayer. Bluestone Awards : Mike Manning of Villa Beach Communications; Cuyahoga Community College and Brett Jones and Keigh Spahr; Powdermet Brian Doud; Euclid Schools Business Manager Kenneth Clickenger.

Mayor Cervenik and Director Will recognized parents, coaches and players of the Euclid Youth Hockey Association.

Director Will – This Saturday, March 21st and Saturday, April 4, Annual Spring Registration for spring and summer programs: softball, soccer, tennis. Registration at City Hall, from 9:00-12.

Euclid Orchestra will have Annual Spring Concert on Sunday March 22 at 3 PM. The Indoor Farmer Market at the Shore Cultural Centre, 2nd and 4th Saturday of the month from 9:00 AM until 2:00 PM. For information call 289-8107.

Our Third Annual Spring Fling at Sims Park on Saturday, April 18th from 10 AM until 3 PM. Home Depot will be there to do demonstrations. We'll have areas for kids, they can build a bird house, step stool, there are a lot of different events they have for the children. We have some of our local landscapers that will be there that will help you out and get your area ready. Dick Goddard will be there and also a Crazy Hat Contest. You can bring you leashed dog that day from 10:00 AM until 3 PM.

Friday, May 15 through Saturday, May 16 the City of Euclid at the Euclid High School will be sponsoring the Relay for Life Event. If anybody needs information, contact Jennifer at 289-2700 Ext. 3934 for updates.

Director Gulich – April is Recycle your Computer Month. The whole month of April we will have our drop off site set up at the Municipal Service Garage on Lakeland Blvd. If you have any no longer loved or used computer items at your house, you're welcome to drop them off, it is open 24/7. In cooperation with Cuyahoga County Solid Waste District and RET3, these will be recycled. Many of them will be rebuilt and returned to use in a public school system.

March 28th, 10 AM a Rain Barrel Workshop at North Street Historical Museum. You can attend the workshop, rain barrels will be available for purchase. Prices start at about \$60 for a complete kit. Please attend and find out how you can make rain barrels work for you.

April 18th, first community Shred Day, I tried to time that right after April 15th tax day, so all those records you've been saving methodically over these years, if you want to get rid of them, take them right behind City Hall from 9-12. They will be shred on site and you can watch it being done.

Bring your boxes, the people from Iron Mountain who we are doing this in cooperation with, will actually remove the boxes from your trunk for you, dump them in the portable shredder and return the boxes to you, so you can go back home and filling them up again.

The last date for curbside recycling will be March 31st. Options for recycling will continue to be all the ABITIBI containers throughout the City of Euclid. Petpals you can bring your aluminum cans. Also aluminum cans may be brought to our Fire Stations and those are available 24/7. You can use any ABITIBI container throughout the city and the Mayor and I are still continuing to work on other options for drop off recycling and may or may not have additional information on that.

Mayor Cervenik – Not at the moment but hopefully soon I will. I would like to wish you all, a day ahead of time, I see some of you are wearing green over there, Happy St. Patrick's Day. The Irish Lords have shined upon the Irish again because it seems like tomorrow is going to be one of the first days we've broken 60 degrees. The Irish American Club begins their day with Mass at St. William's at 10:00, all are invited. All I ask is that you enjoy the day and celebrate responsibly and I'm sure everyone will. That ends Reports & Communications.

President Holzheimer Gail – I just wanted to acknowledge, the room was filled with many police officer and police auxiliary as well as former Police Chief David Maine and our municipal Judge, Hon. Debbie LeBarron. I did want to acknowledge their presence here and I think that's a fine testament for the level of respect that the auxiliary has among our officers and court. I did want to acknowledge that and make sure we take the opportunity for those of you who might be interested in serving on the auxiliary, call the Police Station at 731-1234 and ask for Mary Lou Jost. Always want to take the opportunity to recruit volunteers. They're a wonderful organization and we certainly appreciate all that they do.

REPORTS & COMMITTEE MINUTES

Councilman Gruber moved to accept the Humane Officer's Report of January and February, 2009; Monthly Finance Report through February 28, 2009; Executive & Finance Committee Minutes from February 25, 2009; Community Assets and Building Committee Min. of February 25, 2009; Board of Control Minutes of 2/23/09 and 3/2/09. Councilwoman Jones seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

President Holzheimer Gail – Before we do that, I have a couple of announcements. #2, the automated traffic enforcement system will be a first reading. We received a book today that the Chief wanted us to make sure we had a chance to read before we acted on this ordinance. We also would like to have a companion piece put together that would require Council action on any contract that would come forward. Item #2 on the automated traffic enforcement will be a first reading.

#5, #6, #7 which we tabled at the last meeting are changes to the Building & Housing Code. There was a companion piece that was sent to the Planning & Zoning Committee and they are still working on that. We will consider 5, 6 & 7, Second Readings and discuss that when the Planning & Zoning item returns.

#21, 22, 23 which are amendments to our Housing inspection process will be referred to the Housing & Building Standard Committee for full discussion. #24 which is the JJR lakefront development planning process will be referred to the City Growth, Planning & Development Committee. You are of course still able to make comments, but we will not be voting on those this evening.

Mr. Jeffrey Beck – 25540 Chatworth. I want to speak to #2, that came up a couple of weeks ago and also spoke against the red light cameras and I just want to re-emphasize my comments tonight. There are a number of reasons why I'm against these red light cameras and I've only got 5 minutes, so I'll just highlight a few of them.

One is guilty until proven innocent. Another one is you cannot face your accuser. Both of these are cornerstones of our judicial system. These cameras are operated by a for profit company. Therefore, are these cameras calibrated for speed or for profit. If this is enacted within the city, it will affect mostly Euclid residents. Therefore in effect could be the largest tax increase in the history of this city, which in election year is not a good thing.

It also will drive people away from this city. Where there's a red light camera happens to be in a business district, people may avoid that business because they don't want to possibly get caught, whether it is speeding or not. Again, we don't know how those cameras are calibrated.

If safety is really the issue and it is not just revenue enhancement, then again, figure a way to ticket those kids walking down the middle of the street and that is where your cameras should be faced. Thank you.

Ms. Regina Hauck – 116 E. 197 St. I also want to speak about #2 on the Agenda. I also spoke about it two weeks ago and at that point I gave you some statistics about the City of Cleveland and how accidents did not go down after they put the cameras in. I'm not going to go over that again. We've been told that this is being done because there has been an increase in accidents in the city and it has nothing to do with money. At your committee meeting, a couple intersections were mentioned as points where they would put cameras and two of those would be E. 200 and Lake Shore and Lloyd Road and Lake Shore. So I asked the Chief, as I'm sure all of you did, what the accident statistics were at those intersections. For the last six months of 2008 at E. 200 and Lake Shore, there were two accidents, no fatalities. At Lloyd Road and Lake Shore, there was one accident, no fatalities. Where's the increase in accidents that we need cameras?

Based on these statistics that I was given, I tend to think this has to be a revenue issue and not a safety issue. If it really is a safety issue, more accidents are caused by other things than just speeding. What about people who drive too slow? That's not being addressed with these cameras, that's a huge safety issue. What about the multitude of people in this city that don't know how to use the turn lane? That's a major accident. My favorite, what about the people that are driving drunk? More accidents are caused by drunk drivers than by people that are speeding.

This is more a revenue enhancement and it is Big Brother watching us. If you really are in favor of Big Brother watching us, I would like to ask for volunteers on this Council to put cameras in your cars. How about after the Council meeting when you go to the bar? How many people would want cameras in your car? How about tomorrow for St. Patrick's Day, how many of you would want a camera in your car? That's what you're doing by putting cameras up, you're watching every single resident in the city and I don't think any of you would volunteer to put a camera in your car.

Also at the Committee meeting it came out that in order for this to happen, there needs to be two police officers that would be reviewing the tapes and one police officer that would be in the mobile car. That's three police officers that would no longer be patrolling the streets. That would be a good move.

Finally at the last meeting I told you some statistics and I was very upset at the Committee meeting when the Council President asked the salesman to give research, to gather research and give it to Council. You don't ask a salesperson to give you research. That's like me going on E. 200 Street and going to Hyundai and buying a new car and taking that car off the lot and going over to Honda and having that salesman convince me that I need to buy a new car. Salesmen are out for themselves, they are not out for the good of the city. It's your job to do your own research, get your own statistics, make the right decision.

Finally you're called public servants for a reason. You are supposed to be serving the people that are paying your salary. That is every resident in the city. I know you all respect the Chief, that is no reason to vote for this legislation because you respect somebody. You need to respect the people that you are here to serve. Thank you.

Mr. David Gilliam – 20240 Kathy Drive. I'm here to talk about #2 as well. The previous council meeting I gave several reasons why I'm against it. As I respect the administration and also Council making a very difficult decision, I just want to point out a couple of things. A traffic camera will get a picture of a drunk driver speeding, but won't stop the drunk driver.

A traffic camera will get a picture of someone who violates by turning on a red light or speeding, but if that person has six points, they don't get any additional points for that ticket. As a matter of fact, the way the process works is, if you do not respond it goes to a higher fee and then it is sent to a collection's agency and then it goes on your credit report. So how does it remove bad drivers? If I have six points and going well above the speed limit, I'm still able to drive. You know what stops bad drivers? Police officers do when they pull them over and they report these particular offenses to the DMV. Thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane. I'm here to discuss #2, but a lot of other things as well. First I have a question for the chief. You have mentioned on numerous occasions and at that meeting that there were 11 fatalities on I-90 in the last 3 years and that you said that was way too many. My question is, how many of those accidents were drug, alcohol or weather related?

Chief Repicky – There wasn't 11 accidents on the freeway, fatalities, there was 8.

Mr. Goodman – How many of those were drug, alcohol or weather?

Chief Repicky – I didn't review them all but probably 2-3 were, very few were weather related. Most of them were speed and reckless operation.

Mr. Goodman – Again as others have stated, was that reckless operation because they were drunk, or because they were high on drugs? So I'm also very much against this. I also will refer citizens to this past week's Sun Journal Editorial which equally comes out very much against this by Mary Jane of the Editorial staff. Is that I agree that this is nothing more than a revenue maker. If this is to stop Amber Alert, I'm all for it. If this is to stop people from going through a red light, I'm all for it. If this is for stopping people that are failing to stop at a stop sign, I'm all for it. But if this is to catch somebody going 26 miles an hour in a 25 zone, I'm absolutely against it. Because all you're going to do is a couple of things. You're going to drive the remaining people of Euclid out of it. And you're going to stop people from even thinking of coming into it. We've heard testimony before, I've listened it, people don't go down Chester Ave. any more. Gee whiz, I hope I don't own a business down Chester Ave., because no one is going to come by me because they're afraid. If this is for absolute safety and it has nothing to do with speed, go forth. Also, the thing that was pointed out here about a salesman, which I'm one, they are going to give to us at no cost, state of the art items at no cost. And they're even going to give us a free car, fully loaded and you don't think they're doing that because they're going to make money? I don't know anybody that gives you something for free not expecting something back. So, I think this would be a grave mistake, especially in an election year, but I think this would be a grave mistake and an abomination to the citizens of Euclid.

The other things and I really these are capital budget items. I realize that's a different budget. When you take all the cars, all the trucks, the vac, the tractor, Euclid is right now proposing tonight to spend nearly \$700,000 in all these vehicles. I'm not saying there's not one of them that's not necessary. I am saying, why do they all have to be 2009, aren't there any deals on 2008? I realize maybe the police cars aren't involved in that, but I don't know, maybe there's 2008. Why aren't we fixing our trucks? Why in an economy that they are saying is going unfortunately nothing but down, that they're looking at 2.5 million foreclosures this year and we're certainly a part of that. How in God's name can we just spend for brand new vehicles? Why don't we fix some? There's got to be something in our fleet that actually will work if we fix it. So, I am asking this Council to be extremely frugal and just not say yes. You've already spent an awful lot of money on vehicles to date and I'm not saying again, none of these are necessarily, but I can't believe that there isn't an F250 truck that isn't a 2009 that we could get a 2008 or 2007 that we can get a heck of a deal on, it is a truck, not a police car.

The last is #20, which I'm amazed no one wants to talk about. I find it insulting that we are now tonight going to talk about spending \$385,000 to repair the roof of City Hall when we haven't paid one nickel to fix the roof at Shore or any other building, or to spend the money for any other building. I want to know why this building and I realize it maybe leaking, but you've already spent over \$100,000 on new carpeting. What is so precious about here that no other place in Euclid has the same respect? Thank you.

LEGISLATION

Res. 43-2009 (267-09) Firefighters Contract

A resolution authorizing the Mayor of the City of Euclid to execute an Agreement by and between the City of Euclid and the Euclid Professional Fire Fighters Association, Local No. 337 of the International Association of Fire Fighters, as exclusive bargaining agent for all Euclid Fire Fighters. (Sponsored by Mayor Cervenik)

Councilman Gruber moved for passage, Councilwoman Scarniench seconded.

Director Frey – In the past week the city was able to receive a ratification vote by the firefighters union on the proposed agreement. Attached to the legislation is a summary of those changes. You also received a copy of the 2006/2008 collective bargaining agreement for reference.

Significant in this agreement between the Firefighters Union and the City is a 2% wage reduction for the hours worked commencing March 1, 2009 through December 31, 2009 with that decrease restored effective January 1, 2010 and a 2.5% increase on January 1, 2011. Once overtime, an issue that has always plagued the city in its safety services in overtime. In the agreement in 2009 overtime after reaching a total of \$70,000 the balance of that overtime will be placed in a compensatory bank that will have to be either used for time off or converted into pay in subsequent years.

There is also a new Comp Bank 2 where the overtime associated with working holidays and any overtime associated with continuing education hours will be placed into that Comp Bank 2. That can only result in time off. There are no payments associated with that comp time.

Next significantly in this agreement is the limits on compensatory pay outs on an annual basis and those limits are detailed in the attachment. That should manage the comp pay outs that would occur from the fact that we've pushed overtime into compensatory time. That cap will allow us to predict our expenses in the future years with fair certainty.

Longevity we will change the longevity so that members of the fire service who have prior service with other communities and that is most of the fire fighters that have come on board, will not be eligible for longevity until they've actually worked with the City of Euclid for a minimum of five years.

As you probably are aware, the city picks up 5% of the firefighter's pension contribution of the Police and Fire Pension Fund. With this agreement any new hires to the Fire Dept., the city will pick up only 2.5% of that pension for their careers with the city.

Finally we have some other modifications to the tuition reimbursement program where we've put an annual cap in the agreement. Again, part of that is our effort to have predictability in our expenses and finally we've removed from the agreement the wellness plan pick up of \$15,000. We have included, it will not be contract language, but we have included in your summary the discussion of lay off or no lay offs in this year and the ensuing years of this agreement. You can see they are tied to achieving certain cash balances in the general fund.

That is the net of the contract changes that were again ratified by the Fire Union in a vote last week and we're asking City Council to approve those changes so that we can go ahead and draft the final contract for signature. Significantly and to the Mayor's point, in all his prior conversations with City Council, this will avoid any lay offs in the fire service in 2009. I'll be glad to answer questions.

Mayor Cervenik – As the Law Director stated that the no lay offs is not included in contract language. But it is tied into for instance the 2009 cash balance of \$2.7. That's what we have budgeted, we expect at the end of this year and we budgeted this year, to have a general fund balance of \$2.7. Assuming that 2010 gets a little better, we figure we're probably still going to need another half million dollars out of the cash fund for 2010. We said there will be no lay offs in '11 if we finish the year 2010 with \$2.2 million. I think it is a very reasonable agreement. If those numbers aren't achieved and I certainly hope that they are achieved at that point, if we can find no other savings, we may have to look again at reductions. But I firmly believe from our first two months and some other changes in our budget that we will be able to get through this next three years without layoffs because of the cooperation between Local 337 and the Administration.

I know sometimes negotiations might have seemed contentious to those that were not in it, but I can tell you that the firefighters conducted themselves in a very professional and in a manner consistent with sincerely caring about the safety of our residents, as well as the safety of themselves, and that's an important part that we forget sometimes, that proper manning not only protects the residents, but it protects those that are protecting our residents.

I would strongly recommend that this contract be ratified or voted on to the affirmative by Council tonight. During budget hearings we had talked about a \$330,000 goal in reductions. We are about as close as you can get to \$330,000 and I'm very satisfied with this contract. I want to thank you again for all your support during this time.

Chief Cosgriff – I know that I'm going to sound like a broken record, but at a previous council meeting I went on record as stating that the City of Euclid should not operate with less than a 16 man minimum. I cautioned that was not just my opinion, but also the opinion of the National Fire Protection Association, specifically NFPA 1710.

I also stated that the irony of all this was that although I am the Chief, I really did not have a say in the matter, but that Council, the Mayor and Local 337 did. I urged all three groups to work together to get this contract settled. I know that Local 337 agrees that 16 is the absolute minimum and were willing to make contract concessions to maintain that number, which is not an easy decision in these tough economic times.

The Mayor also believes this, as evidenced by his vow to lock the door and not let anyone leave until the contract was settled. I was not present at the meeting between the two groups which is probably a good thing. So I would like to take this opportunity to publicly thank both sides for working a cooperative, professional manner.

So to City Council, now it is your turn. I cannot urge you strongly enough to pass this Resolution and allow all of us to doing the job that we love to do. Thank you for your support.

President Holzheimer Gail – On behalf of Council I do want to thank you Mayor and Director Frey, the Executive Committee and members of Local 337 for working together and coming up with an agreement that I think met both of our requirements to keep the minimum manning, but also provide some reductions in the Fire Budget. I'm happy with that and I really appreciate the great effort that everyone went to and the commitment to making the Fire Dept. the best that it can be in this difficult time. We appreciate everyone's efforts. Any questions from Council?

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

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, Langman, Van Ho, Holzheimer Gail.

Abstain: O'Neill, Wojtila

Passed.

Ord. (243a-09) Red Light Cameras – 1st Reading

An ordinance amending the Traffic Code of the City of Euclid to add Chapter 349, "Automated Traffic Enforcement System." Chapter 349 will provide for the implementation of automated traffic photographic systems for the enforcement of traffic code provisions relating to red light traffic control signals and speed limits. (Sponsored by Councilman Gruber by request of Police Chief) (Recommended for passage by Safety Committee)

Councilman Gruber moved for passage, Councilman O'Neill seconded.

President Holzheimer Gail – As I said earlier, we will consider this a First Reading, so that Council members can have a chance to read this guide to automated traffic enforcement. The Chief has also indicated he has a video he would like for us to watch and is able to send through e-mail. Chief did you have any comments?

Chief Repicky – I know this is a cumbersome book, but it is 80 pages and it focuses on automated traffic safety applications that are present in the country, not only in Ohio but throughout the United States. Unfortunately the west coast is always ahead of the east coast. I just want you to read this with an open mind and also the video I send to you just to see what we're trying to do as a Police Dept. to lower fatalities in our city.

Councilman Langman – Chief, would it be possible to put those videos on ECTV so the average resident could take a look, or are they too technical for that?

Chief Repicky – I think it is too technical for me but I can look into it.

Councilman Langman – As much information that we can get out to residents the better.

Chief Repicky – I'll look at getting both those on.

Councilwoman Minarik – Can I ask a question about the legislation?

President Holzheimer Gail – Sure.

Councilwoman Minarik – In Part B, where it is defining what an electronic system is. The very last sentence, it says, beside the speed, it says, and any other data or information produced by the automated traffic enforcement system. My concern for this is that we're going to be capturing information about residents that has nothing to do with speed or red lights and that to me is a real invasion of privacy. Because it is any other data or information, can that be defined a little bit, can you explain that Director Frey?

Director Frey – The electronic, the automated traffic cameras will capture the rear shot of the vehicle, including the license plate. Cases in the United States are replete with the holding that there is no expectation of privacy in a person's license plate. So that an officer or in this case an automated system is able to capture that. I know the Chief had talked about at some point the ability to monitor license plates for stolen vehicles, for reported vehicles involved in criminal activity as they pass through intersections as part of the fixed camera system. But that really is a secondary or an ancillary part of this, maybe very important, but it is an ancillary part of this.

The ordinance that is in front of you would just codify the ability to issue the civil citations in the case of either a speeding or a traffic signal infraction. The only data that's being picked up, is the license plate information. Obviously a person with some experience can identify the make of the vehicle that's involved, because it is a photograph of the back of the car. Then from the license plate would be the information from the Bureau of Motor Vehicles. That's it.

President Holzheimer Gail – We will consider this a First Reading and feel free to continue to ask questions between now and April 6th. As I indicated earlier, I would also like to have a companion piece put together that would require council authorization for any contract if we move forward for either the mobile cameras or other cameras. We will look for both of those at the next meeting.

First Reading.

Res. 44-2009 (249-09) Keep Americans Employed

A resolution that the City of Euclid, Ohio will work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and help keep Americans employed. (Sponsored by Mayor Cervenik)

Councilman Van Ho moved for passage, Councilman Langman seconded.

Mayor Cervenik – In the spirit of the American Reinvestment Act which really was created to keep Americans employed and get Americans back on the payroll and to improve our infrastructure and other needs of our communities, I felt this was important to ask Council to vote on this and to let the people know that we will do in every instance possible use American products and Americans on employment. I did fail to ask if Council wanted their name added onto it. I apologize for that.

This is not exclusionism as some people felt that the American Reinvestment Act was. It is just that we would prefer to get Americans that are no longer working, back on the payroll. I would love to see everyone's name added as well.

Councilman Langman – Mayor, why are we only sending this to the Steelworkers; aren't there other organizations we can send it to also?

Mayor Cervenik – The Steelworkers are the ones that requested this. If you would like us to send it to the Building Trades, that's fine as well. We shall do that.

President Holzheimer Gail – AFL-CIO as well. Would Council like to be added as sponsors? I think that would be appropriate.

Councilman Wojtila – Just Director Frey, the Section 1, the fund should be plural.

Mayor Cervenik – Boy, he is really something, isn't he. We'll change that as well.

President Holzheimer Gail – That's a typo so we don't need to amend it, correct?

Councilman Van Ho – I would also like to see this sent to all of State representatives and our Federal representatives, so that they know people back home are watching.

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

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. 45-2009 (259-09) Bids Dille & E. 204

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the Dille Road and East 204th Street Improvements in the City of Euclid (OPWC Project No. CA 22K/CA 23K). (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilwoman Scarniench seconded.

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Director Gulich – The streets we're talking about, Dille Rd., E. 204 and Roseland, comprise some of the oldest infrastructure in our city. It shouldn't surprise you when I tell you that these sewers are leaking badly, these waterlines are very aged. The leakage of the sewers is having an adverse affect on the water quality of Euclid Creek and that shows up at the Lake Erie shores too.

Fortunately we've been able to secure quite a bit of additional funding from Issue 1. We've got a grant in the amount of \$475,000, a 0% loan in the amount of \$950,000. Something that I failed to mention in my e-mail from last week is that after the fact we were able to convince the Cleveland Water Dept. to join in. They're going to pay \$185 a lineal foot. I don't have the total, but they've agreed to pay for that out of their infrastructure funding. We'll have that available for a total project cost of \$2,375,000. Bids are in my office right now and we expect we'll be underway in about 60 days.

Councilman Gruber – Amen, thank you.

Councilman Van Ho – Will this have prevailing wage?

Director Gulich – Absolutely.

Councilman Wojtila – Director Gulich, thank you for the e-mail that clarified a lot of the items. The difference between the grant monies, the 0% loan and the City of Cleveland Water Dept., who is contributing which you just told us, where does that difference then come from? Is that part of the capital budget?

Director Gulich – Yes.

Councilman Wojtila – And that's in the budget?

Director Gulich – Yes. Director Johnson will make sure we've got the money.

Councilwoman Jones – I just have to make one comment regarding the streets and I understand the conditions of the infrastructure, but is the Water Dept. doing the actual work on this project?

Director Gulich – No, we will be doing the work under contract through the City of Euclid. The Cleveland Water Dept. will reimburse us after the fact for our actual cost.

Councilwoman Jones – My question was, and I was asking if the Water Dept. was doing the work because I know I've talked with you and the Mayor plenty of times about the street conditions in the Tungsten area. Looking at these streets visibly and looking at the condition of the streets in the Tungsten area, there's surface damage on the Tungsten area streets. I was just wondering if the Water Dept. was doing the work, how does priority get set as far as which projects get handled first.

Director Gulich – The priority was set on E. 204 due to the number of breaks and the age of the infrastructure. Also the c-factor, what we call the flowability of the water through the main, the old cast iron mains, got a lot of junk on the inside of them for lack of a better term and it greatly reduces the fire flows there.

Councilwoman Jones – That went like right up here with all the terminology. I understand the concept you're saying, I just wanted to get my feelings out about the condition of the streets in the Tungsten area in general.

Director Gulich – I know we're talking about this job in particular, but Friday afternoon the final plans for the 2008 priority of the Cleveland Water Dept. is getting done in 2009, came into my office so we should be out. One of those roads is Brush Road, so we should be out for bids, I should say the Water Dept. will be out for bids in a matter of weeks. I'll say more about that later.

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

Councilwoman Minarik moved to suspend the rules, Councilman O'Neill seconded. Yeas: Unanimous.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. (237-09) 2nd Reading

An ordinance amending the Building and Housing Code of the Codified Ordinances of the City of Euclid to add Section 1755.25 "Maintenance of Exterior Drives, Parking, Auto Maneuvering Areas, Walks and Patios setting forth standards to be used in the inspections, construction, and repair of driveways and other paved areas. (Sponsored by Councilman Van Ho by request of CS&ED Director) (Tabled 3/2/09)

Councilman Van Ho moved for passage, Councilman Langman seconded.

President Holzheimer Gail – As I said at the beginning of the meeting, this item and the next two at the request of Mr. Beno will be considered a second reading. The item that went with them that was referred to Planning & Zoning is still in Planning & Zoning and they had some additional revisions that they were interested in making. We will wait for that piece to come back and consider all four together.

Second Reading.

Ord. (239-09) 2nd Reading

An ordinance repealing Sections 1733.05 and 1733.06 of the Building and Housing Code for the City of Euclid to move the City's foundation, grading, and drainage standards under newly enacted Sections 1749.06 and 1749.07. (Sponsored by Councilman Van Ho by request of CS&ED Director) (Tabled 3/2/09)

Councilman Van Ho moved for passage, Councilman Wojtila seconded.

President Holzheimer Gail – Again this will be a Second Reading.

Ord. 240-09) 2nd Reading

An ordinance amending the Building and Housing Code of the Codified Ordinances of the City of Euclid to add Section 1749.08 "Minimum Standards for Installation of Drives, Parking, Auto Maneuvering, Walks, Patios and Dumpster Screening Areas setting forth standards to be used in the installation of driveways and other paved areas outside of the public rights-of-way. (Sponsored by Councilman Van Ho by request of CS&ED Director)

Councilman Van Ho moved for passage, Councilman O'Neill seconded.

2nd Reading.

Ord. 46-2009 (251-09) Bids-Cracksealing & Pavement

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the labor and materials necessary for the Cracksealing and Pavement Rejuvenation for the year 2009 in an amount not to exceed Ninety Thousand Dollars (\$90,000.00). (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilwoman Minarik seconded.

Director Gulich – Recently we just passed the 2009 Capital Budget, included these two very important pavement maintenance measures, cracksealing and pavement rejuvenation, probably the best bang we can get for the buck of extending our pavement life, see that we do get a 15 year life out of our streets we resurface. I look forward to going out for bids on this in the next couple of weeks and our final bid documents will have the streets that we'll be doing and I'll be glad to share it with Council at that time so you'll know where we'll be at in your neighborhoods.

President Holzheimer Gail – Would you share with us how those streets are picked based on priority?

Director Gulich – They will be streets that have been recently resurfaced. We'll want to get in there, any reflective cracking that might be taking place, we can get those filled so we can slow down the freeze/thaw damage that occurs to the streets and get in there right away with the rejuvenation as well. That will again bring back the life of the pavement to like new.

Councilwoman Minarik – Director Gulich or Director Johnson, I thought in the 2007 capital budget cracksealing had been approved and then it never happened because it was determined that the money for cracksealing and rejuvenation couldn't come from the capital budget. So now it is coming, could you explain that thanks?

Director Johnson – It is considered a part of the capital budget, but the funding source, we cannot issue debt for that. So last year we used cash from the Streets Construction Fund and this year there is enough residual cash in the General Permanent Improvement Fund. So we do show it as a part of the capital budget presentation but we are using the cash that is already in the fund, we're not issuing debt for.

Councilman Wojtila – When do you think the list will be available of the streets being cracksealed or rejuvenated?

Director Gulich – We're planning on having the resurfacing and curb specs completed this week. We'll probably get going with these specifications the following week. I would guess probably a week from Friday we'll be able to advertise.

President Holzheimer Gail – You will e-mail Council that list at that time?

Director Gulich – Certainly.

Councilman Wojtila moved to close debate, Councilwoman Scarniench seconded. Yeas: Unanimous.

Councilman O'Neill moved to suspend the rules, Councilman Langman seconded. Yeas: Unanimous.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman, Van Ho, Holzheimer Gail.

Passed.

Ord. 47-2009 (252-09) Bids-Curbs & Resurfacing

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the labor and materials necessary for the Curbs and Resurfacing Program for the year 2009. (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilman Van Ho seconded.

Director Gulich – We just passed the 2009 Capital budget. These are direct line items from that budget and I didn't want to waste anytime. I wanted to get going when the weather permits. We have a \$400,000 line up for general streets in the city. We'll have the specs ready at the end of this week and I'll provide that list for Council so they'll know where we're going to be at in your neighborhoods. You'll also have a line item in there to take care of the parking lot behind city hall here to include the entrance road as well and all the three bays and the police area as well, the drive going over to Milton. We first resurfaced that 22 years ago when the building was built. It hasn't been touched since then outside of repairs and cracksealing we've done since then. That will take place this summer and we'll look to either do weekend work, night work, we'll have to organize with the Police Dept. to make sure we don't get in their way as well as work goes on.

Thirdly, we'll also be resurfacing the streets that the Cleveland Water Dept. will do the waterline work on that we just talked about a few minutes ago. The monies for that will come out of the Waterline and Infrastructure Improvement Fund. As we mentioned, we'll be doing Brush Ave. with that. We'll be doing Drakefield, west of E. 250th. We'll be doing Nicholas, east of E. 222 St. We'll be doing Briardale, E. 260 to E. 266. Those will all be done, waterline wise very shortly. As I said the specifications will be out for bid shortly and we'll be able to resurface those as soon as that work is complete. I'll have more information on that when we have a schedule. Right now we're intending on doing Brush first because it is in the most dire need. It is the largest street and we'd like to make sure that's all done before school starts in the fall. I'll have more information on that later as the details become available.

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Councilman Wojtila – The \$400,000 from the capital budget, you said you'll have a list of those streets within a week or so?

Director Gulich – I should have them this Friday for you.

Councilman Wojtila – You gave us the ones for the waterline infrastructure improvement fund. I know this legislation authorizes to advertise for bid, to enter into the contract and to pursue the work or proceed with the work, just a question on the street paving and the parking lot pavement are probably a little bit different. Will you do that separately and advertise for bids separately on the parking lot? Or will you get unit prices for streets and the parking lot?

Director Gulich – We intend on authorizing single contract. Obviously the same type of people that would be doing streets would be doing that type of work as well. I think when we increased the quantities we gain a magnitude of scale to some extent. It is always easier to have one contract rather two or three contracts. Our intention is to award a single contract. Obviously we'll have separate line items dealing with the individualities of the parking lot resurfacing.

Councilman Gruber – On a typical project of this size, how many bids would you expect to get for the parking lot and the streets, let's say the \$400,000 and the parking lot for another \$262,000; how many bids do you think we'll get?

Director Gulich – There's been some consolidation in the asphalt paving industry. There are less players here as people have been bought out. I would think we'd get 4-5 bids though.

Councilman Van Ho – I remember when we passed a project labor agreement legislation that was for buildings. Is there any chance of doing the streets resurfacing with a project labor agreement?

Director Gulich – That was not our intention.

Director Frey – Those will all be prevailing wage jobs. I don't know the firms that are involved in that business whether they are all organized, I suspect they are, but I don't know that for a fact. We specifically limited the project labor agreement to public buildings, just because there's so much more lead time and unique, where doing this type of work, year after year, and as the Director Gulich indicated, there are a few players in that so we're not really engaged in design work, as much as we are, what's the price for square foot or linear foot or however that process is measured. We will ensure that we have prevailing wages, of course, in every one of those jobs. I'm not quite sure, I'm not sure there's a huge benefit to us in going through the process of a project labor agreement. That is not work that typically the building trades get involved with.

Councilman Van Ho – I'm thinking of an avoidance of interruption should there be any labor agreements coming up through this time.

Director Frey – Something to look into but we had not anticipated that for these projects.

Councilman Van Ho – Would you please look into it?

Councilman Wojtila – I would be against a project labor agreement for this. The benefits of a project labor agreement I don't think would apply to this type of project. I for one would not support that.

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

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

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. 48-2009 (253-09) 3 Dodge Avengers

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Charlie's Dodge, P. O. Box 370, Maumee, Ohio 43537, for the purchase of three 2009 Dodge Avengers at a cost of Fourteen Thousand Eight Hundred Seventy-Three and 50/100 Dollars (\$14,873.50) each, for a total of Forty-Four Thousand Six Hundred Twenty and 50/100 Dollars (\$44,620.50). The vehicles are being purchased for the Traffic Maintenance, Public Buildings and Engineering Departments, through the State of Ohio Cooperative Purchasing Program. (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilwoman Scarniench seconded.

Director Gulich – All the items in front of you tonight are part of the 2009 capital budget. A few notes on the vehicles being replaced. For this ordinance we have a 1999 Crown Victoria a former police cruiser with 132,699 miles, sucking up lots of gas with that, V8 engine. The replacement vehicles will all have four cylinder engines. The second vehicle we're replacing is another 1999 Ford Crown Vic, former police cruiser, it has 130,297. The third vehicle replacing also was from the Police Dept., it has had a number of different uses over the years. It is a 1997 Dodge Intrepid with just a little over 100,000 miles on it.

I just want to comment, Supt. Spisak and his people in Motor Maintenance Dept. do one heck of a job keeping these vehicles on the road, keeping them safe, maintaining them, especially with the police cars. Police cars go through a brutal life and they need to be kept safe. These fellows have kept them on the road for 130,000 miles and they deserve to be commended.

Councilman Gruber – I would just like to say, this goes back to #3, the buy American. Your people in Motor Maintenance do do a great job on the vehicles and I invite anybody who has any question on the need of these vehicles to go over to the Service Garage and check out the aging fleet of our vehicles that serves every resident of the City of Euclid. There's no better time in the history of America probably to buy a new car or a new vehicle. I'm sure the people that work at Ford will appreciate this, the people that work at Dodge will appreciate and the people that work in the City of Euclid that use these vehicles would appreciate it for their own safety. I do invite anybody to go over there and look at their vehicles, call up the Service Director Gulich, go over there and you be the judge, you see if you'd work with those vehicles everyday on a day-to-day basis. Remember Buy American, that's the best. Thank you.

Director Gulich – Thank you Councilman Gruber for those words so I didn't have to say them.

Councilwoman Scarniench – I just wanted to make a comment, some years ago Council stopped purchasing new vehicles, they were trying to save capital money. After awhile it became very evident that our fleet were really crashing, they were just coming apart. So I think the council a few years back made a commitment to keep going on on an ongoing basis as to replace these vehicles. We are getting them through a cooperative, the price is right, you can't beat the price, so I'm fully supportive of purchasing these.

President Holzheimer Gail – Director Gulich, there was a question from a resident, have we looked at 2008 models or other? Does the State cooperative provide any vehicles other than current 2009 vehicles? Did Mr. Spisak look at all the options, are you aware?

Director Gulich – I think Council will recall that just at our previous meeting, we finally at last bought our last piece of equipment off the 2008 capital budget. I don't want to be sitting here next March still buying vehicles off this program. They do need to be replaced now. When the State Coop does close out their purchasing times, that means those cars are no longer available. They only make so many of them and then we move onto new. I'm pleased to report that we're getting some pretty dog gone good prices on the 2009 and in some cases lower than the 2008's, because that's the way the market is.

Director Johnson – I just wanted to add, as Director Gulich stated, I believe there weren't any 2008 vehicles that were even available. But more importantly we cannot issue debt and buy used equipment, it has to be new equipment.

President Holzheimer Gail – It seems like we're getting a large amount of vehicles because we have it all one piece. If you look back through the last several years, you want to address that Director Gulich?

Director Gulich – Normally I don't say anything more than necessary, but on Board of control today Councilwoman Minarik was there. We did bring up a purchase to Board of Control because it was under the necessary limits to come to Council. We bought a new leaf picker. It is replacing a vehicle we've had and maintained since 1954.

President Holzheimer Gail – They certainly do a great job, I just want to make sure we're answering all the questions.

Councilman Wojtila – Motor Maintenance Dept., are they involved in the determination of which vehicles need to be replaced?

Director Gulich – Yes, absolutely. My Motor Maintenance Supt. sits down with both Chiefs and all the Superintendents from the various departments, including Parks, Recreation and we go through every piece of equipment, what the needs are and we do try to work out a comprehensive five year plan that makes sense as far as the best bang for our buck for these dollars spent.

Councilman Van Ho – I think also the residents have to look at the fact that sometimes it is not worth patching these vehicles up. The poster child for that has to be the vac-al that we're going to approve or turn down later in this session where we bought it for \$54,000 in 1978 and to date we've put \$181,000 in parts and labor to keep it running. That's a loss. I think our employees should have newer and safer vehicles.

Councilman O'Neill moved to close debate, Councilman Van Ho seconded. Yeas: Unanimous.

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

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. 49-2009 (255-09) 09 Ranger

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Valley Ford, 5715 Canal Road, Cleveland, Ohio 44125, for the purchase of a 2009 Ford Ranger for use in the Building & Housing Department, at a cost of Twelve Thousand Four Hundred Fifty-Five and 50/100 Dollars (\$12,455.50) through the State of Ohio Cooperative Purchasing Program. (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilman Van Ho seconded.

Director Gulich – I would like to thank Councilman Van Ho for bringing up those numbers for the Vac that's later on in this agenda. I could cite similar numbers for the rest of these because believe me we have spent a whole lot of money maintaining these vehicles and it has all been necessary to keep them safe and keep them functioning. This particular vehicle we're talking about is replacing another old police cruiser, 1999 Ford Crown Victoria and it has only got 145,198 miles on it. We'll be replacing it with an economical 4 cylinder vehicle from the State Coop.

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

Councilman O'Neill moved to suspend the rules, Councilman Wojtila seconded. Yeas: Unanimous.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. 50-2009 (256-09) Various Vehicles

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Valley Ford, 5715 Canal Road, Cleveland, Ohio 44125 for the purchase of the following vehicles: 2009 Ford F250 Pickup with Plow, for use in the Public Buildings Department, at a cost of \$26,160.50; 2009 E350 Van for conversion to a Wheel Chair Van, for use in Senior Programs, at a cost of \$21,577.00; 2009 Ford F250 Utility Body Plow Truck, for use in the Traffic Maintenance Department, at a cost of \$29,259.50. (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilman Van Ho seconded.

Director Gulich – The first vehicle, the ¾ ton pick up truck with plow for Public Buildings is actually replacing an old police cruiser, 1996 Ford Crown Vic. This 13 year old vehicle has a little over 108,000 miles on it. The whole idea here is replacing the car with the ¾ ton pick up with plow so we can push snow with it when it becomes time. Something we can't do with an old Crown Victoria.

Senior Programs wheelchair van. I can't tell you enough how much this vehicle is needed. It is going to be replacing a 1997 Ford wheelchair van that has 124,254 miles on it. The third vehicle, the Traffic Maintenance ¾ ton pick up with plow, will replacing a utility truck which we've scavenged from an old lift truck when it couldn't lift anymore. That was something we couldn't push snow with and now we'll be able to push snow. That machine that we're replacing that we came up with a second life for it anyways has 101,158 miles on it.

Councilman Langman – Director Gulich, can we expect similar life spans for these new vehicles as we've gotten out of Crown Victorias and other vehicles?

Director Gulich – I'd like to tell you that we're not going to be keeping these vehicles for 15 years. But again any time we're not re-hashing an old police cruiser with the V8 engine in it and finding new life as inspectors cars that are driving around a good portion of the day, we do need to not fall behind the curtain like we did in past years.

Councilman Langman – I understand that, but what is the life expectancy of these new vehicles that we're going to purchase?

Director Gulich – The rule of thumb is you shouldn't be keeping these vehicles any more than 10 years, for the simple reason the maintenance costs escalate to a point where you're throwing away good money. The vac-al we're going to be talking about in a few minutes is the perfect example of that. I would like to think that whoever is sitting here from 10-15 years from now isn't still managing these vehicles we're buying tonight.

Councilman Langman –It sounds like 8-10 is pretty good. Thank you.

Councilman O'Neill – It sounds like we're picking up a couple more vehicles that have plows on them that we don't currently have, so we should probably assume that during the snowfall we're going to get a little bit better response. They do a great job as it is, but this is just helping the Streets Dept. in getting the streets plowed a little bit quicker.

Director Gulich – This is just another piece of emergency response plan that I'd like to thank Director Frey for helping my Department work on with Scott Reese of the Street Dept. It is really a group effort and people are gaining a little more responsibility as far as what they are expected to accomplish when a bad snow storm hits, next year.

Councilman Van Ho – One of the things that the citizens need to remember is that when we have these wheelchair lift vans, mileage is not reflective of the abuse that they take. A lot of the time is spent idling while we're loading people into wheelchairs. That needs to be taken into consideration. When Hank came up with the mileage it sounded so low, I wondered why we were throwing it away.

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

Councilwoman Scarniench moved to suspend the rules, Councilwoman Jones seconded. Yeas: Unanimous.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. 51-2009 (268-09) F 250 Fire Dept.

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Valley Ford, 5715 Canal Road, Cleveland, Ohio 44125, for the purchase of a 2009 Ford F250 ¾ Ton Pick Up Truck with Plow for use in the Fire Department, at a cost of \$26,160.50. (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilman O'Neill seconded.

Director Gulich – This is replacing a similar vehicle that is actually a 1991 Chevrolet Pick-up truck with plow. It is used pretty much exclusively by the Fire Dept. to maintain their lots. This is an anomaly as far as the mileage goes. These vehicle only has 23,650 on it. The body is not only rusted by the frame has been repaired multiple times and it has gotten to the point where this vehicle is not safe to have out on our roads.

Councilman Gruber – I've seen this vehicle and it is a mission critical vehicle and I fully approve of this and I hope you guys enjoy it over there at the Fire Station.

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

Councilwoman Minarik moved to suspend the rules, Councilman O'Neill seconded. Yeas: Unanimous.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. 52-2009 (257-09) International Truck – Streets Dept.

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Miami Valley International Trucks, 11775 Highway Drive, Cincinnati, Ohio 45241, for the purchase of a 2009 International 7400, for use in the Streets Department, at a cost of Sixty Thousand Five Hundred Forty-Eight Dollars (\$60,548.00) through the State of Ohio Cooperative Purchasing Program. (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilman Gruber seconded.

Director Gulich – This is the work horse of the Street Dept., the 2 ½ ton dump trucks. They enable us to get the leaves picked up. They enable us to get the heavy snow pushed and moving materials throughout the city for our everyday work. Replacing a 17 year old, 1992 Ford Dump truck that has 87,828 miles. The vehicle we will be getting rid of is in very bad shape and it really is a money pit.

Councilman Van Ho – Does this \$60,000 price, does that include the plows?

Director Gulich – It will have to be outfitted.

President Holzheimer Gail – There is money in the budget to outfit them as you're expecting?

Director Gulich – Yes.

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

Councilman Wojtila moved to suspend the rules, Councilman O'Neill seconded. Yeas: Unanimous.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. 53-2009 (258-09) Scavenger-Vac

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Jack Doheny, 777 Doheny Court, Northville, Michigan 48167, for the purchase of a 2009 Scavenger-Vac, for use in the Streets Department, at a cost of Two Hundred Sixteen Thousand Thirty-One and 50/100 Dollars (\$216,031.50) through the State of Ohio Cooperative Purchasing Program. (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilwoman Minarik seconded.

Director Gulich – This is one of the vacuum type trucks that it is critical for us to keep the sewers maintained throughout the city and also get the leaves picked up. We're replacing a 1978 Ford Vac-Al that has 86,522. I know we already heard from Councilman Van Ho. We purchased this machine in 1978, I remember the day it came, pulled up to our shop. We paid \$54,000 for it then. Since then in parts and labor we have put in \$181,621.32. I think we've done one heck of a job keeping this vehicle safe and on the road and it is high time we part with it.

Councilwoman Jones moved to close debate, Councilwoman Scarniench seconded. Yeas: Unanimous.

Councilwoman Minarik moved to suspend the rules, Councilman O'Neill seconded. Yeas: Unanimous.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. 54-2009 (269-09) Front-End Loader

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with West Shore New Holland, 32200 Lorain Road, North Ridgeville, Ohio 44039, for the purchase of a Front End Loader-Boomer 3045 Tractor for use in the Parks Department, at a cost of \$44,785.00. (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilwoman Jones seconded.

Director Gulich – Final purchase for tonight. This will be for use in our Parks & Recreation Dept. We'll actually going to be purchasing two vehicles with this purchase. We decided to get a front-end loader to serve as a tractor as well. It is replacing a 40 year old, front end loader, that we got in 1969. Also a 1987 Ford tractor. Again I can furnish you with similar numbers of exactly how much these have cost to keep safe and keep operating all these years. My final comment will be, all these vehicles will go into govdeals.com and we'll report back at the end of the year exactly where we stand with the sale of the outgoing vehicles.

Councilman Van Ho moved to close debate, Councilman O'Neill seconded. Yeas: Unanimous.

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

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. 55-2009 (254-09) Golf Carts Lease

An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a contract for a lease agreement with Lake Erie Golf Cars for the leasing of fifty (50) golf cars for a five year period. (Sponsored by Councilwoman Jones by request of the Mayor)

Councilwoman Jones moved for passage, Councilman O'Neill seconded.

Mayor Cervenik – I'll give the Service Director a break. This is for a five year lease of the golf carts at Briardale. We'd be leasing 50 Yamaha drive gasoline golf cars. We did investigate the possibility of electrical golf carts, they are considerably more expensive, I think at least \$15,000 or more each year more expensive. We went with the Yamaha gas driven carts. Also we are leasing 50 rather than 40. It seemed that on many of the outings we'd always be short 5-6 carts and it was a

scramble to find the additional ones, or we would have to pay extra to have them shipped in. I believe these will be all new vehicles. Some of the ones we have now are getting beat up pretty good. Let's hope for beautiful sunshine throughout the whole year. Again, these golf carts are rented to the users of the golf course, that should more than reimburse the lease cost for the year.

We will need an amendment under Section 1, it mentions the Director of Parks & Recreation, that should read the Mayor is hereby authorized. We've got it right on the top half, but not in Section 1.

Councilwoman Scarniench moved to amend Section 1. Councilman O'Neill seconded.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Amendment Passed.

Councilman Wojtila – So this replaces all the golf carts that we had previously?

Mayor Cervenik – Yes it does. I think we own about 10 of our own and you can tell which ones those are. They will all be replaced and they'll be leased over a 5 year period.

Councilman Wojtila – Did we look at buying them and we thought this was a better option?

Mayor Cervenik – We've looked at buying them and it is really not cost effective, they do get abused at the end of five years. As a rental of the carts more than pays back unless we had a monsoon of a summer that we actually do make profit in the leasing end of it.

President Holzheimer Gail – Mayor you indicated that the cost for electric was about \$15,000 more?

Mayor Cervenik – I'm guessing, I meant to bring that and I did not. It was substantially higher each year than using gasoline. We took into account that gasoline is considerably cheaper now actually than it was before.

President Holzheimer Gail – But we're not spending more than \$15,000 over the course of the year to gas the carts?

Mayor Cervenik – If gasoline was \$4 or \$5 a gallon, we probably would be going with the electric carts.

Councilwoman Scarniench moved to close debate, Councilman Van Ho seconded. Yeas: Unanimous.

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

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Res. 56-2009 (264-09) Dog Park Donate

A Resolution authorizing the Director of Parks and Recreation of the City of Euclid to accept donations for the planning and development of a dog park within the City of Euclid. (Sponsored by Councilwoman Jones)

Councilwoman Jones moved for passage, Councilman Gruber seconded.

Director Will – The group that was formed in regards to the Dog Park Committee has been meeting for several months now and has felt that they needed to look at ways of raising funds to help support and build the dog park. They know what the city budget is like, they also understand what the Parks & Recreation budget is like. They are asking tonight for council's authority for our department to be able to accept donations on behalf of the dog park. That would be earmarked strictly for the dog park. They've also put in that in the event the Dog Park Committee disbands and/or the dog park closes or never opens, any and all proceeds from the Dog Park fundraising efforts would then be given to, donated to the Euclid Animal Shelter. They just wanted to make sure that everybody understood that. As the donations come in, Annemarie Finch from the office and they do have a

secretary for the committee would be making and tracking this. It would go through out city books and it would all have to have a record of that at the end of the year to make sure we showed City Council. We also have Council members who are on our committee who will be asking for that report. If there's any questions or if anybody would like to donate to it, after you pass it tonight, I would gladly accept those. If there's any questions, I'd be glad to answer them.

Councilman Wojtila – Do we need to amend the resolution to make that point about, if the Dog Park doesn't go forward?

Director Frey – I believe so, I apologize, this is the first I've heard of that condition on the donations. We clearly need to make that an amendment.

Director Will – They had felt, the Dog Park Committee members that I had spoke with today, felt that should be part of the resolution, so thank you.

President Holzheimer Gail – Director Frey, do you need that language from us?

Director Frey – I'll create the language with your grace and we'll have the amendment, if you approve that, we'll have that amendment to the Clerk of Council tomorrow.

President Holzheimer Gail – The amendment in generalities will state that in the even that a dog park does not go forward or once it does go forward and ceases to operate, any of the donations will be donated to Euclid Petpals?

Director Will – They have in here Euclid Animal Shelter.

President Holzheimer Gail – Euclid Animal Shelter.

Councilman Langman – I just want to emphasize it is at least my intention that we are successful in this endeavor. I would like to thank someone that I work with at my real job, Tina Kohler, who spent a lot of time circulating petitions to show the interest in this park. I think she's watching tonight so I do want to thank her.

Councilman Van Ho – I would like to second what Councilman Langman said and also move that we amend the resolution within the generalities that were just discussed.

Councilman Van Ho moved to amend, Councilman Gruber seconded.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Amendment Passed.

Councilman Gruber – In working with the team here, we're developing a new building for the Cleveland Sight Center and we're going to have a dog park built into that new building, specifically for dogs that guide the visually impaired and also helper dogs. It will be the only one in the region. I took some information that I learned from this organization to help with that. It is wide ranging.

Councilwoman Jones – I also wanted to make sure residents know that on Wednesday, March 18th, there is a Parks & Recreation Committee meeting which we do have on the agenda, the Dog Park as the second item on the agenda and we will go into more detail, the status that the committee has come up with so far and more details on how you can donate to the dog park.

Councilman Wojtila – Will that discussion include location or has that been determined?

Councilwoman Jones – That discussion will include where the status is as far as what the committee has come up with as far as locations.

Councilman Van Ho – There are some people that are going to be setting out in the audience and watching TV that think this is just a crazy scheme. If you go to Eastlake where they have a dog park, it does form a sense of community. It is just one more little thing that makes this town come together a little bit more, people get to know each other and form community. It is another life thing that we need and for the amount that it will cost overall, it is a very small investment for the yield we'll get.

Councilman Van Ho moved to close debate, Councilwoman Scarniench seconded.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Councilman Gruber – I would like to make the first donation.

Director Will – Thank you.

Res. 57-2009 (263-09) Forko Enterprises

A resolution authorizing the Mayor of the City of Euclid, or his designee, to enter into a renewal agreement, ending December 31, 2009, with Forko Enterprises, Inc., 23555 Euclid Avenue, Euclid, Ohio 44117, for the purpose of acting as rental agent for the Euclid Lakefront Community Center. (Sponsored by Councilwoman Scarniench)

Councilwoman Scarniench moved for passage, Councilwoman Jones seconded.

Councilwoman Scarniench – Before we pass this resolution I would like to make an amendment to it. I would like to remove the restriction and I will leave that up to our Law Director on how that should be worded.

Everybody knows that the Asset Committee, we've got a purpose that we've been trying to make sure that our buildings are being maintained and taken care of and doing the things that we should be doing. You can see by the success that we've had so far with the golf course, what we've done at the cemetery. This building is another one of our assets. There were some issues. We discussed them and we found that people really didn't want to change the way we were doing things, but some good things came out of that discussion. We will have maintenance, I'll actually defer to our Service Director and he'll explain what we're doing and then we'll go back to it.

Director Gulich – I've been talking with Terah over there in Senior Programs. Our painter is just finishing up in the Court area in the next couple of days and later this week we'll be over there to address the painting concerns. The corner guards will be installed and other items that should have been there from the get go. The floor will be attended to as best as possible. Bonus we're talking about is since we've got the blood donations going over there weekly starting in April and they'll be paying overtime for one of my people to be there, we'll be able to devote an extra 4 hours of maintenance on a weekly basis to that building to keep it nice and shiny.

Director Frey – I just want to make sure the Council person is requesting we remove the restriction in bookings in 2010? Okay.

President Holzheimer Gail – I would suggest maybe taking out the second and third whereas and then in Section 1, the clause that starts with, with the further conditions that no additional bookings are made for 2010 or beyond until further direction from the city. Unless you think the whereas' need to stay, but I think they address that 2010 restriction.

Councilwoman Scarniench – I would leave the second one because that's in essence what we've done. I would just take out the third and the whole last part of Section 1, is what I'd be asking for.

Councilman Wojtila – Is Forko Enterprises, were they interested in a longer contract? Are we happy with their services?

Mayor Cervenik – We're very happy with the services because of the unknown, whether that restriction was going to be on, we just had it going through the end of this year. I'm sure they would like to continue, I'm sure we'd like them to continue, and we can just bring legislation towards the end of the year to extend their contract if you're still happy with them. They do many things we otherwise couldn't do, especially at the price they do them for.

Councilwoman Scarniench – I would like to personally thank Nancy Foreman, to put all the information that I requested together which was very helpful in coming up with the plan, so thank you very much Nancy.

Councilwoman Scarniench moved to amend to removed the third whereas.

Director Frey- What I was going to strike from Section 1 is the language that says, with the further conditions that no additional bookings be made for 2010 or beyond until further direction from the city, and. Strike that, leaving in the subject of the preferential use on Thursday by the Red Cross and other community non-profits.

Councilwoman Scarniench moved to amend as stated by the Law Director.

Councilwoman Minarik – Director Frey could you briefly go through the contract again that we’re extending since we didn’t get a copy of it.

Director Frey – The contract provides a fee schedule and that fee schedule is set out both on the hourly rate charged for the use of the facility, it is \$95; there’s a higher price for weekends and I believe that is, here it is, \$120 per hour for April through December. It is 50% commission for that \$95 is remitted to the City. 50% of the \$95 plus the difference to the \$120 is remitted to the city on the higher rent periods. There is a requirement that the user of the facility signs an agreement with Forko, subjecting them to any cost of repairs. There is a security deposit that is required. In addition to that Forko is responsible and provides liability to the city in the amount of \$1 million for their agreement to rent the facility to outside users.

In essence they provide a monthly accounting to the City and a remittance on a monthly basis. It is not a particularly complicated or complex agreement. It was just really for Forko to operate as our agent. I’d be more than happy to send a copy of the agreement.

Councilwoman Minarik – I’d appreciate that. They get about 50% of the?

Director Frey – Of the \$95 an hour for all their rentals. The city gets the balance. Sometimes it is the balance of the \$95. Most of the time it is the balance of \$120.

President Holzheimer Gail – There was a motion on the floor for the amendment. Is there a second?

Councilman Langman seconded the amendment.

Roll Call on Amendment:

Yeas: Gruber, Scarniench, Jones, Wojtila, Langman, Van Ho, Holzheimer Gail.

Nays: Minarik, O’Neill

Amendment Passed.

Councilwoman Scarniench moved to close debate, Councilwoman Jones seconded. Yeas: Unanimous.

Roll Call: Yeas: Gruber, Scarniench, Jones, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Nays: Minarik, O’Neill

Passed.

Ord. 58-2009 (250-09) Roof City Hall

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Duro-Last Roofing, Inc., 525 Morley Drive, Saginaw, Michigan 48601, and Technique Roofing Systems of Burgoon, Ohio, an authorized Duro-Last contractor, for materials and installation of the roofing system at the Euclid Municipal Center, 585 East 222nd Street, Euclid, Ohio, at a cost of Three Hundred Eighty-Five Thousand Dollars (\$385,000.00). (Sponsored by Councilman Van Ho by request of the Service Director)

Councilman Van Ho moved for passage, Councilman Langman seconded.

Director Gulich – We did go out and get three proposals for this roof installation, Technique Roofing Systems of Burgoon, Ohio was the lowest. Technique actually was the low bidder for the Service Garage area that was done as part of the House Bill 300. We recently did the mini-station on 260 Street, again they were the lowest. They’ve done a quality installation job in the past. Suspect no different this time, they are certified to install this roof. The duro-last roof is also known as the world’s greatest roof. Councilwoman Scarniench found out about that on a trip to Columbus. The roof that is on our building came with a 10 year warranty. It has been up there for 22 years. Our people are up there scrambling every time it rains to keep the rain from coming in here, so that the building doesn’t get major damage, we’re able to keep it limited to basically wet tiles and stains that you see in the lobby area. One of the reasons we haven’t painted yet the ugly lobby ceiling is

because that ceiling is leaking. The roof up there, 22 years old. We're finally not calling this the new city hall anymore, but again we've got 22 years of life out of something that was meant to last 10 years. This new roof does come with a 15 year warranty. The old style rocks that are up there holding the roof down, those will all be removed and the new roof that will be going on, there will be a bright white color and that will be very good in the summer months, it will save us cooling charges. Councilwoman Scarniench's committee and mine are looking at the possibility of retrofitting the building with solar panels. This will be an excellent opportunity to move forward with that and pleased to work with you folks to see if we can't make that a reality.

President Holzheimer Gail – Before we go on, if anybody is watching the clock, wondering why we're not taking a break, we have been told that with the new digital system, it is not new but it has been in place for awhile, we do not have to take that two hour break. We will proceed on and if you would like to take a break when we get to the end of the legislation, we can take a short break. That's why we're going past 9:00.

Councilman Gruber – I would just like to thank the Director for the work he's done. I'm familiar with roofing systems. This is a great roofing system and this is a house that serves all the citizens of the City of Euclid and we should take care of our house, as well as our other buildings too, but this is a very important building to the citizens and thank you for doing the work you did on this.

Councilwoman Scarniench – I agree with that. Again, because of the Assets Committee I've been in close contact with Denny Valencic. I've got the pictures to show you how the roof is actually shrinking. This needs to be done, it should have been done yesterday. I hope all of Council will agree to this. Thank you.

Councilman Wojtila – Thank you Director Gulich for the e-mail background on this and the other legislation. But it is interesting to point out that the spread in the other proposals received was pretty extensive with the other price significantly higher. I think that's important to identify for everybody that wasn't privy to this e-mail, that it looks like a good price for a good product.

Councilman Wojtila moved to close debate, Councilman Van Ho seconded. Yeas: Unanimous.

Councilman O'Neill moved to suspend the rules, Councilwoman Minarik seconded. Yeas: Unanimous.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

Passed.

Ord. (260-09) To Committee

An ordinance amending Section 1759.04 "Statement of Certificate of Inspection" of the Building and Housing Code of the Codified Ordinances of the City of Euclid to provide for the inspection of only "A" violations and exterior "B" violations in Point of Sale Inspections, to eliminate the requirement of an escrow account in the assumption process, to allow for private home inspections as a substitute for a city Point of Sale Inspection and to allow for extensions of time in large capital improvements for multiple dwellings. (Sponsored by Councilman Van Ho) (To be Referred to Housing & Building Standards Committee)

Councilman Van Ho moved for passage, Councilman Langman seconded.

President Holzheimer Gail – This item and the next two will be referred to Housing & Building Standards.

Councilman Van Ho – This and the other pieces of legislation that are coming right behind it, are an attempt to modernize our inspections to the point where we're losing sales which means we're actually causing the market price of our houses to go down because the longer a house is on the market, the lower the price is generally when it is sold. This is not to in any way compromise safety. The A violation list, it is generally referred to the things that would impact safety will still be inspected. This is to get out of the way, if I'm going to buy your house and the carpet is dirty, that our inspectors aren't going to say that the carpet has to be removed or that. They are going in to look at safety violations. Then let the marketplace do what it does. I would ask that we refer this to Housing Committee and the Clerk will set the Committee meeting at the earliest possible date.

Councilman Van Ho moved to send Ord. (260-09) to the Housing & Building Standards Committee. Councilman O'Neill seconded.

Roll Call: Yeas: Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

To Committee.

Ord. (261-09) To Housing Committee

An ordinance to amend Section 1759.07 "Requirements for Certificate of Inspection" to set forth the A and B Class Violations to be uniform with ECO 1755.30 and to authorize the issuance of a Certificate of Inspection on all properties when the "A" violations have been corrected upon a Point of Sale Inspection. (Sponsored by Councilman Van Ho) (To be Referred to Housing & Building Standards Committee)

Councilman Van Ho moved for passage, Councilman Wojtila seconded.

Councilman Van Ho – Same thing. This is part of the whole program to modernize the inspections. Councilman Van Ho moved Ord. (261-09) to the Housing Committee. Councilman O'Neill seconded.

Roll Call: Yeas: Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

To Committee.

Ord. (262-09) To Housing Committee

An ordinance to amend Section 1755.30 "Rentals; Certificate of Occupancy Requirements" to set forth the A and B Class Violations and to authorize the issuance of a Certificate of Inspection on all properties when the "A" violations have been corrected upon a Point of Sale Inspection, to set forth deadlines for exterior violations and to authorize an extension of time to correct exterior violations when there are major capital improvements on rental properties. (Sponsored by Councilman Van Ho) (To be Referred to Housing & Building Standards Committee)

Councilman Van Ho moved for passage, Councilwoman Jones seconded.

Councilman Van Ho moved Ord. (262-09) to the Housing Committee.

Councilwoman Minarik – I don't mean to be rude, but Law Director Frey, considering that these, is there a conflict of interest here that a significant amount of income from the sponsor of the legislation is dependent upon selling of houses? I'm just curious, do you understand my question? I'm just asking.

Director Frey – I understand your question. I guess I had not been asked that question by the Council person or any other member of Council. I will certainly look hard at that issue and so advise. I am not prepared at this moment to be able to give you that kind of opinion.

President Holzheimer Gail – There's a motion on the floor to send this to the Housing & Building Standards. Is there a second?

Councilwoman Scarniench seconded.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O'Neill, Wojtila, Langman,
Van Ho, Holzheimer Gail.

To Committee.

Ord. (270-09) JJR-Lakefront

An emergency ordinance authorizing the Mayor of the City of Euclid or his designee to enter into a professional services agreement with JJR, LLC to provide preliminary coastal engineering analysis, design and pre-application permit consultation services for Phase II of the Euclid Harbor Town Lakefront Mixed Use Marina Project at a cost not to exceed Fifty Thousand Dollars (\$50,000.00) including related reimbursable costs. (Sponsored by Mayor Cervenik, President Holzheimer Gail, Councilmen Langman and O'Neill by request of CS&ED Director Pietravoia) (To be Referred to City Growth, Planning and Development Committee)

Councilman O'Neill moved for passage, Councilman Langman seconded.

President Holzheimer Gail- This will also be going to committee. Asst. Director Gliha, did you have comments?

Asst. Director Gliha – Briefly, the Steering Committee which consisted of myself, Frank Pietravoia, the Council President, Councilman Langman, Councilman O’Neill, and Doug Price and Karen Harrison from K&D and the Mayor, met I believe it was last Wednesday and on a conference call with JJR spent a great deal of time going over a proposal that they had sent to us for Phase II. I think a lot of excellent work came out of that meeting. We will be hearing not only a review in the April 8th Committee, I believe it is set for, of the feasibility study, but we’ll be hearing a presentation on the Phase II proposal that will take us that much closer to the final engineering we hope for a planned marina. We look forward to that April 8th meeting. Thank you.

Councilman Langman moved Ord. (270-09) to the City Growth, Planning & Development Committee. Councilman O’Neill seconded.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O’Neill, Wojtila, Langman, Van Ho, Holzheimer Gail.

To Committee.

CEREMONIAL RESOLUTIONS

Res. 41-2009 (265-09) Dog Park Committee

A resolution commending the contributions of the *Dog Park Committee*, and recognizing the members for their efforts in gathering information and ideas for the creation of a dedicated park in the City of Euclid. (Sponsored by Mayor Cervenik and Entire Council)

Res. 42-2009 (266-09) Auxiliary Hadyk – 50 Years

A resolution of appreciation to *Steve Hadyk* for fifty years of outstanding voluntary service to the Euclid Police Auxiliary Unit and to the residents and businesses in our community. (Sponsored by Mayor Cervenik and Entire Council)

Councilwoman Jones moved for passage, Councilwoman Minarik seconded.

Roll Call: Yeas: Gruber, Scarniench, Jones, Minarik, O’Neill, Wojtila, Langman, Van Ho, Holzheimer Gail.

Passed.

A short break was taken

COMMITTEE OF THE WHOLE

Mr. Brown – Good evening everybody, Willie Brown, Miller Avenue and today I’m here to speak on behalf of the Euclid YMCA. As the current Chairman of the Advisory Board, I just want to let the community know that we’re very busy. They’re working to fulfill the YMCA’s mission of building Strong Kids, Strong Families, and Strong Communities. Keeping with that, last Wednesday we kicked off our Strong Kids Campaign which is the major fundraiser for the Euclid YMCA. The funds from the Strong Kids Campaign, I think it’s important for us to realize that all of those dollars go to the Euclid YMCA and this year’s goal is \$30,000.00. Those funds help to provide summer camps, youth sports and aquatics, before and after school care, as well as teen programming.

The Euclid YMCA is committed to not turning away anybody that wants or needs to participate in our programs and services and that’s one of the reasons that having a successful Strong Kids Campaign is critical. Many of the dollars from the Strong Kids Campaign go to provide scholarships for those who otherwise would not be able to afford the programs that we have at the YMCA. All of the board members and our dynamic director, Linda Sadosky, have all made our personal pledges to the Strong Kids Campaign. We’ll be going around asking people not only to pledge their dollars but also their time in volunteering us and trying to reach this goal of \$30,000.00. As a matter of fact I want to correct that. Volunteering to help us reach and exceed the goal of \$30,000.00 and coincidentally I do have a pledge sheet with me here this evening so any members of the Administration or Council or in the audience that would like to pledge whatever your budget can bear, I will be conveniently located at the back of Council Chambers at the end of the meeting and just stop by and say hi and I have, also have pens. Thank you very much and look forward to working with you in helping to build Strong Kids, Strong Families, and Strong Communities through the Euclid YMCA.

Mr. Petrea – Chairman, I'm Ray Petrea, I live at 353 East 232nd Street. For a great deal of time I've noticed that many people didn't speak as we cross by each other on the sidewalks. I've noticed a number of people even cross the street before they got to me. Just a few months ago I decided to initiate speaking to the people in the community that I've passed on the sidewalk, on the street, in these grocery stores, and other places. You know what I found out. I found out that people seemed to appreciate by responding with their smile and saying hello, how are you. Many even addressed as sir and when I hear sir I look around for my father who passed on years ago. But the important thing is we all like to be recognized in a good way and those smiles was all the appreciation I need for initiating a hello and saying how are you. It opened my eyes that if people initiate speaking to each other and smiling at each other that something good would come out of it. Why don't you try it and see what happens?

Now I would like to talk about health. How important is health to you? If you have your eyes and ears open you must realize that health issues are important. I know Euclid Hospital will take your blood pressure if you get there before three o'clock, free of charge. All you have to do is go near the Emergency Room and there are nurses there who will take your blood pressure. They even weigh you if some of them; some of you think you might be a little bit heavy. Talking about heavy, you wouldn't believe the lady I saw recently. Her belly came down half way to her knees. You think that's healthy? I don't. It's up to each one of us to take care of ourselves even if you have a spouse that looks after you and even bugs you about certain issues it's up to each of us to take care of ourselves. Push ourselves away from the plate before you get overstuffed. Occasionally my wife and I go to a restaurant where you can eat all you want, go back as many times as you want. Well I learned years ago when I was at a friend's house that I overindulged in a spaghetti dinner. I was miserable even running around the block didn't do any good. So I have learned to discipline myself when I go to these restaurants where you can go back as many times as you want and eat all you want of everything they have. I think there's a lot more people out there that need to discipline themselves because I understand that 70 people, 70% of the people in the United States are overweight to some extent. Please be responsible and keep yourself healthy. I think you might even live longer. Thank you.

Mr. Riggan - George Riggan, 18901 Renwood Avenue and I'd like to thank Hank for coming to our association meeting. People enjoyed you. They really did. I know it's quite hard to believe but they really enjoyed, they really enjoyed talking about streets and sewers, I'm telling you and of course Mary Jo, she was there too. What's the matter? One thing that we talked about that dog park and some people brought up the question of these vicious animals that they're supposedly vicious which they probably are. So I wish when you talked about, when you discuss this dog park you would bring it up because some members, most of the people go to them bring their little yappy dog, like they talked about the little yappy dogs and they just yap all the times. These bigger dogs don't like it. Thank you. And when I go eat, when I go eat spaghetti I always overindulge.

Ms. Porten – Good evening, Lucille Porten, 23308 Pam Court, I'm here to complain about the flooding of my property from the Golf Course in February and March. The water flooded my back yard and almost came in the room at the back of my house. I have lived at the same address since 1962, years before the golf course was built. I sent e-mails on February 8, 2009 to Hank Gulich, Public Service Director and my councilman Daryl Langman asking them to review the situation. My concerns were eventually directed to Bob Holmes, Superintendent of Briardale Greens Golf Course. His e-mail response was not satisfactory and several items are not true. He states the golf course property has been virtually the same since the course opened in 1977. This is not true. A cart path was added several years ago between the 14th green and my property line and the flooding in my yard has worsened since then. He refers to the area as a swale. What he calls a swale is only a few inches lower than my property at the fence line. When they added the cart path it narrowed the width of the swale causing it to overflow into my yard. No water flows onto the actual golf course because the golf course is much higher than my property. This year is the widest the flow of water has ever been. Water flowing during the heavy rain March 8 was at least six feet or more wide. If this is the swale it should be made deeper and lower than the lowest part of my property and it should drain into something.

My neighbors mentioned that they've had flooding also. I understand that there is a sewer drain that is located along the fence line towards the 15th tee. This drain was pointed out to the City when I and my neighbors had problem in the past. Unclogging this drain alleviated the problems. I tried to help Councilman Langman locate the drain but there's a great deal of mud and debris in this area. Should the City or the Golf Course have maps to locate this drain? Water has always flowed through the Golf Course property during heavy rains but it did not flow onto my property until recently after the cart path was added. The only other time I or my neighbors had problem was when the sewer drain was clogged. I'm requesting that the Golf Pit Course take the following

action. Determine the location of this drain and unclog it, make the swale deeper so that the water flows properly away from the Golf Course and our properties. Please do something to rectify this problem. Thank you.

Mayor Cervenik – Yes, Madam Chairman, Ma'am, I've talked with some people at the Golf Course Friday. We are going to locate that drain and make sure it's cleaned out and I'm not sure exactly what is causing the additional flooding but we talked about possibly putting in a, what's called a French Drain. Just to the golf course side of your property and your neighbor's property. Basically that would be digging a hole, filling it with gravel, and making sure that it drains out into that way away from your property. Haven't made a determination if that's going to solve all the problem or not but we did talk about it and as soon as the weather breaks a little bit because tomorrow's not, it's not going to be like tomorrow the rest of the year we'll take care of it.

Councilman Langman – Thank you Madam Chair to the Administration. I saw the e-mail from Mr. Holmes who indicated that the issue was a non-issue and responded that I thought that action needed to be taken. I have not heard anything from the Administration along the lines the Mayor just mentioned. When will the councilperson be informed of these actions?

Mayor Cervenik – Madam Chairman, Councilman Langman, you just were. This happened Friday just before I went in for with our attorney in the Dworning case. I was in that meeting until seven o'clock. We're not sure that is going to work. When we know what will work I will inform you as well as the neighbors. I'm not especially happy with the e-mail that was sent from Mr. Holmes either. I believe his intentions; his belief is that drain is actually on private property which is why I believe why he said the resident should clean the drain. I don't know if that's the case or not but I don't think he meant if the drain was on our, on the golf course we expected them to come over and do it. We will get the resolution very shortly.

Councilman Langman – Okay, but communication does need to improve in those matters.

Mr. Cooke – Good evening Tom Cooke, 25641 Edgecliff, I'd like to just share a short little story with you. An experience I had this last Friday, last Friday evening my wife and I were watching our two year old granddaughter Grace and my son Bruce and daughter-in-law Ellen went out for the evening. This event was no different than many others with the exception this time Grace had a low grade fever that would come and go and was being treated with Motrin. No big deal. We had dealt with fevers many times with our own kids. Its part of parenting except this time it was a little different. I had a meeting I had to attend that evening and left the home at around 7:30 PM. Prior to leaving, my wife Leslie was sitting on the couch holding Grace as she was dozing off getting ready to go to sleep for the evening. At around nine o'clock, I got a call on my cell phone from Leslie telling me that Euclid EMS is at the house and they're taking Grace to, Grace and her to Hillcrest Pediatric Emergency and that appears that Grace had a seizure. I told her I would meet her there as soon as I could, end of discussion. As I was arriving at Hillcrest I passed Euclid EMS as they were leaving. I quickly found Leslie and Grace and all was quickly thank God. Grace did have a fever induce seizure. She was fine but exhausted. The doctors assured us that this is fairly common with fevers and there are no long term effects. My son and daughter-in-law had been contacted and met us at Hillcrest. The doctors explained everything to them. All was well once again. Bruce and Ellen took Grace home and right about now you're asking yourselves so what's the point of this whole story. Well picture this, my wife is home alone watching television holding Grace as she dozes off for the evening when all of a sudden out of the clear blue, Grace has a seizure. Leslie recognizing the gravity of the situation calls 911 and talks to a dispatcher who is able to extract all the necessary information about Grace, dispatch an ambulance, and keep my wife calm and focused all within a matter of seconds. Euclid EMS arrived within minutes with all the necessary information about Grace. Immediately upon arrival they not only began examining Grace they also addressed Leslie recognizing the level of stress and anxiety that she was under. First, I want to thank the Euclid paramedics station 3, including the dispatcher for all you did that night. As Leslie began to describe everything to me the sequence of events that occurred that night was I not there, it was apparent your professionalism and how you handle this event was impressive and I am not one that is easily impressed.

My point is this, events like this happen in this city on a daily basis whether it be an emergency requiring police, fire, or EMS, it sure is nice to know a response within an exceptionally high level of professionalism will be there as, as it is needed. I really always have known this regarding Euclid emergency services. However these services take on a whole different meaning when you happen to be on the receiving end. Euclid City services are at the core. They are absolutely at the core of what defines this city. The reputation of Euclid Police, Fire, and Municipal

Services go well beyond Euclid's boundaries. Nothing else can really survive in Euclid without these services. These services should be at the forefront of every decision this Council and Administration makes. As go these services so goes the rest of the city. Once again thank you Euclid Paramedics.

Briefly I just want to comment on the dog park. Councilman Van Ho, you are correct. Bay Village has a dog park. I watched it quite often as we were building the Bay Village Police Station. They draw all kinds of people and all kinds of dogs, large and small from a social standpoint. I can't think of a better event to happen in the City of Euclid. Service Director Gulich, you did a great job this winter as far as the snowplowing is concerned from what I could see it looked great. You had your hands full quite a few times. Thank you.

Ms. Havreberg - Patrice Havreberg, 323 East 208, I just have a question, have you set the meeting dates for the public presentation for the Shore proposals and where will they be publicized besides the website. Will it be on the TV?

President Holzheimer Gail – I just got an e-mail today confirming that as you know we had three groups who had provided presentations. The Steering Committee met with each group. At the end of those presentations, each group was asked if they would consider with partnering with another group. They were each provided with the copies of the other proposals and if they were interested in working together, to indicate that to us so that we can plan the presentations. Two groups did decide to come together and will be presenting jointly, the Spies Group with City Architecture and the Euclid Public Library. That was one proposal. They will be presenting Wednesday, March 25th at 6:30 here in Council Chambers to the Executive and Finance Committee. Coral and Sandvick Proposals will be presenting a joint presentation on Monday, March 30th at 6:30. So again those dates, two dates, Spies Group Wednesday, March 25th at 6:30, Coral and Sandvick, a joint presentation on Monday, March 30th at 6:30. Both of those will be hear in Council Chambers to the Executive and Finance Committee.

Your follow up question about advertising, I am looking at our Sun Journal reporter to see if he will put those in the newspaper. They obviously will be available through our regular website, ECTV as well. Ms. Cahill has a distribution list that she sends all public notices to. We could look to the Shore Board to promote that through the building and Council Members to promote it through your neighborhood associations.

Ms. Havreberg – Okay, great. Thank you.

President Holzheimer Gail – That was the first that anyone heard it so Council Members, mark those dates down as well. You will get a notice of those.

Mr. Wardrope – My name is Michael Wardrope, I live at 21751 Tracy Avenue. I'm basically here tonight just to support the Shore Cultural Centre, primarily the Coral Proposal. I find it to be most closely aligned with really what's happening there currently at the Centre. I don't think I really need to go into details of what happens or I think everybody here at Council knows what happens at those, at that facility. I know that Councilman Van Ho mentioned the Senior Center and how it's a good thing for citizens of Euclid. I would like also just too submit that what happens at the Shore Cultural Centre, the many events that occur there on a weekly basis, monthly basis are also extremely important to this community. I've seen it you know just by partaking myself events there. I've live in this community for ten years. I'm a Westsider originally and the center has become a place that's really become more important in my life and my family's lives. I'm mean really we've, my kids that are here tonight I actually have to get them home because it's a school night but they have a stake in that place as do I. I am a supporter of the Cultural events in this community and I think it's important to retain this. It's a treasure. I mean it really is for this community and I would also submit that dog park is a good place for people to meet and co-mingle in this community. I don't think there's any doubt that the Shore Cultural Centre has been that for decades or however long its been going on like I said I've only been a resident for ten years but that's been a place where, again I've witnessed this first hand. I've seen what a benefit it is to the community and the people that come not only from this area alone but from all over the East Side. I mean there's a lot that do come from different communities and it's one of the things that I, being a original Westsider and I get around the city a lot, it's one of the things that I personally mention with pride as a citizen of Euclid. So again I would just like to slightly influence Council, whoever's going to be voting on this that I do think that Coral, just from my perusal of the proposal is, would be, I think for the long term best for Euclid and the citizens. Thanks.

Ms. Manak - My name, I'm so nervous. My name is Laurie Manak and I am the director and the owner and Love N'Care Day Care and Center located at the Shore Cultural Centre. I've prepared a very long statement that took a lot of thought to put together. But the reason I'm here is to let you know that for 14 years my day care center has been a wonderful part of the City of Euclid. I'd like to remain in the City of Euclid and also in the Shore Cultural Centre. And the focus that has been put on the building makes me see what a wonderful asset it is to our community. It has programs that are being developed as we speak for the future that are good for all of our families. Not just children but adults. Not just for the well but for people who go there seeking spiritual help. There are yoga classes, there's education for every age group as well as potential for new entities to come into the building. I think it's important that we keep our community cultural center a place in that location as opposed to more housing or a new library. Why can't we use what we have to complement the programs that are also already reaching out for that property? I think it's important. I think the building's important and the programs that are there are important and I hope that when you vote on how the property will be developed, some of those things bring up memories of maybe some things that you've done in the building. Thank you.

Mr. Goodman – Victor Goodman, 20201 Glen Russ Lane. Before I start anything, for Ray I want to really want to smile. I want to wish a great congratulations to my wife publicly who two weeks ago was the Snapshot of the Week for the Eastside and I'm just thrilled that she informed everybody that I'm crazy but she also informed them that I make her laugh all the time. So I just wanted to give her the congratulations. I'm very proud of her and it's a great picture.

Sometimes I feel like Michael Corleone in Godfather III. No matter what I do I keep pulling, being pulled back in. Two weeks ago I stood here and I made comments as I saw them. Now that's all an opinion is. It's my comments. Doesn't mean it's anybody else's. It doesn't mean anybody has to agree. They are mine. But two rules of an elected official were broken on after that meeting. One, the first rule, you never write in anger. The second rule is you never ever send what you wrote in anger mainly because you can no longer deny that you said it and it's a matter of public record. Now I was told in this thing that I got that I offended a council person by my comments. Well, the only thing I can say is evidently that council person did not actually understand what I was saying. I said the process. I did not say the person or a person or a group of people. I said the process is what I wanted in the light. If it struck a nerve then evidently that, that council person's problem, not mine. Why did I make that statement? Well I saw the process work at the Knuth Center. I saw an administration that only wanted one idea brought forward and with great reluctance they allowed another presentation and then conveniently drop kicked into the garbage pail. That's not a process. That was of no benefit to the citizens of the City of Euclid. Absolutely no benefit whether he thinks so or not because we would have had something for the future in the proposal that was made instead of just another bar and hamburger place in Euclid that does in fact take away business from other people.

So that's what I meant by the process and then when I'm told that it's going to a steering committee which is the process I look at the steering committee which was printed in the paper and with no disrespect to any person; the Mayor has let it be known for ten years what he thinks about Shore Cultural Centre. How can he sit objectively? The two people from the Administration that are part of it, are they really going to vote against what the Mayor would like? I doubt that and not if they want to keep jobs. Then we have three council people which two of them have come forward publicly and stated their displeasure. So that leaves one councilperson and one person from Shore. I don't think that's the process. I really don't and when somebody decides to use my name then it affects me personally but the thing in this e-mail and I will not mention the person who wrote it because I don't think that's right. But this person wrote one line in this memo that absolutely is appalling and I think needs very serious consideration from the Council President and this body. And I quote, "All that was accomplished last night was to make me angry and when that happens I don't listen anymore". Any council person can make such a both a threat and a statement to somebody from the Shore Cultural Centre as this was sent to, I don't think can sit on the Assets Committee. This is definitely something that was biased and I think it is absolutely wrong and I think that the Council President needs to look into this matter because I know she received this e-mail which went. Why? Thank you.

President Holzheimer Gail – Seeing no other comments, Councilwoman Scarniench, I believe you are first this evening.

COUNCILMEN'S COMMENTS

Councilwoman Scarniench – Thank you Madam Chairman. I am the person who sent the e-mail and all I will say to that is that I stand by what I said. There is a process and the Assets Committee

is trying to follow that process and the fact that when I wrote that e-mail to that person, I also apologized to her after I wrote. The fact is that you send it all over the city to people who aren't privy to what's going on then that looks bad on everything. That was sent to somebody, it was sent to somebody else. Everything's been straightened out with those folks. It's a process. I have not made a decision anywhere about anything and they all know that. I'm trying very hard to accomplish something that hasn't been done in this city in a very long time if ever. So that's all I'm going to say on that one.

I want to send my kudos out to all the winners from the Chamber, all Ward 2 businesses. I love it. I would like to send kudos to another business in Ward 2. I'm going to read you a couple, just a few lines from this. "PPG Wins R&D 100 Awards for Two Green Innovations. PPG Industry has earned two 2008 R&D 100 Awards for its Green Logic paint detackifier and Zircobond pretreatment technology. The awards, bestowed annually by R&D Magazine, recognize the 100 most technologically significant innovations each year.", and we got two of them. Just a couple of things that were said, General Motors, "PPG has developed an innovative pretreatment coating material that offers advantages including energy saving, water conservation and a smaller footprint." Ford Motor Company began using Zircobond pretreatment by PPG, Mike Vandelinder; the chief engineer cites "this material as a significant element of Ford's push toward using environmentally friendly technologies. He highlighted the advantages of this technology as water conservation, elimination of sludge, energy reduction, and the elimination of two bio-accumulating heavy metals." So, congratulations goes out to the R&D team at PPG and their working diligently all of the time to save our environment.

Cross country skiing, I'm told that we've had about 30 people who utilized the course this year. So anybody out there who has done that I'd like if you'd send me an e-mail or phone me and let me know what you've thought of it. I think that worked very well for the first year so we'll see what their reaction to it is if they would get a hold of me.

Last but not least, traffic lights. Director Gulich, could you please explain to us the process for why lights are being taken down? People are concerned that we're the ones doing it. I'm trying to explain we don't own the lights. Like for instance the one at St. Christine's, why are they taking that down from in front of a school, so if you could please explain that I would most appreciate that. Thank you very much.

Director Gulich – Director, Councilman Scarniench, actually we do own those lights. They are being removed by a contract by the State of Ohio. An engineering study was performed by Traf-Pro Associates, a highly respective firm in this region of the country. It is all the necessary traffic count, all the engineering to determine which lights were warranted. All you have to do is meet one out of a total of eight or nine warrants in order for a traffic signal to be a legal signal. The ones that are coming down did not meet any of those state warrants. In other words, we are in a position of liability with those lights staying in operation. So funding for this project is 80% federal government funding; only 20% from the City of Euclid and federal government will not spend any money on unwarranted signals. So that's the long of it. The short of it is none of them meets the warrants are coming down and we're following the necessary procedures to get into alignment with the state codes.

Councilwoman Jones – Thank you Madam Chair. First I want to say thank you to Fred's Club for their spaghetti dinner last night at Master's Church. It was a fundraiser for the Fred's Group. Fred's is a tutoring program and they had spaghetti. They had cake for dessert and then they had a number of different silent auction items that were displayed on the tables as well. I don't remember how many of them there are but they were from various different Euclid businesses. There was even a lunch with Councilwoman Holzheimer Gail and the value of that was priceless. I'm not sure who won that one but I'm not sure who won that one but I'm sure they'll have a good time. So I want to say thank you to the Fred's Club for having that fundraiser. It was very nice and the food was delicious.

I also want to make an announcement, speaking of food is for those of you who remember Monica's Restaurant on 185th Street. She will be opening up again Monday through Friday from 10 AM to 3 PM. The address is 644 East 185th Street. She's a Euclid resident that has a business and that has a restaurant that will be opening up. She will have gift certificates for Arabica's if you purchase a meal there. The food is very good and I can attest to the Jerk Chicken. It's very good if you have an opportunity to stop there and say hello to Monica.

I also want to put another plug in for the Council Committee, Parks and Recreation Committee Meeting which will be Wednesday, March 18, 2009 at 7 PM here in Council Chambers. Two items on the agenda will be the Ice Arena and we'll go over what's new, what's coming, and what's going on at the Ice Arena. We'll also go over the dog park. We'll give more status update as far as the location. We'll give over more detail as far as how you can donate to the dog park and

how you can help as residents, how you can help. There was a comment made about vicious animals and the Committee did take into consideration as far as vicious animals that come to the park. There will be rules and regulations that will be posted at the park where the location may be and about vicious animals so that is taken into consideration. I also want to thank Councilman Gruber for making the first donation to the dog park tonight at tonight's meeting so with that that's all I have and good night.

Councilwoman Minarik – Well Director Gulich opened the meeting for about the rain barrel sale for all of those people who tune out of the meeting early so for all of you who tune in late I'm going to bring it up again. Saturday, March 28th from 10 to 2 the City of Euclid is hosting a Rain Barrel Sale. There is a display in the lobby. The orders were, the deadline for orders was tonight but a lot of people have called saying they still wanted to see the displays so we've extended it for two more days because they had the opportunity today. Wednesday is the last day you can order the barrels. You can call me, 216-486-9513. The 60 gallon barrels are \$80.00. The 55 gallon barrels are \$60.00. There's more stuff that I can talk to you about. If you want to take the workshop, you can call Cuyahoga Soil and Water Conservation and that number is 216-524-6580 extension 16. Part of the reason though to attend the day even if you don't buy a barrel is because Friends of Euclid Creek who are the beneficiaries of this sale, they will have a display there. The Friends do an awful lot. They, actually the Friends of Euclid Creek, they include Beachwood, Cleveland, Euclid, Highland Heights, Lyndhurst, Mayfield Heights, Mayfield Village, Richmond Heights, and South Euclid. Those are all the communities around the creek. So they will have a display up as well and they will answer any questions if you want to join. In addition to the Friends of Euclid Creek, the Historical Society because it's on the grounds of the Historical Society on North Street, they will also have a display probably inside and they're looking forward to being able to promote Euclid's Bicentennial, the township's bicentennial. To get the word out is to who they are, what they plan on doing. You'll get to see a little bit of the township hall that was scheduled for demolition and that the Historical Society is working hard to save. So I encourage all of you to attend that Saturday, March 28th.

Second thing I'd like to bring up is two of the comments at the beginning of the meeting, at least two times and the last meeting we had, residents commented that this is an election year when it came to the camera legislation. Well I think that's pretty appropriate because in November we are going to have on the ballot that council terms will be extended to four years if the voters want that. I think it's a good thing that we are held accountable every two years. I think that this is a good example; this piece of legislation is to how important it is that you can call you council people to task every two years and hold their feet to fire. So I'm pretty sure that's going to be on the November ballot unless anything has changed and I would encourage you to think hard on that one.

The third thing is the auxiliary police that were up here. They are an incredible group of people. When the Cleveland in the 11th District at 156th and Waterloo when they opened up their mini-station that was going to house a couple of cops and a couple of auxiliaries, the man that was in charge of setting it up, he told me that Euclid and Parma were the two premier communities in the whole area and Euclid was the prototype for Cleveland's auxiliary program. I think that's a pretty good compliment for our auxies.

The next thing I wanted to talk about was Mr. Petrea's comment about saying hello. There is a movement abroad that is about character education for kids. When, and part of that character education is that every person that a child comes in contact during the day, from start to finish reinforces group character. A couple of friends and myself have taken it upon ourselves, we have made a commitment that way, when we're walking the dog, when out walking, every child we see, we say how you doing, how are you, whatever, hello. But it is reinforcing this character. To the people who have a misconception of our children, I will say 98% of those children that I say hello to, whether they are grade school or whether they are high school, they respond with a smile and say how you doing, I'm good, how are you, whatever. It is so important to reinforce good character in our children and we can do it whether or kids are in school or not.

With that, I would like to thank Mr. Petrea for reminding of that. Goodnight.

Councilman O'Neill – Just to the residents of Euclid and people watching, I just want to wish everyone a Happy St. Patrick's day for tomorrow. Be safe, take public transportation down to the parade and please be responsible.

Just briefly to Director Frey. I had a question from a resident asking about vicious dogs that had to be muzzled in the city. Is there an age limit to the individual that can walk that dog? Someone thought the individual had to be 18 years old?

Director Frey – They have to be 18 years old.

Councilman O'Neill – I thought it was but I just wanted it clarified, thank you.

Thank you to Euclid Police Auxiliary for an outstanding job that they've been doing for at least 50 years in this city. They certainly are the unsung heroes of the city and it is nice to see that they got some recognition tonight. Thank you for that.

As far as the Shore Cultural Centre steering committee. I am one of those council people that are on that committee. I have been vocal about the Cultural Centre, however I'm willing to listen to all proposals that come before us and find out what is best for the city. I encourage everyone that is a resident of the city to read them, the proposals, and find out what is best for the city, contact their council person.

There is a fourth proposal that still remains on the desk though and that is closing and potentially demolishing it. We're talking here about three different proposals like we have to pick one of them. We may not come up with one that we can agree with. There are four proposals out there, I want to make that very clear and we'll find out what is best for the city.

As far as the resident that was talking about an election year, yes it is. Our term has been shortened by four months because of the law suit but I can tell you this, I didn't take this job for the money, but I took it to do the right thing for the residents of Ward 5. I won't be intimidated by anybody telling me that I've got an election year and I better watch how I vote. I've never done that for the city, I've always done what I felt was the right thing for the City of Euclid and Ward 5 residents. With that, I'll say Happy St. Patrick's Day, thank you.

Councilman Wojtila – With the story that Mr. Cooke related to us, it just brings to mind how important our services are, specifically our safety services. I applaud both the Mayor and the Firefighters' Union for accomplishing what needed to be done and I just look to the Mayor for an update on both the remaining collective bargaining units, specifically the police, if you could address that.

Mayor Cervenik – We are scheduled to meet with the FOP Monday, I believe it is 10:30. I expect us to leave whenever with an agreement in hand and understanding in hand. I think if we both give in a little bit, we'll be where we need to be and we can avoid those layoffs as well. Virtually all the other unions are in some form of discussion, very close to voting. A number of them have already voted, others are taking the proposal back to their membership to vote for at least a 2-2.5% decrease in pay for this year. Things are going well and I'm very confident that we will, as confident as I can be any how, that we will strike an agreement that both sides can live with on Monday.

Councilman Wojtila – Thank you for the update. I'd hope to get an update similar to what you did with the Firefighters, because it is important to all of us on council, including the residents, so I thank you for that.

Mayor Cervenik – I've done my best to keep you updated on all those items.

Councilman Wojtila – We'll be looking for a Service Committee Meeting in April. I met with the Service Director, along with our consultant, CT regarding our Long Term Control Plan and Council President was there as well. We'll be having legislation in April to authorize CT to do additional work that has come about through negotiations and discussions with both the Department of Justice and US EPA, so I'm looking at an April 29th Committee Meeting, but we'll confirm that as we get closer to that meeting date.

I did watch the Safety Committee meeting from last week and Chief Repicky, on the presentation on the schematic plans put together by the consultant, one area of concern that I have is in the location of the actual building itself, taking up part of Memorial Park. What would be the right mechanism for us to get that information to you, or what's the next step, I guess is a better way of asking, when should we comment on that? We talked about green space between the jail and city hall. That's nice but green space at Memorial Park where it is utilized, so I'd like to hear from you what the next step is and how you'd like us to get our comments to you?

Chief Repicky – The comment period is last Wednesday, I'm just kidding. You can send me an e-mail whenever you desire. The next time, I haven't heard from the consultant, he's supposed to call me this week. When he does come, we'll probably paint or stake where the building might be located. The reason it is there right now is because of the court and the tunnel. We wanted to keep using the tunnel for officer safety and employee safety and Court employee safety. That is where it is located right now.

Councilman Wojtila – You think he'll be presenting to the Council?

Chief Repicky – No, he'll be come back to the Police Dept. and try to finalize the needs assessment.

Councilman Wojtila – Thank you. I have quite a few more items, but I'll cut it short. Director Gulich, I've been getting a lot of comments on it and we talked earlier today about the pavement repairs, when there's damaged waterline and repair to the waterline. Cleveland repairs the waterline, they back-fill it, we repair the pavement, correct?

Director Gulich – That is correct and then we are reimbursed subsequently from the Cleveland Water Dept.

Councilman Wojtila – If they're not properly back-filling it and it continues to settle over time do they continue to reimburse us as we are repairing that patch?

Director Gulich – We are not reimbursed until the final work is done and we have submitted an invoice to the Cleveland Water Dept. Typically what we'll find when we get to these first warmer days of spring-like weather, combined with a little bit of rain, we'll put a few trucks over these holes and they do tend to go down. The Water Dept. does their best to get these things backfilled properly but in the real world it doesn't always happen, there are areas of void as anyone can attest to when these types of repairs are done. To try to stay on them vigilantly and as soon as weather permits, when the asphalt plants open, we can start cementing asphalt.

Councilman Wojtila – A lot of areas, like today we spent, or we authorized quite a bit of money on the pavement repairs. All too often there is a waterline repair in that area and what was a pretty nice street, all of sudden now is suffering chuckholes and it is only a couple of years old. I don't know if there is a way we could (unable to hear tape).

Director Gulich – I know you've got a lot of questions in your time, but all these Cleveland Water Dept. streets that we've been discussing that will be coming up in 2008 and 2009, there will be Cleveland Water Dept. design at my asking that the new waterlines will go back in the same trench as the old water lines. It will necessitate the need for temporary above ground line, which causes a little more work. But what I'm telling you is that with the new line going in the old excavation, basically we'll be able to eliminate all those old repairs, all those old voids underneath there, get it properly (unable to hear) come back and resurface it, will have a longer lifespan.

Councilman Langman – First I look forward to the solutions to the flooding on Pam Court and when those solutions will be implemented. I'll send a follow up e-mail on that. I did want to make an announcement on a particular meeting that is going to be held on April 2nd, a Thursday. BRIDGES along with the City, Euclid City Schools, Euclid Public Library, Euclid Hospital, Euclid Chamber of Commerce, is hosting a dialogue hopefully the first of many on race. It is entitled, Race Are We So Different. It is designed to build upon the Euclid day that was at the Race Exhibit this past November. It will be facilitated by Drs. Melody and Richard Yates of Cleveland State who have facilitated many of these types of meetings with BRIDGES in the past. I'm urging everyone if they can to attend. If you want additional information, you can call these two telephone numbers: 216-990-2384 or 216-261-5300 Ext. 116. As a member of the sub-committee on diversity, I have found the dialogues extremely informative and helpful and enlightening. So I hope you can join us at the Euclid Library in the Shore Room on April 2nd. We'll start at 7 PM. Thank you.

Councilman Van Ho – First of all I would like to say congratulations to the C.E. Orr Ice arena, they've gone wireless, which means mom and dad can work while the kids skate now. I would like to also have the public not forget that there is a foreclosure prevention seminar at the Library on Wednesday at 6:15. For those of you that are facing the problem, there is a lot of help, you just need to come and find out where it is at. If you know of someone who is to proud to show up, come, share the info with them because when a house is foreclosed, it not only affects mom and dad, it affects the kids, it affects the whole family. Let's try to and stem the tie.

To the administration, I would suggest that we come up with a formal process when these various utilities change out meters and then they're sending people bills for \$500-\$700 based on estimates of what you used after their equipment failed. I've got hit with it from the electric company. I had a call from a lady that got hit with it from the water company. We need to look at a way to try to throw our weight behind our citizens because this lady has went round and round with everyone to kind of a dead-end at this point. Director Gulich has tried to help her but I think we need to somehow have discussions with these utilities and try and rein this in.

I would like to say thanks to the firefighters for putting the citizens ahead of themselves. It shows the quality of people that work for this city. It took a lot of guts to bring both the union leadership, union members and the administration. I would just like to say thanks to everybody.

I, too, would like to add thanks to the Auxiliary Police for the job they do, day in and day out. That's all, I'll say goodnight.

President Holzheimer Gail – I think probably most of my comments have been made. I did want to thank the Chamber of Commerce who put on a wonderful annual dinner and congratulations to their award winners.

Regarding the Shore Steering Committee and the proposals, Council will make that decision and Council will decide which proposal is the best one to move forward on. While the Steering Committee was set at the beginning, the intention was that there was going to be more proposals. We ended up with three, so the Committee did meet, did hear the proposals. I was able to take one of the council person's place, Councilwoman Minarik was able to take a place. But we try to keep the limit of three council people at a time, otherwise we're heading into open meeting law violations. We restricted that to three and the people were chosen for reasons that I'd be happy to discuss with anyone who would like to know what those reasons were. Again, all three proposals are slated to come back to Council. Two groups will come together and present a joint proposal, that is Coral and Sandvick. They will present their proposal on Monday, March 30th at 6:30 here before the full Executive Finance Committee. The Spies Group which includes City Architecture and the Euclid Public Library will present on Wednesday, March 25 here in City Council at 6:30 again to the Executive Finance Committee.

Council will make the decision. It is not a decision that will be made without a lot of public input and we're hoping to have, I'm sure we will have a lot of public input, questions from Council. We pretty quickly determined that we would not be able to do all of the proposals in one night because we wanted to allow plenty of time for comment and question. We will move forward with that process and look to full Council working together with the community to make that decision.

Lots of other meetings coming up, Planning & Zoning has invited Council to participate in their sign code review. I know as ward council people you probably get lots of calls about signs and that would be the time to provide your comments if you would like to do that, that's Tuesday, March 24 at 7 PM, here in Council Chamber. That's a Special Planning & Zoning Committee Meeting.

Councilman Langman will hold the JJR Lakefront Development next step and JJR will be here to present on the first stage, what they've found and what their recommendations are for the next step. That will be April 8th.

The Housing meetings will be scheduled. Public Service Committee meeting. We did talk about a Council work session on the 30th, we will cancel that in deference to the Shore proposal. Looking forward to all that good work. Thank you council members.

Councilman Gruber – First of all I would like to wish my mother a Happy Birthday. Usually I don't tell the number but she's 80, so I think she deserves it this year. All those other years, they've figured it out how old you are.

Also I would like to thank the Foreclosure Committee. They had a seminar at Indian Hills School last week and Marty Castelletti from the City was there and Walter Drake and the rest of his committee. I think they brought a lot of valuable information. Councilman Van Ho is part of that as well. I think they brought a lot of valuable information to the folks in that area. Unfortunately there wasn't a big turn out, but still like you said, maybe some folks took information home that can be spread throughout the neighborhood. I appreciate that.

Number three. The City is going to the dogs and this time it is a good thing. I'm happy to see that the Dog Park is moving ahead. About 8 years ago Councilman McTighe and I had started working on a proposal and it kind of dropped by the wayside and then Councilman Langman picked it up again and glad to see that, it is a good amenity for the folks. It is not going to be a big drain on our budget because it is mostly going to be done with donations and naming rights are still available. So if anybody would like the dog park named after them, anybody? Come on, throw us a bone. Okay, so the naming rights are available.

Also I'd like to thank Lottie Collins. She's a resident of Ward 1 who is a producer of a show, My World, My Country, who has an excellent new guest host, which would be me. That's going to go out to about 975,000 households all throughout northeastern Ohio viewing area. Lottie, I had an opportunity, in fact it is filmed at the Euclid Square Mall, we had an opportunity to do it last Thursday, that's why I wasn't at the Chamber dinner. I was very impressed with the facility, it is one of the churches in there. It was a good time and it was very good information for financial questions and answers about insurance and annuities, 401(k), stock market. It was very good and as more information becomes available, I'll let you know. Happy St. Patrick's Day.

ADJOURNMENT

Councilman Gruber moved to adjourn. Councilman Van Ho seconded. Yeas: Unanimous.

Councilman Van Ho – Just one thing, the lady that came up from the daycare center that was so nervous, she did a tremendous job and I think she needs to know it.

Attest:

Clerk of Council

President of Council