

COUNCIL MINUTES
February 16, 2010

The regular Council Meeting was held on Tuesday, February 16, 2010 at 7:00 PM in the Euclid Municipal Center Council Chamber. Council President Holzheimer Gail presided.

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

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

INVOCATION

Invocation was given by Fr. John Betters from Ss. Robert and William Church.

COMMUNICATION

Council received a letter from Senator Nina Turner addressing the proposed bus route reductions that RTA has planned.

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Councilwoman Scarniench moved to receive and approve the Council Minutes of February 1, 2010. Councilman O'Neill seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Recreation Director Will – I would just like to remind everybody the C.E. Orr ice arena is still open and we have public sessions on Tuesday evenings 7:00-8:45; Thursday 5:45-6:45; Saturday 1:30-2:30 and Sunday 12:30-2:30. If you want to come in, you can have your birthday party there or we have where you can come in and rent the ice arena. The arena is open through March 31st and if you have any questions, call 289-8649.

We utilize the high school swimming pool and one more session of lessons before summertime. We'll have lessons Tuesday, March 20th and Sat. March 6th. Those lessons will both run until the first week of May. We have adult swim, family swim, lap swimming. If you want any information, call 289-8114.

If you don't want to walk outside, we do utilize the Euclid High School Indoor Track, Monday through Thursday 6:30-8:30 PM.

A couple of save the dates. Remember on Saturday, April 17th, from 10 AM – 3 PM we will be hosting our Annual Spring Fling. This year's theme is Living, Working and Playing in the City. We will have Dick Goddard attending from 12-2 PM. We also have Home Depot doing workshops for the kids and adults. The City of Euclid Housing Fair will be inside the Henn Mansion and showing the great buys of Euclid. We also have the Chamber of Commerce that will be involved. A lot of the local landscapers will be there to help you get your yard ready for the spring. If you would like to be a part of that and set up a table, please call 289-8114. That's Saturday April 17 at Sims park from 10-3 PM.

The Second Annual Relay for Life, that will take place at the Euclid High School Track beginning at 6 PM on May 14th and concluding at Noon on Saturday May 15th. It is a great event. Sign up by going to the Relay for Life/Euclid website, or contact myself and I will get you registered on a team and show you how to do that. Last year the City of Euclid raised over \$40,000 and that was the best that the American Cancer Society had ever had for a first time event. Come on out, we have a great time and it is for a great cause.

I have been asked by the Cuyahoga County Board of Health and Shore Cultural Centre to remind everybody, February 23 from 3 PM – 7 PM, Shore Cultural Centre will be hosting a free H1N1 vaccination clinic. You can walk in or you can make an appointment by calling 216-201-2001 and selection option 5.

I'm happy to announce tomorrow Sticks Pub & Grille will re-open under the management of Billy Casper Golf. They will be open Wednesday through Sunday from 11 – 7 PM. They do have a new menu out, I have some here to hand over to Council. If anybody would like a menu, I can get that to you, just give me a call, stop by Sticks, visit them, say hello and you can get a menu at that time. The Double Eagle is still on the menu. Thank you very much. Any questions, call 289-8114 or you can check us out on the website, www.cityofeuclid.com

Director Smith - A community shred day will be Saturday February 27th. From 9:00 AM – Noon. Location will be in the parking lot behind City Hall. Thank you.

Mayor Cervenik – I have one announcement and it is more of a thank you. Last week the Western Reserve Area on Aging notified not only the City of Euclid but a number of other senior community centers that the food service would be temporarily suspended because their caterer tested positive for

some contaminants in the food they delivered. Although many of the senior programs throughout the area decided not to provide food for their seniors, we took another tact and thanks to the help of Terah McNeal, Marianne Kernc, Letitia Linker and the whole staff, we went out and bought food, prepared it and cooked it so that our seniors would have a meal. It may not have been as good as some of the things they've gotten before, but they had turkey hot dogs one day, lasagna another. I went down and talked to them and told them we have a commitment to the seniors. What I found interesting as I went around from table to table is it wasn't just the meal that they were concerned about, it was the ability to come together and congregate, which is why they call them congregate meals that they could talk to each while they're eating. It felt good to know it was more than just a cheap lunch. It was very good service provided to them. Starting tomorrow the congregate meals will be reinstated by Western Reserve under a different caterer.

The homebound residents and we serve about 100 daily homebound residents, they will continue to receive frozen meals the rest of this week, which they're going to have to put in the microwave themselves or oven, whatever they prefer. Next week, starting Monday, they will go back to their regular hot meals as well that will be delivered by our staff. Thanks to all that helped out. We showed our seniors that we really do care about them and thanks for your cooperation as well.

REPORTS & COMMITTEE MINUTES

Councilwoman Scarniench moved to receive the Executive & Finance Com. Min. of 1/2/10; 2/8/10; Community Assets/Programs Com. Min. of 2/3/10; Board of Control Minutes of 1/25/10 & 2/01/10. Councilman Gilliham seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

President Holzheimer Gail – Seeing no comments, we will move forward with legislation. If there's no objection, we have a representative here from Senior Transportation Connections, so if we could dispense with the second reading and move #6 up and take care of that first.

Councilman Gilliham – There is some information about the transportation that I did not receive. Thank you.

LEGISLATION

Ord. 16-2010 (045-10) Senior Transportation

An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a contract with Senior Transportation Connection of Cuyahoga County to provide transportation services to qualified Senior Program recipients for the period commencing March 1, 2010 and ending December 31, 2010, in an amount not to exceed Fifty Thousand Dollars (\$50,000.00), and to authorize the use of city vehicles for said transportation. (Sponsored by Mayor Cervenik)

Councilman Van Ho moved for passage, Councilman Langman seconded.

Mayor Cervenik – I believe you all received the proposed contract for Senior Transportation Connections with your packet or by e-mail. I also past out this evening three pages, two are from the annual report on transportation, 2009 Senior Transportation Summary Report. This is where we received much of the information as to what types of transportation we provide to our seniors. The Excel spreadsheet that I gave to you, under Column Original 2010, that was the original budget that was proposed for senior transportation from the Finance Dept. from the prior year. The second column, Amended 2010, that is where I'm proposing that we would have one full time driver, two part time drivers. On this sheet it shows them at 2/3 of the time, which we may need to begin with. The other 1/3 of these two people are under the County Grant for Chore workers. They are full time people, 2/3 going into transportation and 1/3 into Chore. Under hospitalization is why we would have three full time people still covered under our health care.

Vehicle maintenance which is expense through the block grant money, I reduced, probably not as much as I wanted to, but to be on the conservative side, I've reduced total maintenance cost for the year from \$30,800 to \$21,500. We would only be maintaining three vehicles, maybe possibly one automobile as well.

Just so we have some understanding of the cost of the vehicles, I amortized those three vehicles we would keep over seven years for a \$13,444. That really brought the total cost of the original budget that was presented to me, was \$312,000. The reduction of our personnel and expenses would bring the budget to \$125,000. As you know the contract for this year would be \$54,600. So we would actually have a budget of approximately \$180,000 for the transportation of our seniors, for a savings of approximately \$130,000.

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It is difficult, I think this really makes sense. I sent a pretty lengthy e-mail, sorry about the length of it the other day. It really does make sense to use a regional firm such as Senior Transportation Connections. Mayor Cicero from Lyndhurst has been pushing me some time to really look into this. He is on the Board, but their community also uses it and I e-mailed other organizations that use it. It's a little tough because it means that as I have been doing over the past few weeks, it would mean the elimination of at least 3 full time jobs. That's not easy to do but at the same time, we firmly believe we can provide at least the same, if not better service to our residents for transportation. That's why I asked if you could possibly look at this tonight. I have with us tonight Janice Dzigiel, she's the Executive Director of Senior Transportation Connections. She has come here to answer any questions you may have. I tried to answer most of them in that one e-mail. If we could suspend the rules and have Janice and Terah as well come up and you can ask any questions of either of those two or myself that you may have on this matter and we'll do our best to answer them.

Councilman O'Neill moved to suspend the rules to allow comments from Ms. O'Neal and Ms. Dzigiel. Councilwoman Scarniench seconded. Yeas: Unanimous.

Mayor Cervenik – This change would be the final change in our staffing and programming at Senior programs. I really would like to get that done, so that our seniors understand that although we are changing some things, we still will be providing the level of service that they're used to having.

Councilman O'Neill – Just very briefly for the listening audience, the seniors that are looking at this intently, can you just summarize briefly what the impact is going to be to the seniors. There's going to be some type of impact, any time you reduce like that. But I know you're trying to minimize it, but what is the impact to the seniors?

Mayor Cervenik – The impact should be very minimal due to the fact that we will still have one full time driver and two part time drivers. From the hours of 11-1:30 or 2:00, a good part of those 3 people on our staff will be delivering the homebound meals. But during the rest of the time, they will be able to transport people to and from the community center for the congregate meals and other activities.

Another thing I did fail to mention although it was in the e-mail, if you look on the summary sheet, at the top 2009 Senior Transportation Summary Report. We transport approximately 17 participants to the lunch program from Indian Hills each day, there and back. I had a conversation with Mr. Niederst from Indian Hills and he has agreed to take over that transportation. They have 20 person van that they use for shopping and what have you and he has agreed to do that. That will even allow us to do more things for seniors. I personally don't believe as far as the transportation goes and with the service that STC provides, I think we're actually going to see an increase in the quality and amount of service that our residents can get.

Councilman O'Neill – Correct me if the way I'm understanding you, leaning more towards the utilization of the drivers, rather than doing one task, they are sort of multi-tasking in between their normal trips am I to understand that correctly?

Mayor Cervenik – I would say yes, but I think with the one full time and two part time, they're going to be spending a good part of their time behind the wheel of a vehicle. But as in the past, they do help out and do things inside the Center when they're not transporting.

President Holzheimer Gail – Mayor another thing that you would share is the referrals that you received or the compliments that you've received from other communities who use the same program.

Mayor Cervenik – I know he's on the Board so he's biased, but Mayor Cicero says it is 24 hour service and Janice can speak to this better. Most of the vans they have are larger than ours. They will be utilizing one of our vehicles, we're not sure which one yet, we need to work that out. It is a high quality organization that has the capacity to serve our seniors well. Another advantage that we have on those trips, they have, STC has insurance. We do not, we're a self-insured community. So every transporting that we make, we always run that risk of a problem; knock on wood we haven't had to many of those. I think that's another advantage. You've got the annual report there, you can look at the number of organizations, as well as cities that they provide services for and I think it is very, very impressive. If we could let Janice say a few words about her organization.

President Holzheimer Gail – Ms. Dzigiel thank you for being here.

Ms. Dzigiel – Thank you for the opportunity to meet with you this evening and talk about Senior Transportation Connection. Should Euclid decide to join us, you would be the 22 suburban community in Cuyahoga County to be part of a regional effort towards coordinating and consolidating senior transportation services.

STC comes out of a strategic planning effort that was conducted between 2002 and 2004. A couple of things they recognized from that study is that roughly there were 210-220 vehicles on a daily basis dedicated to senior transportation in this county, crossing each other at many intersections, serving the same service areas and sometimes the same clients or consumers. The recommendation was made that there be one organization established to address coordinating and consolidating senior transportation throughout the County.

We are five years old, we celebrated our fifth birthday last Tuesday and we have made significant progress in our five years as an organization. We are a non-profit organization. Sometimes we are being confused as being part of County government. We are not. We are a 501 C 3, that gives us certain advantages on how we're able to operate our business. All we do is senior transportation and some under 60 disabled individual transportation services. That's all we're about. We don't do client assessments. We don't do other social service assessments. All we're doing is taking the calls from consumers to schedule rides of where they need to go and then delivering that service on behalf of one of the communities or non-profit organizations that we contract with.

I would like to speak a little bit to the qualification of our drivers. All of whom receive at least 80 hours of training before they are put into service on the road. One of the issues that I noticed and the Mayor was kind enough to share some of your e-mail questions with me. We are very happy to speak to any employee of the City of Euclid that maybe looking at being laid off and should they meet our level of qualification or if we can bring them up to a level of training, be more than happy to talk to them about employment with our organization.

With the other communities that we've worked with, in all cases except one, those drivers have decided to come on board and work with us and that makes for a very smooth and effect transition when we're working in a new community.

We're also committed to doing significant outreach communications with your senior adults about what does the change mean. Initially all the change means is instead of calling the Senior Center to schedule their ride, they're going to call a 1-800 number and schedule their ride. I'll be honest in saying, is there a little bit of a transition in all of that? Yes there is because I memorized the number at Terah's place but now I've got to learn a new number and call a 1-800 number. It takes 2-3 weeks for that to sift out and then we're back to a very good level of service.

Please understand that with this contract with the City of Euclid, it is only for part of your entire transportation service. We're talking about doing the medical transportation and the personal or group shopping trips. We've had some discussion on how we structure that. Of course, we achieve efficiency when we have more people on the vehicle. So we totally advocate for taking 5-6-8 people to Giant Eagle or to Dave's or wherever, rather than one person. That makes it more economical for everyone involved.

This would be a very quick transition for us. We have about two weeks to achieve this if we are on target to do March 1st. I'm very confident that in working with the administration and Terah and her team that we can make this happen. Make the senior adults comfortable with the change that is coming. Then also make sure they're satisfied in the services they are receiving.

One of the other points I'd like to make, as you look towards your future of budgeting and what it costs to do senior transportation services in the City of Euclid. We have been very fortunate to be recipients of federal earmarked dollars to purchase vehicles. Typically a 10-12 passenger wheelchair equipped van is about \$50,000. That becomes an expense that is no longer a worry of yours, but a worry of ours. With \$1.5 million in our coffers with the federal government, we are confident that we can keep our fleet equipped safely and appropriately for the next couple of years and then building our capital over the next couple of contracts that we'll be working with.

There were some other questions that you've addressed in an e-mail. One had to do with drug testing. I will just say that we do pre-employment drug testing. We do random testing of all of our drivers in a month period and we also do post-accident testing. That is not only for our drivers, but any of our safety sensitive personnel. That includes our call takers and dispatchers who are in communication with the drivers.

We offer a high level of customer service. We want to treat your senior adults the way you want to treat them and I believe we really go out of our way to do that. As the Mayor referred to, a number of references with other Mayors talk to Mayors and they say really does this work? Are people going to call my office and say I'm unhappy with what you've just decided to do? I think we've proved through our relationship and our service that this is a good idea for the seniors in your community. If you have other specific questions, I'm very happy to address them.

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Councilwoman Jones – The number of vehicles that you have, I know one of the vehicles will be our van you're using. Going forward, do you base the number of vehicles that you would need on the number of passengers that you had in the prior year or prior month, or is it based on the population of seniors in a city? Are the drivers dedicated to each city that they'll be driving for, or will there be changing of drivers from week to week?

Ms. Dzigiel – Currently we have 32 vehicles in our fleet. 14 of them are owned by STC, the remainder are operated on behalf of communities that we contract with. For example, the City of Lyndhurst or Tri-City Consortium. One of the vehicles we operate, they own and they will depreciate as an asset, but we operate it, we insure it, we maintain it. We do it on their behalf.

The vehicle does not always stay in the community in which it originates from. But that allows us to achieve the efficiency to keep it at a lower cost and serve residents in neighboring communities. For example, we're in contract with the City of Richmond Heights. There maybe residents of Richmond Heights who are also going to Euclid Hospital. Starting from Richmond, if we're coming back through Euclid, we're going to pick up Euclid residents if we're going to the same destination. That's what allows us to achieve efficiency and effectiveness in delivering the services.

We also intend moving forward with the commitment of the federal dollars, to buy vehicles that are more appropriate for the service we deliver. A 10 or 12 passenger van is not always the best delivery system if you're taking one or two people. We're going to be exploring that as far as diversifying our fleet and also trying to be as green as possible, realizing we have a huge footprint, just by the nature of what we're doing.

Councilwoman Jones – Will the drivers by the same drivers from week to week picking up from the same locations. Residents may get used to a driver that's always coming to pick them up o the driver will be changing based n the availability?

Ms. Dzigiel – The driver typically stays the same within the community. There maybe changes due to vacation, sick time, etc. But we cross train our drivers so should that happen we've got appropriate back up and people know the route. We appreciate that the drivers are a first line relationship with many, many of the seniors they see every day. That's important and that's an important part that we address in our training and in our work with the seniors in your community.

Councilwoman Scarniench – Thank you for being here tonight to answer the questions. In the contract, this is one of my big concerns, it says 27,032 one way passenger trips per year, not more than 228 per month. When I'm looking at this spreadsheet, are we going to transport everybody to the community center, our staff?

Mayor Cervenik – For the most part we are. Again Indian Hills has agreed to transport theirs and there's another senior apartment complex that I have not contacted yet but I am hopeful they will transport theirs. With the one full time driver and two part time drivers, as well as an additional vehicle that another staff member can use, we should have no problem transporting our own. The vast majority of those that come to our congregate meals do come on their own. That parking lot is pretty full when you are there. We should be able to handle that. We're going to evaluate this on a month to month basis and we'll do what we need to make sure the seniors are taken care of..

Councilwoman Scarniench – I'm concerned with the numbers here and how much we're going to go over that we're going t be paying this \$40 because it is \$40 round trip. Nobody goes any place one way. That's what I'm concerned with. We're saying we're going to say \$132,000 but are we really and how many times are we going to end up spending that \$40. That's a concern. If we're going to be moving everybody from home to the community center, that kind of cuts it pretty much, so that answers that, if we're doing that.

Mayor Cervenik – When we first started this without having a great understanding of the whole system, and I know it pretty good right now, that's why we have started with STC to provide the medical and group shopping trips. We will look from then on other ways that they can help us. As was mentioned, it was determined that it would be perfect, idea to have one senior transportation organization for the whole county. That's going to take awhile to get there. It is going to take more than 5 years. We're going to start with this and we will move forward as we see fit, as it works out, but we're going to monitor it very closely.

Councilwoman Scarniench – I like the idea that they'll be able to go to Giant Eagle now because from the way I understood it, we didn't transport anybody there. My other question, the seniors are going to be paying a fee, is it going to be the same as they're paying right now?

Mayor Cervenik – We had a suggested fee as much as \$4.50, I believe it might be on one of those sheets I passed out. We don't charge, that's a recommended donation. Our revenue and you can see it in the budget book was just about \$5,000 total, which doesn't even come close to \$4.50 a trip because it is a voluntary contribution.

Councilwoman Scarniench – Is that going to be the same way then?

Mayor Cervenik – We figured what we received into their pricing. It will be the same thing, it will be voluntary. It has all been figured in.

Councilwoman Scarniench – That was my concern, thanks.

Ms. Dzigiel – Of all the contracts, the 22 that we have now, three of them are receiving funds from the Western Reserve Area Agency on Aging, which has that requirement of a suggested donation. We have the ability in the way we create our schedules that it notes very clearly to the driver that this is a suggested donation, not a fare, and what that suggested donation amount is. They know the difference between a fare and a donation and there's no strong arming. Truly 1% of our budget is what we get out of the fare box. It doesn't cover it at all.

Councilman Van Ho – Did we address the issue of the additional insured on the insurance certificates?

Director Frey – I was not here on Friday so I have not gotten the agreement finalized, but we will absolutely have the City of Euclid named as an additional insured. That's a standard requirement on our contracts.

Councilman Langman – Law Director Frey, the fuel escalation prices, are those in retail prices?

Director Frey – I'm deferring to my neighbor here for the agreement. It sounds like we're doing the same thing we've done on the garbage charge. It is based on an average price, this one being the Ohio Metro price. It would be a retail price, there's no question that it is going to be in that context based on those prices. I don't know Randy what our cost is right now for unleaded? These numbers are approximately retail prices now. We would work off of that adjustment, just as we are with the garbage, either up or down.

Councilman Langman – To the Mayor, could you provide some feedback from your colleagues that already used this service, what is their impression, how long have they used this service, etc.?

Mayor Cervenik – The comments I received from Mayor Cicero and the Tri-City Consortium, they've very, very satisfied with it and really pushed me to really look into this. One it is more than just a cost, there is a cost savings here, but it takes one big headache off of our operations as well and is absorbed by STC. That's the reason I went to it. If you want some specific comments, I'm sure I can get them.

Councilman Langman – Nobody is looking to go back to doing it on their own?

Mayor Cervenik – No, I think most are looking to do, as I hinted tonight that if this is approved this evening, we will look at it monthly as well as through the end of the year and see if there's not ways that we can further expand by using STC provided it makes economic sense. The one thing we always have to make sure of though is that we have the ability and capability on our own to service those 100 or so households that receive the meals. We will always have some drivers of our own.

Councilman O'Neill – If we were to go with your company, how is the complaint set up so we can respond to any complaints quickly and get them taken care of, if you could go through that process. If a senior does have a complaint, this is a program that they follow and how do you react to it?

Ms. Dzigiel – We do have a complaint procedure and also a compliment procedure. We do take every complaint or issue that we hear from a senior adult or from our liaison that would be at the senior center, Terah, for example and look into that, investigate and respond within 24 hours. The complaints are handled either by our call center manager, if it is an issue relating to our call center operation or our Director of Operations who manages the actual delivery of the service.

Two things that we look at very carefully is our on time performance. If we tell you we're picking you up at 10:00, how often are we really there at 10:00. Also our denial rate, which is extremely low. In conjunction of working with the community, establish a protocol. Typically it

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works that medical trips are given the highest priority, shopping trips would come after that. Most people are willing to have a little bit of flexibility on those kinds of trips. We do take our complaints very seriously. We monitor it monthly. We had a meeting this morning to discuss what happened in January, what were the complaints, how did we handle it and how do we improve our operation.

Councilman O'Neill – Like the airlines, if they push away the gate on time, they consider that on time, whether they take off or not, as long as they push away from the gate, they consider that on time. What do you consider if it is 7:10 pick up time, weather has a lot to do with it, traffic, extremes, I understand that. But typically if you're within 3 minutes, that's reasonable or typical?

Ms. Dzigiel – Actually we look at 5 minutes before or after we've indicated to a person that we'll pick them up. Should that appointment time change, we also have the obligation to contact them.

Councilman O'Neill – How does your driver contact the person you're picking up. Do they have cell phones?

Ms. Dzigiel – All vehicles are equipped with cell phones. They can contact the rider directly. They can do it also routed through the call center.

Councilman O'Neill – Is it part of your routine, can the Mayor's office get a monthly listing of the complaints so we can also track the complaints as they go along as well as the compliments?

Ms. Dzigiel – Most definitely. One thing we do is provide to each of our communities a monthly report on the level of activity. It can be as customized as you want it. If you want to know every rider who took a trip, where they went, how often they went, we're happy to provide that level of detail. Typically it is a one page report that summarizes the activity for the month for that particular community, but any way you want it Councilman, we can give you that information.

Councilman Gilliam – On page 3 of the contract Section 4 C, it says the scheduling window that exists on either side of our reservation is 10 minute prior or 10 minutes after a suggested time. If I have an individual that is looking to be picked up at 2:00, they could potentially be picked up at 1:50, or 2:10, is that correct?

Ms. Dzigiel – That is correct.

Councilman Gilliam – Now the only concern that I have is on page 8 waiting and notifying for passengers, it does say that the driver shall wait up to 5 minutes. My concern is that some of our seniors, even if they see the van outside at 1:50, they're not coming outside that house until 2:00. The concern is that the driver may not notice that individual and then after 5 minutes, that individual is pretty much allowed to leave according to this policy. Will there be some flexibility initially to develop the relationship with the passengers so they have an understanding of behaviors and patterns? I feel there is going to be some level of anxiety, mistrust or just some stubbornness on people's parts, my grandmother was famous for that, 2:00 means 2:00 to her. My concern is that we don't have a situation where the driver says I waited 5 minutes and it is really 5 minutes before the actual appointment because the driver was there 10 minutes prior.

Ms. Dzigiel – I appreciate your point councilman. The driver does not pull away unless there's an attempt to contact with the consumer that we're picking up. We don't want to waste the trip either, nor do we want someone missing an appointment or the grocery shopping trip. There is always an attempt to communicate. There have been occasions where we don't get an answer on the other end of the line. We would then contact the Office on Aging, or if we have emergency contact information, to find out exactly where that individual is. We know if they've committed to make that ride, they're typically going to be there. We do our due diligence to track down individuals, to make sure people are safe. If there is a reason for concern, we make sure we have a relationship with the Office on Aging, if there needs to be further follow up.

Councilman Gilliam – Thank you. If an individual was on the particular van in route to a particular facility, are the drivers somewhat minimally trained to identify if there are some social service issues that may come into play, such as erratic behavior, things of that nature, depression, anxiety. Are the drivers able to report back to dispatch or your organization to say we have a situation where they're not being abusive on the trip but there maybe some concerns?

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Ms. Dzigiel – We would report that back to who was the identified liaison at the Office on Aging in that particular community. It has happened. There's been issues with banking, inappropriate dress, someone seeming disorientated or not quite themselves that day. That is always reported back by the driver so we could immediately can address it.

Councilman Gilliam – I'm a social worker by background. For individuals who are new to this system, they're going to have to register with the city so they can access the services. What is your particular turn around, is there a waiting list once they are actually registered, or is there an immediate turn around to get them in route to their particular services?

Ms. Dzigiel – There would be an immediate turn around and the way we would handle that is we actually have an electronic transfer of client data, so we will meet with Terah and say who do you think is going to be riding this level of service. We import those individuals into our system, get all the information we can. A few things that are important to us is knowing if we go to the back door instead of the front door. If that individual has a mobility aid. It is a six minute boarding time with a wheelchair versus a two minute boarding time with somebody who is ambulatory. All of that stuff is put into our scheduling system. Typically it is done very efficiently, electronically. Download a spreadsheet, we import it into our system and we have the majority of the riders that we're likely to be serving. If we get a new individual, the basic registration information can be taken over the phone and they can schedule their ride in the same phone call.

Councilwoman Jones – Let's say at a particular complex you're picking up 5 residents that will be traveling to shopping or doctor's appointments, whatever and they've already scheduled their appointments. But there's two extra people that are there that want to come on also. How do you handle those last minute riders that also want to ride, they haven't called for their appointment but they are there with the group that is boarding?

Ms. Dzigiel – We also have to know who is on the vehicle. If that rider is not showing up on the schedule the driver has, he will communicate with dispatch. I have two additional riders, we're ensuring we have capacity on the vehicle so everybody has a seat and he will note that on the schedule as far as who we're taking. If we need to do follow up to get more details on who that individual is, we will do that through the call center and then we'll make sure they're entered into the system. One thing that's very nice about our scheduling software. I call it Expedia for Senior Transportation. Once we know what Giant Eagle you're going to, we will always know what Giant Eagle you're going to unless you want to go somewhere else. It becomes a very efficient process for the rider when they're calling in to talk with us. Once we know their primary care physician or their dialysis treatment center, they never have to tell us that information again unless it is changed. It becomes a very quick process.

Councilman Wojtila – On the budget, the savings that we're hoping to realize if this passes, would that then be all on the Senior Program line item?

Mayor Cervenik – Yes, the majority of the transportation was contained in the general fund. The changes I made last week, the majority of those changes were savings in block grant, however now because of those savings, we'll be able to shift a little more, what's left of this, a portion of that over to block grant as well. The savings in the general fund are actually going to be higher than the \$132,000 once we've got this done. I do want to say that if in fact a number of positions are eliminated, I believe the payouts for those individuals for earned vacation time is about \$7500 so that would reduce the savings in this year by that amount.

Councilman Wojtila – We're doing some transportation and so would if this passes, STC. If I'm a consumer, how would I know who to call if I needed a ride?

Mayor Cervenik – For all transportation other than to the senior center, you would call STC.

Ms. Dzigiel – We would be part of a partnership with the Office on Aging to educate consumers on when do you call us, when is it a contact with the senior center.

President Holzheimer Gail – We appreciate you being here, answering our questions. Terah anything to add from your perspective.

Ms. O'Neal – We have a very serious group of very dedicated drivers that have been very committed to the overall well being of transporting our seniors in this community with a high level of commitment and dedication. I think it is just important to reference that point. They are definitely

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focused on committed to what their job duties and responsibilities are on behalf of all of the seniors that they have been servicing over the past 3 years.

One point of reference that I would like to make that was indicated in one of the e-mails is that part of our policy and procedure was to do a hold harmless so everyone that boarded our vehicles and we transported they did sign hold harmless agreements. We made sure that was part of our policy and procedure. Other than that, that's all.

Councilman O'Neill moved to close debate, Councilwoman Scarniench seconded. Yeas: Unanimous.

Councilman Van Ho moved to suspend the rules, Councilman Langman seconded.

Councilwoman Minarik – I do have a question on the ordinance itself regarding the amount.

Mayor Cervenik – You do need to amend that because the Mayor transposed some numbers.

President Holzheimer Gail – The contract is from March through December which is not a full year. The annual amount is \$54,000. The contract is for March through December, which should be sufficient.

Ms. Dzigiell – This contract is from March to March it is as 12 month contract.

President Holzheimer Gail – The ordinance reads through December 31st.

Mayor Cervenik – Leave it be, we're sufficient.

President Holzheimer Gail – We can revisit it prior to January 1st. The annual cost is \$54,600. The ordinance calls for a contract March 1st through December 31st, which is not a full year. So the \$50,000 is enough to cover through December 31st.

Councilman O'Neill – I'm assuming from what you're saying that we want the contract to expire in December rather than going March 1st to March 1st?

President Holzheimer Gail – If we pass it as is, yes. Then we can enter back into a full year, January to December be back on that cycle.

Ms. Dzigiell – That is correct. It also has a 90 day out, should you chose not to continue.

President Holzheimer Gail – Let's redo a motion to close debate since we reopened the debate.

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

Councilman Van Ho moved to suspend the rules. Councilwoman Minarik seconded. Yeas: Unanimous.

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

Passed.

Ms. Dzigiell – Thank you, we look forward to working with you.

Ord. (032-10) Rezoning 24690-24720 Euclid Ave.

An ordinance rezoning 24690-24720 Euclid Ave., P.P. # 650-36-001, 650-36-002, 650-36-003, from U-3 (apartment house) to U-4 (local retail) use district and further amending Ord. No. 2812. (Sponsored by Planning & Zoning Commission)

Third Reading. Public Hearing 3-1-10.

Res. 17-2010 (042-10) March 2010 Foreclosure Prevention Month

A resolution designating March, 2010 as Foreclosure Prevention Month in the City of Euclid, Ohio. (Sponsored by Mayor Cervenik and Entire Council)

Councilman Van Ho moved for passage, Councilman Wojtila seconded.

President Holzheimer Gail – This is a resolution, if you remember back last year we had a similar resolution. The past Council created the Foreclosure Prevention Committee to use some of the talent of our residents to help us address the foreclosure issue. Marty Castelletti is here and a member of our Foreclosure Prevention Committee. I would like to thank the residents and Marty Castelletti for all of their work. They meet on a monthly basis. They have one member of the committee that puts data together, works at Cleveland State Housing Policy Office, so he provides data on the number of foreclosures both locally and on a county basis. The committee has worked hard to both educate the public about foreclosure, about the resources available. Has put on a number of training sessions, educational forums and has a number of sessions in the works that I will let Councilman Van Ho talk about as another member of the committee. I would like to thank the committee, they are working hard, they are making an impact and it is a tough issue that we had hoped would have lessened by this point, but continues to be an issue, both in our community and countywide. There are a number of resources available so it has been a great effort to make sure our residents are aware of the resources and have them accessible to them.

Councilman Van Ho – The Foreclosure Prevention Committee will be having foreclosure prevention workshops at the Library on March 2nd and March 9th from 6:00-9:00 PM. In addition they will be at the Spring Fling with a housing fair where they will actually be showing houses. Like the Council President said, you don't hear a lot about this, but these people are constantly working hard at trying to mitigate the foreclosure problems in this community and they're the truly unsung heroes of this community when it comes to foreclosure prevention. I see we have Barb and Marty out there, could we suspend the rules and have them speak for a moment?

President Holzheimer Gail – If there is something they would like to add, I would be more than happy to do that. While they're deciding, I do want to share that they have created a number of partnerships that have helped to bring light to the issue. Those include an organization called ESOP, which is Empowering and Strengthening Ohio's People. A number of banks including 5/3, PNC; a bankruptcy expert, Neighborhood Housing Services, the Cuyahoga County Prosecutor's office, employment and family services, United Way, Cuyahoga County Foreclosure Prevention offices and Cuyahoga County Credit Services. Those are just some of the organizations who will be participating in the forums on March 2 and March 9th.

Councilman Gilliam moved to suspend the rules to allow comments from Mr. Castelletti. Councilwoman Scarniench seconded. Yeas: Unanimous.

Mr. Marty Castelletti – I work for the city. I'm also a citizen. As a member of the Foreclosure Prevention Committee, I just wanted to mention our actual goals. The City of Euclid's Foreclosure Prevention Committee exists to develop strategies to inform, educate and assist residents in dealing with the challenge of foreclosure and to strengthen the housing market, increase property values and explore approaches to reduce the number of foreclosed homes in Euclid.

The housing crisis as you all know is still alive and well in this region including in Euclid. So, even if you are not in financial trouble yourself, you may know someone who is, maybe a neighbor, friend or relative. Knowing the way this problem impacts our city, it is our collective best interest to spread the word about available resources.

As Council President Holzheimer Gail mentioned, there are two workshops in the month of March. They are both at the Euclid Public Library at 6 PM – 9 PM. You are all welcome to attend and pick up information, stay for maybe one or two of the topics being discussed and enjoy the speakers and pick up information that you can provide to somebody who you know needs help. The workshops are free. The information is free. The foreclosure help that is available is also free. I invite you to support our efforts in addressing the foreclosure issues facing our city by attending these workshops and by passing the resolution designating March as Foreclosure Prevention month for the City of Euclid.

Councilwoman Minarik – Mr. Castelletti, I wondered if you can tell us approximately how many homes are in foreclosure, pre-foreclosure and how many people do you think or households in Euclid do you think are threatened, they're not there yet, they're on the edge?

Mr. Castelletti – On the average we're probably looking at 350 or so that are in pre-foreclosure or going through the foreclosure process. We are working to get the information out to those people. We keep track of the information. Brian Mikelbank, one of our members of the committee, provides data to us every meeting. We're also in cooperation with some of the other members, we've been going

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online to the Auditor's website and tracking what the latest amount of people that are heading towards pre-foreclosure and trying to notify them through postcards to let them know about our workshops.

Councilwoman Minarik – Through the tax records?

Mr. Castelletti – Through the Auditor's website.

Councilwoman Minarik – How does this compare to last year? Are we in the same situation?

Mr. Castelletti – I'd say we're running about the same as last year.

Councilwoman Jones – Mr. Castelletti, from last year, how many of those that were in pre-foreclosure did we help through this program, so that workshops or whatever. Do we know how many that we've helped so it wouldn't go any further?

Mr. Castelletti – We had quite a few that attended the individual workshops and we also sent out letters to many of the citizens letting them know where they could look for help. I received probably 60-70 phone calls and was able to assist those people and direct them to the right places to get help. From there I don't know exactly what the numbers would be that we're actually helped. But I think we were able to save quite a few houses.

Councilwoman Jones – Can you just mention a few of the topics that will be talked about at the workshops and phone number that someone could call for those who are listening that may need more information?

Mr. Castelletti – We will have flyers that will be handed out in various locations throughout the city. We will also have those on the city's website and on the cable TV. Many of the organizations that are going to be there will have their information available. They'll contact people right there at the foreclosure workshop to help people immediately or at least give them the information to contact them.

Two of the main organizations are Empowering and Strengthening Ohio's People, ESOP. Neighborhood Housing Services. They are the two that have a lot of programs in place and can really make an impact and help people immediately with their situation. Those numbers will be available on the website and ECTV for anybody that needs that information. Or call me at 289-8141.

President Holzheimer Gail – We can make sure all council members get copies of the flyers.

Councilman Gilliam – Mr. Castelletti just one quick question that I'm asking for that data because I'm sure you weren't prepared for it. But has the Foreclosure Committee actually looked at the concentration of pre-foreclosures or foreclosures based on zip code?

Mr. Castelletti – We have looked at that and for the most part is spread out pretty evenly in the city. We continue to try to watch those trends to see where we might need to help people a little bit more in certain areas than others. As I stated before, we try to monitor through the Auditor's website who the newest homeowners are that are heading into pre-foreclosure and try to get information out to them as soon as possible.

Councilman Gilliam – If it is possible, could you submit that information at least the latest information that you have to all the council people. I think they would all be interested in looking at their community and making a determination on how we can further assist a foreclosure committee and our residents in our wards and across the city.

Mr. Castelletti – Certainly, I can provide the information that Brian Mikelbank brings to each meeting. If I can have him put it into a file form, I can always e-mail it to everybody after each meeting.

Councilman Gilliam – I would and I think the rest of us would greatly appreciate that as well.

Director Pietravoia – While Marty is up here, there was one additional service that I believe we're coordinating at the EDCOR office once a week. There will be an individual there to assist people on Thursday.

Mr. Castelletti – We will have a Housing counselor from Neighborhood Housing Services, Francis Cintron and she will be available in the EDCOR office off the Housing Dept. She will be there every Thursday to assist anybody who has issues with housing or foreclosure. It will be a nice convenient

way for someone to come in locally instead of having to go to the NHS office downtown. It will be a local representative right here on site in the City of Euclid.

Councilman O'Neill – Marty, you're doing a great job, I appreciate what you're doing. For the folks, to some people it maybe an embarrassment to actually admit that's happening. Unfortunately they get in to deep and they didn't reach out for help soon enough. Can you explain the process, to allow these people to be somewhat, they may not want their neighbors to know what is going on. Do they call you directly and set up an appointment or can you just kind of guide that?

Mr. Castelletti – We do get some turn out at the actual workshops. The people that are a little bit apprehensive about coming certainly have my phone number available and if they just look at the flyers they can see all the different organizations that are involved and get an idea of where they might want to call for assistance. We do see that is still an issue where people are just don't want to come out in public and acknowledge that they have a problem with their mortgage payments.

Councilman O'Neill – That seems to be the biggest problem up front is to get over that hurdle, that you're struggling, but you're going to lose your house. So maybe swallow your pride a little bit, neighbor or family member might find out that somebody is losing their house, maybe they'll attend the workshop and grab the information and then provide for them.

Mr. Castelletti – That's exactly what we've been encouraging is that people who may know somebody who is in foreclosure are welcome to come up and grab any information. There's always plenty of pamphlets and flyers and different things like that from each organization that they can take that has very useful information on it.

Councilman O'Neill – So you're seeing people who aren't necessarily the people that may have the problem, but they maybe somebody who is trying to reach out to help a neighbor or family member.

Mr. Castelletti – Absolutely. We also encourage council members or anybody is welcome to attend if they know of some homeowners in their wards that are in need of some help and they can provide all the information they need.

President Holzheimer Gail – Again for those who did not get the number, you can call Marty to find out more information at 289-8141. United Way's First Call for Help is always a great resource for Foreclosure programs and issues and that is 2-1-1, United Way First Call for Help.

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

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

Passed.

Res. 18-2010 (046-10) Seek Funding Euclid Waterfront Improv. Plan

A resolution in support of the Administration of the City of Euclid seeking state and federal funding for the Phase I Public Improvement portion of the Euclid Waterfront Improvements Plan. (Sponsored by Mayor Cervenik, President Holzheimer Gail, Councilpersons Langman, O'Neill)

Councilman Langman moved for passage, Councilman O'Neill seconded

Director Pietravoia – With council's approval, I would like to discuss items 3 & 5 together because they are actually similar and their purpose is similar. Then we'd have to entertain a vote on each one separately.

Each year we come back to Council as we work with our members of congress and U.S. Senators to try to seek funding for the major projects that involve significant capital improvement expenses. This year, again, we've identified both the waterfront improvements, in item #3, and the downtown improvements that were recommended in the Downtown Plan in Item #5.

The process involves a set form that each member of Congress ask that the municipality fills out and submits by a certain date. They look for support from the local public officials. Certainly most importantly would be the Mayor and Council here in our own community. In addition to that, we seek letters of support from our State Senator Turner and our State Representative Kenny Yuko and the Chamber and the Library this year again have also submitted letters of support which we'll submit with both of these.

Our deadlines are coming up toward the end of this month. We would need the Resolutions passed this evening so we could include them with the submissions to the members of Congress.

President Holzheimer Gail – I assume it would be helpful to have all of Council listed as sponsors?

Director Pietravoia – Yes, absolutely.

Councilman Langman – The resolution on the lakefront, very familiar, we've done this several times in the past. You're in contact with our delegation as is other members of the administration. Are we making progress when we submit this year after year. Are we getting closer to actually leveraging some funds?

Director Pietravoia – Just as with everything else in life, even the staff folks that we are dealing with change from year to year. We have the luxury this year of dealing with staff that have been in place for some time and we've had an opportunity to meet with them and review the expanded Waterfront Improvements plan. It has been very well received by all the members that we've met with and they see that we're trying to coordinate with our request to the State as well which is always a plus. They like to see that there's either some State or Local funding to supplement the federal funds that we're looking for. In that regard I do feel this year going in that we're in a stronger position. They have all cautioned us that everybody's asking for funds with the difficult economic times, the requests are even greater than normal. So in that regard, there's more competition but I do feel we're in a stronger position because of the scope of the project, especially the lakefront has expanded and we're showing that we're bringing other dollars to the table.

Councilman Langman – Have we thought about adding a train station to anyone of these projects?

Director Pietravoia – That might actually be counter-productive in some ways.

Councilman Langman – Obviously we're going after funding for both projects. We want both projects, but does that hurt us in anyway asking for monies for two separate projects?

Director Pietravoia – I would say that they do expect that a community this size would likely have more than one project we'd be seeking funding for. They make it very clear, all the members of Congress their ask which is your priority project and to rank them if there are more than two. We have ranked the lakefront particularly because of the funds that we'll be going after from the State as our first priority and the Downtown as second priority. That also recognizes the fact that with the Downtown we do anticipate with the help of Director Smith and Public Service Dept., we probably have 9 months to a year time for the design work with the federal and state funds we receive through NOACA to do the Downtown Engineering and Design work. So we have a little bit of a buffer there with timing and for that reason we also made the Downtown a second priority for funding.

Councilman Langman – Have we contacted the Governor's office, the Development Director's office, so that they can add their voice to this?

Director Pietravoia – We haven't specifically asked them for support letters. It is a very unusual process. The members of Congress allow you to submit three letters of support, so we went with the local officials that are representing the area. The State is involved because of the ODNR grant request and will coordinate with the federal government if there are any questions. We didn't specifically ask them for support letters.

Councilman Langman – They are aware that we're pursuing these funds again?

Director Pietravoia – Yes and I would say the State it works just the opposite. With the State as well they like to see when they're considering our grant request from the State, that we plan to supplement that with either local or federal dollars. It all works together very well.

Councilman Gilliam – In seeking these particular grants one of the things I definitely have a concern about is our particular contribution. Based on previous grants that I've been experienced with, not to this particular number in some cases, but this type of project, they usually want you to have some kind of maintenance in-kind, or in-kind donation anywhere from 10-20% based on the actual size of the actual grant.

My question is that we've already approved the purchase of some land to add to our bank so that we can increase our position for grant funding. Are we looking at strategically other areas in that particular lakefront area to probably acquire to increase our value?

Director Pietravoia – Absolutely. We do intend to look at the other parcels in that area that we would need to have control over in order to implement the public improvements. We do already have in place funding from the State that would help to cover additional acquisitions. We don't have enough to purchase everything but we still have some funds available through the State Capital Grant that we received last year. We are intending this year to bring forward to Council proposals to continue to acquire land in that immediate area.

Councilwoman Minarik moved to close debate, Councilman O'Neill seconded Yeas: Unanimous.

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

Passed.

Ord. 19-2010 (043-10) Amend Code Chapter 556 Sex Offender Prohibition

An emergency ordinance amending Chapter 556 "Sex Offender Residency Prohibition" of the General Offenses Code of the Codified Ordinances of the City of Euclid to conform with the Ohio Revised Code which expands the locations where child-victim sex offenders are prohibited from residing and to limit the number of sex offenders that may reside in one premises. (Sponsored by Councilpersons Langman and Wojtila)

Councilman Wojtila moved for passage, Councilman Langman seconded.

Director Frey – We can go right to Ms. Sweeney, she did the work on putting this together.

Asst. Director Sweeney – As I advised you in my e-mail on Friday, I'll briefly go over what I have advised. This piece of legislation we have two goals here. The first one our code currently prohibits child victim sex offenders from residing within 1000 feet of a school. The State code also prohibits child victim sex offenders from residing 1000 feet from a daycare or a pre-school. We do want to mimic the Ohio Revised Code and add commercial daycares and preschools to that list of prohibited places, 1000 feet.

The reason we are only going with commercial daycare is because the State code is pretty specific as to what a daycare is. That daycare must have signage on the building to put the Sheriff's Dept., to put the City, to put the sex offenders on notice as to where these daycares are located and where they should not live within 1000 feet from. Our current codes do not permit signage at the home daycares and I believe you even have a piece up next that you're going to be looking at about home occupations and that also references the signage issue, not being permitted at home occupations or in residential properties.

So that's why we have only included commercial daycares as being a prohibited entry. I know the County Sheriff's dept. does have some in-home daycares on their list of prohibited entries. I think they found those on their own. We have not provided them to the Sheriff but we just want our code to be a little more clear and include the commercial daycares. That's the first prong of this piece of legislation for tonight.

The other component of it, is we want to prohibit multiple sex offenders from residing in the same premises. We need to look out for our residents, especially minors, who may not be able to look out for themselves all the time. There's many cities across the country that do have similar codes on their books with respect to group homes, rental properties, regular residences, where they don't allow multiple sex offenders from residing in the same premises and we'd like to do the same thing here.

Councilman O'Neill – Is there anything that prohibits us from notifying the Sheriff's dept. of the in-home daycares, can we volunteer that information?

Asst. Director Sweeney – We certainly can advise them. I have one of my staff members created an Excel spreadsheet. We've listed all of them on the Excel spreadsheet. I also had her take photographs of all of the daycares that had signs in front of them and most of them are the commercial daycares. Just to show the Sheriff's Dept., we are aware, ones that we know of, the commercial ones and I can advise them as to the other ones. They could maybe be pro-active on their own and not put the sex offenders near the in-home daycares. I don't know if we'll use that as an enforcement tool if we don't have it in our code.

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Councilman O'Neill – For nothing else, it is pro-active on the city's part to do that with the Sheriff's Dept. and then maybe they can situate the sex offenders around the in-home daycares. That's kind of a no-brainer on our part to do that. The second thing, I'd like to be added to this legislation if there's no opposition, and perhaps the rest of Council as well.

Councilman Gilliam – First of all I want to thank Councilman Langman and Wojtila for bringing this up. I have definitely a prejudice towards child victim sex offenders and if I'm crazy for being prejudice, then I'll just be crazy then. But the reality of it is, I have just a couple of quick questions, a comment from Councilman O'Neill to piggyback on that. Is it possible that the city itself can notify any of the in-home daycare facilities, if that situation were to occur, where a child victim sex offender would be lodged in their neighborhood? That's my first question, could they be notified?

Asst. Director Sweeney – The Sheriff's Dept. already does send a notification. We certainly can piggyback on that. I have my work address listed here to receive notification, but the issue is I only get it within a mile of City Hall. I've actually put in a couple of other addresses of my co-workers have helped me out and put in their addresses so they get notification. I'm pretty much getting all the points around the city and getting the notification when somebody else moves in. Also periodically maybe every month, every two months. I do run a new list of all the new sex offenders in case one snuck through that we didn't catch. That's the other thing I'm having one of my other staff members work on is an Excel spreadsheet that has every single sex offender in the entire city, so when a new one pops in, I can look to see, do we already have this person on our radar. I certainly can advise the daycares that someone has moved in, absolutely.

Councilman Gilliam – We don't necessarily have to duplicate services if the system is already working. My second question, to keep two sex offenders from possibly living in one home, we define this as child victim sex offenders, in the proposed legislation. When I looked on the website of the Sheriff's department, there were three different tiers of sex offenders. In addition to that, they had individuals who were listed as sexual offenders but they were, the victims were individuals 18 and over. Are we going to be able to enforce this rule if an individual who commit a sex crime against and 18 and older person decides to move in with a child victim sex offender. How would that work out legally? Is there a possibility of a conflict?

Asst. Director Sweeney – The residential portion where we do not allow two living together, that is not child victim, that is all sex offenders. The only 1000 feet rule is child victim sex offenders. It is covering both in this regard. So whether you're a child victim sex offender or adult sex offender, two sex offenders can't live together.

Councilman Gilliam – That is what I was hoping this law would do. Thank you.

Councilwoman Minarik – Ms. Sweeney if someone has purchased a home and this law changes, are we going to tell them now you have to move? I can understand with rentals, a lease goes up, but how do we deal with people who have purchased a home?

Asst. Director Sweeney – If they're already owners of the home and we'd have to look into that, but I don't think the code makes any difference if you own the home or you rent. I think they'd have to go. I know there's a gal in prison right now, child victim sex offender, she's going to be getting out in a few months. She does own a home here, so we're going to have to evaluate that as to how we're going to proceed.

Councilwoman Minarik – We can throw someone out of their home, because the law is passing now?

Asst. Director Sweeney – I might have to defer to the Law Director on this one.

Director Frey – We have in fact given owners of property notice that they personally have to locate elsewhere because they are within a prohibited zone. The law does not make an exception for them because they own the home, either prior to committing the offense or purchasing the home subsequent to a release from prison and our ordinance becoming effective. We've been thoughtful in those instances and given the person additional time, but at that point, if there aren't other family members residing in that home, they're either going to have to sell the property or they can rent that property out to a non-sex offender. Our law does not make that distinction. If they are a sex offender and prohibited because it is a child victim case from residing within 1000 feet of the school, or the daycare or the preschool, whenever that occurs, they're going to have to relocate or face the criminal and civil penalties that are provided.

Councilwoman Minarik – If this were to pass tonight because now we're adding commercial daycare centers and preschools on there, can we give them a timeframe, especially in this housing market, and let them know we're keeping an eye on them or something?

Director Frey – We have typically given people, depends on the circumstances. The one case that I am aware of where we had somebody who was within the prohibited distance we gave them 90 days and we monitored their compliance to relocate and clearly it is a hardship. Again, our law and the State code make no distinction for prior ownership.

Councilwoman Scarniench – This is a great start as far as I'm concerned. Is there any way that we could add public parks to this? Because it is not part of the code the Sheriff won't follow through with that?

Asst. Director Sweeney – The State code does not say public parks. I don't know that we want to be more strict than the State code. We are slightly more strict in that ours is criminal in nature. With the State code you have to file and get an injunctive relief. We're already a little more pro-active with than the State, I don't know how encompassing we really want to be by throwing parks in there too.

Director Frey – We're working off the Sheriff Department's data. We are providing or they have already developed the data base that shows the perimeters of the various locations, the schools. We're going to provide the preschools and daycares that they may not have in their data system. But that prohibited residence issue then comes to us from the Sheriff. If somebody resides in there, we're going to be able to say that the Sheriff's office had the complete data, they advised you that you could not live within this district; you violated that. In the case of a new individual we've been pretty short in our time, in some cases we've given them to the weekend to relocate. We wouldn't have the ability to know that person was within the 1000 feet of the park unless we maintained our own data and that's going to be an expensive proposition.

Councilman Gilliam – Director Frey, you had one incident where an individual was returning and they were asked to remove the home. I looked on the website many of the offenders that are listed seem to have apartment addresses. Director Sweeney, you can chime in as well. Do you think we will have an issue with numerous homes facing that situation or, there will be few and far between and we'll be able to effectively pass this law without much adverse or litigation from complainants who are in that position?

Asst. Director Sweeney – I really think we're going to be okay. Many cities have the same type of legislation on the books. Of the number of letters that I have sent asking folks to move, only two have been properties where the people own. One gentleman did own the home, he did move to Richmond Heights, the house is now a rental. The other situation, the gentleman's wife owned the home, he had no interest in this house and she bought it after they were married. He did just move recently as well. In most of the situations they are rentals. I've advised them, I've given them a couple of weeks to find a new place to live, advised their landlord, here's what we have and I haven't run into any problems, knock on wood so far.

Councilman Wojtila – I want to publicly thank the Law Dept. and Asst. Director Sweeney for all the work on this and the clerks in the Law Dept. Thank you.

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

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

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

Passed.

Res. 20-2010 (044-10) Seek Funding Downtown TLCI Plan

A resolution in support of the Administration of the City of Euclid seeking state and federal funding for the public improvements in the Downtown Euclid business district as proposed in the Downtown Euclid TLCI Transportation and Redevelopment Plan. (Sponsored by Mayor Cervenik, President Holzheimer Gail, Councilpersons Langman, O'Neill)

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

Director Pietravoia – I think we pretty well covered in the earlier discussion. I would just encourage all of Council to have their names added to this Resolution to give it a stronger impact with our members of Congress.

President Holzheimer Gail – Okay to add everyone’s name as a sponsor? Seeing yes. Any additional questions?

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

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

Passed.

Ord. (024b-10) Amend Code Home Occupations To Committee

An ordinance repealing current Section 1377.01(e) of the Planning and Zoning Code of the Codified Ordinances for the City of Euclid and enacting a replacement section to alter the required conditions of home occupations. (Sponsored by Planning & Zoning Commission) (Recommended for passage by the Planning & Zoning Commission)

Councilman Langman moved for passage, Councilman Van Ho seconded.

President Holzheimer Gail – There is an intent to send this to Committee. Director Pietravoia did you want to make any comments?

Director Pietravoia – This was already seen and debated by Planning & zoning Commission. We did end up having a slightly different opinion from the administration standpoint than what was passed and forwarded to Council. We thought it warranted special consideration and discussion at the committee level, particularly because this part of the code has not been addressed for quite a few years and there are substantial changes being recommended.

President Holzheimer Gail – Thank you we appreciate that. City Growth, which typically has heard planning and zoning issues.

Councilman Langman moved Ord. (024b-10) to the City Growth, Planning & Development Committee. Councilman Gilliam seconded.

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

Placed in Committee.

Ord. 21-2010 (041-10) Roadway & Utility Streets

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the Roadway & Utility Improvements for Various Streets in the City of Euclid (OPWC Project No. CA 08M/CA 09M). (Sponsored by Councilman Wojtila by request of Service Director)

Councilman Gilliam moved for passage, Councilwoman Scarniench seconded.

Director Smith – I am requesting your authorization to solicit bids and enter into a contract thereafter for the OPWC Project NO. CA 08M and 09M. This project includes the rehabilitation of E. 190th, 191st, 193rd, 194th and 195 Street between Newton Ave. and South Lake Shore Blvd. The scope of this project includes the replacement of storm and sanitary sewers, waterline, concrete pavement and sidewalks. The overall estimated cost of this project is in the amount of \$3,915,000. A portion of the project funding has been secured by State Issue I with remaining funds derived from the Cleveland Water Dept. reimbursement and Peterson Waterline funds. Engineering is complete and we are ready to proceed on this project. I’ll be glad to answer any questions that you may have.

Councilwoman Minarik – The funds are coming from the Peterson and the Waterline Fund. The increase in the Peterson fund that this council approved in November 2008 was to start to pay down or prepare for the pay off of the combined sanitary and storm water lines, correct? Do we have a combined system on these streets that it warrants the Peterson funds to be used on this? Do you know?

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Director Smith – I'm not certain on the combined system on this particular street. I can tell you we had a meeting approximately three weeks ago with Mr. Fink from Maximus along with Mr. Benza from Benza and Associates to discuss all of our Issue I projects. At that time there was a dialogue on all these projects including this one and this project was eligible for this funding category.

Councilwoman Minarik – I guess my question is, this Council, or the last Council, eight of us here, approved raising the Peterson Fund \$2 an mcf every year for five years. The goal being that it would pay for the 17 combined SS lines. My question is, are we using that money for anything other than the, we had some money from Peterson already; I just want to know, are we using the money we told the people we were going to charge to alleviate the EPA problem, are we using it for other things? Does that make sense what I asked?

Director Smith – I'm not necessarily clear on that question but I would be more than happy to do a little more research with regards to the storm and sanitary separation on this project and let all of council know.

Councilwoman Minarik – I just want to make sure the \$7 million we're pulling out of the economy over the 5 years, is going towards what we told the people it would go for. Thank you.

Councilwoman Scarniench – Normally once a year we would get paperwork that would show us all the streets that we're planning to redo in the different categories. Would we be able to get that pretty soon so we know what our wish list is going to be?

Director Smith – We will provide you with that list in the very near future.

President Holzheimer Gail – I think they will get back to you with their answer Councilwoman Minarik, they're talking about it. Any additional questions from Council?

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

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

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

Passed.

COMMITTEE OF THE WHOLE

Mr. Christopher Litwinowicz – 21970 Morris Ave. Council you sponsored a resolution designating a Foreclosure Prevention Month. For two years I tried for a resolution to change the Ohio Revised Code of employment. Excuse me, Mr. Gilliam, public access. Real quick, yes, no.

President Holzheimer Gail – If you could address your comments to all of council.

Mr. Litwinowicz – All of Council real quick down the line, yes no public access. Yes or no.

President Holzheimer Gail – It is not an appropriate time. You can state your comments.

Mr. Litwinowicz – I've got 5 minutes. Excuse me, Excuse me, you're out of order.

President Holzheimer Gail – You do have 5 minutes but we do have a process.

Mr. Litwinowicz – I came to the budget meetings, I can't speak. Who agrees with a community college? Federal, same thing you're going for money for here, we can get for education. Now I just have to bury my grandmother tomorrow. My reason, food, food, welfare. I'm asking for certain things. These council members don't call me, call me back. I want fireworks. You had your meetings but I couldn't speak, so I left. I was told to come here. I'm just saying that I can't go no further than Euclid, Ohio E. 222 or I would walk my little butt all the way to Columbus, everybody knows it, I'm here to stay. You got up last time and walk away from me, you know. I'm not here to fight or bicker. I came here to ask one question, my right to protest. Give me public access. I'm in school. The City wants fireworks. Five months away. Do you agree that somebody works for the Ohio Lottery selling tickets in your city can go to the gas station and try to give up a \$300 ticket. But when somebody called the police there ain't no action.

I'm running for Mayor in 2011. Still politically campaigning. Letting my government officials run as nothing happened. But I can't give up. Once a politician always a politician. Same thing as once a baseball player, always a baseball player. But I might run for representative. Now I wasted four minutes. I have some stuff and didn't even get my task done.

I need a resolution to change the Ohio Revised Code from one of you all. I need fireworks. The citizens, the taxpayers, your voters, your constituents would like to have. Instead of my going around getting sponsorship and throwing the show like I did in 2008, but I was on BETN TV. Happy New Year. It is not going to change. Time for change, Barack Obama still in effect. Thank you. Nobody walked up, everybody let me say it. Thank you all. Thank you all.

President Holzheimer Gail – Seeing no other comments, we'll move onto Councilmen's Comments and Councilman Wojtila you are first this evening.

COUNCILMEN'S COMMENTS

Councilman Wojtila – The previous council did pass legislation end of last year regarding a Memorial Park concept plan committee. Just to report the concept plan committee has been established. We've met and we're meeting again shortly and will be quickly taking our plan to the community at large. Going back, reformulating the plan and then taking it back out to the community. We are on track for having that all completed certainly by the end of the year. I'm very excited that we have a senior from Euclid Senior High School, proficient in CAD who will be working with us and he's partnering with a landscape architectural firm out of Chagrin Falls, Course and Associates. They'll be working on the final product once we do all the plan itself. The committee has been put together and we're anxious to proceed and Councilwoman Jones is also on the Committee as is Director Kathy Will and Mac Stephens from the Rec Dept., along with many others from the community.

Our thoughts and prayers go to the parishioners from both Holy Cross and St. Christine's as they merge into Our Lady of the Lake, similar to what has happened to the other parishes within the City of Euclid. This is the last of it but again our thoughts and prayers go out to those parishioners. With that I'll say goodnight.

Councilman Langman – Director Smith for those folks on E. 248th that might be watching. Where are we with the status of that project?

Director Smith – Currently as you may have noticed the contractor is back to work. He initiated the tree removal on the Lake Shore parcel within the last week. The majority of the trees are down at this point in time. Next will be the demolition of the structure that's anticipated to take place tomorrow if all the remaining permits can be put in place and the utilities turned off. If not, Thursday probably at the latest. After completion of the house demo, he will move on and begin the installation of the storm sewer, beginning at the Lake and working south, back towards Lake Shore. He will stay with the project and complete the rest of the storm sewer and then move on from there.

Councilman Langman – The reason why I ask is some people thought that was part of lakefront development and it is not, it is for their long awaited storm sewer improvements. I also want to pass along a comment to the Service Dept. I work with a couple of folks that live in City, up in the hills, and they say that Euclid streets are the best plowed, better than Richmond, better than Shaker, so kudos to the Service Dept. staff, you have done a very, very fine job.

I just want to thank all of those of you that came out to the Outdoor and Travel Expo at the Great Lakes Expo Center. It was very well attended. I don't usually go to things like that, I'm not much of a fisherman. But it looked like it was very well received. A lot of people came out for census information. Information on Euclid, where to eat and so forth. I know Councilwoman Scarniench and I spent a very pleasant and Councilwoman Jones, spent a very pleasant Sunday afternoon. Very good reviews for the facility, we look forward to more activity at that facility. With that I'll say goodnight.

Councilman Van Ho – I have several questions, some of which I hope the administration can answer tonight and some which hopefully they can answer during the next Executive & Finance when we're talking about garbage contract or the garbage fee which seems to be the main topic of conversation on my e-mail, on my phone.

This one I would like answered tonight if possible. Could the administration explain what will happen with the apartments pertaining to the garbage fee? I've been getting e-mails from people saying we're willing to pay it but we also want the apartments to pay it and I'm not sure, can we do that?

Mayor Cervenik – Right now the apartment buildings do not use our service therefore we could not individually charge them.

Councilman Van Ho – I had a resident ask, as I understand it now we're looking at \$14 a month for average homes and \$8 for seniors. They were asking if we could up that to \$15 and drop the seniors to \$6. I know it is going to take some spreadsheets to run that, so could you run that the next time what impact would it have on the budget. And, if it is going to have a negative impact, how many employees do we have to cut to do that.

Also I received a letter from a person stating Eastlake exempts their seniors. Can we check on that? What would be the impact of exempting our seniors? Once again, how many employees would it take if we exempted our seniors to make up the difference?

Mayor Cervenik – You don't want me to do that off the top of my head right now.

Councilman Van Ho – I'm going to give you the benefit of being able to play with the compute for awhile. I want this put into employees because when we talk about dollars and cents, I don't think it hits, the impact that it is going to have if we start cutting employees due to various scenarios.

Mayor Cervenik – What we really have to look at is the broader concept of okay yes, it is a fee based on trash, but the bottom line is it will generate about \$2.4 million in our general fund so that we have to lay off police and fire and recreation and items like that. Even though it is called a trash fee, I can't put a fee on the number of firefighters we have. I can't put a fee on the police dept. It is a way to keep ourselves whole based upon the cost of garbage. Also the other proposal is street lights.

Councilman Van Ho – I understand that and that's why I'm asking for these numbers the way that I am is because the people say I only have one bag of garbage, we're not really doing it because of the amount of garbage, we're doing it to try to stabilize our budget and I think they need to know, well I don't mind but the apartments. We need to put this so that they can see what it is going to do to their services.

The only other thing that I have is I want to thank Director Pietravoia for getting on the e-mail I sent about looking for down payment help for first time buyers like Lakewood is getting. They're jumping on it and looking at it and that could help fill some of those vacant homes. With that I'll say goodnight.

President Holzheimer Gail – The only announcement I have is we will continue our budget hearings next Monday, February 22 at 6:30. We will first hear the Police Budget, Corrections Budget and then Mayor at that point are we ready to have the legislation on for discussion that's in committee? Is that the plan for Monday?

Mayor Cervenik – That is strictly up to you. We're ready to discuss it if you'd like it on the agenda. I don't know if there's any reason to postpone it any farther after the Police Chief's presentation.

President Holzheimer Gail – We can save the end of the meeting for discussion on the garbage fee and lighting fee and other measures to be determined. Again Monday, February 22 6:30 right here. We have allowed public comment at both budget meetings, at the end of the meeting. I don't believe there was anybody that wanted to, that stayed around until the end except for one and he had no questions. We do allow public comment at the budget meetings at the end.

Councilman Gilliam – Just to add to Council President's comments. I've received numerous e-mails, Council has received numerous e-mails regarding the economic status of our city. I just want to re-ensure residents in Ward 1 and also residents across the entire City that the budget basically is a work in progress but we do have to balance the budget so we are looking at all particular options. We're not only thinking about what the city needs but what the residents need as a whole as well. I'm very comfortable with the direction we're going.

To Ward 1 residents, I received numerous phone calls about the community pool at Indian Hills. No, that has not been determined that that pool will be closed, as with other neighborhood pools, but I invite you to come out and voice your opinion about the necessity of the pool as it has been pretty much pro-Indian Hills pool and Indian Hills Neighborhood Association in particular is actually looking at ways to increase the attendance and the rentals in that area as we speak right now. They're very interested in keeping that pool.

Director Pietravoia, I just have one question, I received a couple of e-mails from a resident who lives on E. 196. There is an auto repair store on the corner of E. 196 & Euclid. They have a tendency to park their cars, not only on their lot but extend them out to the sidewalk. I do not know whether or not you're aware of this or the Chief is aware of this but I just wanted to put that out there that there's a constant issue of that. My honest question is, does the authority fall under the actual police department

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to cite that individual? Or does the Department of Economic Development have to witness and cite it? Please clear that process up for myself and the resident as well.

Director Pietravoia – If it is a zoning violation, then we do prefer to have our staff actually see the situation, take photographs of it for documentation so that if it does end up in court, they can testify that they were actually present and saw the violation and have photographic documentation of it. As I understand what you're saying is they're actually infringing into the public right of way as well?

Councilman Gilliham – That is correct.

Director Pietravoia – I'll have our Planning & Zoning Commissioner or Brandon our Zoning Coordinator look into the situation and take photographs and report back to you on citations issues.

Councilman Gilliham – I do appreciate the diligence that Brandon has done as far as dealing with the other problem with one of our businesses using an illegal sign. I don't mean to sound sarcastic but that is what I think the \$1400 is for because some of these businesses are waiting until they think City Hall is closed and they would put out the sign and do what they have to do. There are some individuals who are trying to increase their business, but they're trying to circumvent the system as well.

Chief Repicky – We can cite if they're blocking a sidewalk, so we'll send somebody down tomorrow to advise them to remove it from the sidewalk, ingress and egress.

Director Pietravoia – I just wanted to take a quick minute to announce a Grand Opening at the Walgreen's. You should be getting an e-mail shortly if you having received it today. On February 25th at 11:00 AM, we'll be coordinating a Ribbon Cutting Grand Opening with the Euclid Chamber of Commerce and City officials, I hope you can all participate.

Councilwoman Scarniench – I want to echo the same sentiments that Councilman Langman said. I have all over the weekend, we were scheduled to be there for two hours on both Saturday and Sunday I was probably there 5-6 hours talking to residents, talking to the folks that have come from different parts of the State. There was nothing, and being smaller doesn't necessarily mean anything is worse. I actually liked the way it was. I enjoyed myself, met a lot of people and I wish them all the success with everything that's coming forward.

A couple of announcements, the Friends of Sherwood Forest, their meeting is tomorrow night at 7 PM at Glenbrook. Unfortunately I won't be able to be there, but if anybody has any questions, they know how to get to me. On the 25th, Lakeland Association will be meeting at Gateway at 7 PM.

I wasn't going to bring this up now but seeing that other people have started talking about the budget, I did ask Director Johnson the other day about 920 and how much money we would generate from that. I think we need to seriously look at that, he's talking about approximately \$5 million. If we were able to eliminate that so that everyone would be paying their fair share. When that was put in place it was to alleviate some problems. What it is doing is keeping us from paying what we should truly be paying for our homes and our businesses. If we really look at that, I can't see where anyone would say that well I oppose paying my fair share, because it would be everybody paying their fair share. I hope we can get some more information because I would rather put that on the ballot to eliminate that than to charge people for trash or electric streets. I know we used to pay for street lights but right now people just can't afford it. For the maybe five e-mails that said I'm willing to pay it, there's 50 that say, I can't afford it. I hope we will get some more information so that we can discuss that at the budget hearing.

Mayor Cervenik – That will be a very integral part of our conversation.

President Holzheimer Gail – Just to follow up on that. If there's any specific information anyone from Council would like to have prior to Monday, please let the administration know ahead of time. Whether it is regarding the garbage fee, or other issues like House Bill 920, other revenue sources. Send those questions ahead of time so we can have as much information as we possibly can to make a good decision.

Councilwoman Jones – I would like to thank the staff at the Library for their invitation to the 75th Anniversary that they celebrated last Friday. It was a very nice event and it was also a learning experience. I learned some things that went on in 1935 that I would have never known before. It was helpful with some trivia questions that they had also.

I also want to comment about the Census booth at the Expo Center this weekend. I was there on Sunday helping out with the Census booth, just greeting residents, letting them know about the

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census. The census forms will be mailed out to all households starting March 15th. You get your form in the mail, fill it out and send it back. What the census board will do is if they do not receive a response from a certain address, that's when they will send the census workers out to get a response from the household. Or if there's a form that incomplete, they will send out a worker as well. If you don't want a census worker coming to your door, fill your form out and send it back in, otherwise they will be there. I just wanted to make that comment and hopefully most of the responses will be sent back in at least by mid-April. If everybody gets them, send it back in, it is very important not only for Euclid but for other cities too that everybody is counted. Every city has areas in the city that are considered hard to count. Those areas are being targeted, especially in Euclid, in addition to other areas as well. The Committee is doing a lot to get the word out and make sure residents know that the forms are coming.

I want to thank the Service Dept. for plowing the main sidewalks. I know after our last meeting we talked about that. I did notice they were plowed so people were walking on the sidewalks instead of in the street.

I as well as the other council people have received numerous responses to the trash and lighting fee. As a matter of fact there were some residents who were positive, in favor of the fee if it is not going to eliminate other amenities that we have in the city. We haven't actually decided anything yet. For those who are interested in coming to the meeting as Council President said on Monday, for further discussion, you can make your additional comments at that time. With that I'll say goodnight.

Councilwoman Minarik – Regarding some of the residents questions, public access, we got rid of it because of the budget. But residents can go to the offices of Time Warner to get filming done?

Mayor Cervenik – Once the Time Warner chose to opt-out of our local contract that state law provided, we were no longer required to provide public access. They are and they do. You can use their facilities.

Councilwoman Minarik – Regarding the fireworks, I'm assuming we're not having them this year. Chief Repicky were there any major incidences last year in terms of fireworks going off in the neighborhoods and there was trouble? Similar to what we had the year before when we had the fireworks festival.

Chief Repicky – I can look that up.

President Holzheimer Gail – Excuse me, Mr. Litwinowicz, you're out of order.

Chief Repicky – As far as I know just the normal discharge of firearms.

Councilwoman Minarik – The other thing I wanted to do was yesterday we celebrated President's Day and President George Washington was actually born on February 22, next week. But I wanted to remind people that originally Presidents Day was about George Washington our first president. I believe our greatest President. He was not a military genius. He was not a financial wizard, like Alexander Hamilton was. Yet, he was a man of great character. That is what made him a great leader I believe. We he became president, in fact he was not a great general. He lost every battle or spent most of 1776 retreating from the British. It wasn't until Christmas Day in 1776 that he actually crossed the Delaware and surprised the Hessians I believe in the Battle of Trenton. But it was his character that made him a great leader and well beloved.

I wanted to mention in his first inaugural address, I wanted to quote from that. He said on April 30, 1789, the preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered as deeply, perhaps as finely, staked on the experiment entrusted to the hands of the American people.

George Washington was first and foremost a patriot. After 8 years of being President he decided he wanted to go back to Mt. Vernon. When King George III heard that the man who had the potential to be King, eight years earlier or back when he defeated the British Army, when he found out that George Washington was actually stepping down, his quote was, to whoever told him that, he said, if he, George Washington does that, he will be the greatest man in the world. I don't think we give enough credit and study to George Washington as we should. He was a great patriot. He understood that America was a great American experiment. He understood that this is a republican form of government. He understood that this was the only country ever founded on the premise that men have a right to have freedom and liberty. For that alone, we should revere him next week on his birthday and I wish we had that day off too, but we won't. With that goodnight.

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Councilman O'Neill – I would like to echo my colleagues sentiments that February 22 is a great day in the history of the United States, George Washington's birthday amongst other people. To Director Frey, snow removal on the plowing of commercial lots and when they do the private lots. There's still a little bit of a problem. Do we have any ordinances on the books that we can reference on that? Also to piggyback that. When these contractors come out to get their permit to plow in the city, which I'm assuming they have to, can we give them a copy of that ordinance that they can't plow out into the street or impede any of the egress on the sidewalks because that's the same thing as a car going across a sidewalk.

Director Frey – To Councilman Washington, I'm sorry O'Neill. In fact we do have that ordinance and we used it just today. We had a commercial establishment where the sidewalk was blocked and notified the owner to get his contractor out there. There is contractor liability, criminal liability for blocking any of the right of way. It is code section 769.06, it is a misdemeanor offense to block the sidewalk or the street, any of the public right of way with snow. In fact I sent an e-mail this evening asking for our Engineering Dept. to be on the look out for that. We will in fact have a letter. The permit process is already done for this year, but we will have a letter that we will give to the contractors next year when they come in to get their permits that will lay out those rules.

Councilman O'Neill – I'm not sure how many contractors we have that are permitted in the city but we still have a couple of months potentially of snow removal and if it is not too expensive, possibly we could maybe fire off a, either through e-mail, which would be free, or snail mail, just a friendly reminder. We don't want to cite these people but I want to stay on top of it.

Regarding the sex offender legislation. I just want to remind the listeners that they can go to the Cuyahoga County Sheriff's website, there's different categories that they can click on. One of them is sex offenders. It will bring up various tiers, 1, 2, & 3 and it will guide you through, either punch in the city's zip code and depending on where you live it will bring up a host of offenders that they have listed. I encourage people to periodically look at that, especially where you live and stay on top of that. With that I'll say goodnight.

ADJOURNMENT

Councilwoman Scarniench moved to adjourn. Councilwoman Jones seconded. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council