

COUNCIL MINUTES November 1, 2010

The regular Council Meeting was held on Monday, November 1, 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.
All present.

Others Present: Mayor Cervenik, Law Director Frey, CS&ED Director Pietravoia, Finance Director Brett, Service Director Smith, Recreation Director Will, Police Chief Repicky, Fire Chief Cosgriff, Asst. Director Bock, Deputy Director Gliha, Clerk of Council Cahill.

COMMUNICATIONS

Councilman Langman moved to receive and approve without objection a new C1, C2 liquor permit to Joyful Enterprises, Inc., DBA Sunoco Food Mart, 24200 Lake Shore Blvd. Councilman Van Ho seconded.

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

Approved.

COUNCIL MINUTES

Councilwoman Scarniench moved to receive the Council Minutes of October 4, 2010 and Council Minutes of October 18, 2010. Councilwoman Jones seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik presented Donna Perdzock, Director of Euclid Public Library and Rebecca McFarland, Community Relations Manager of the Euclid Public Library with Resolution 150-2010; a resolution of congratulations to the Euclid Public Library on being selected as a "4 Star Library" for 2010 by the Library Journal Rating System.

Director Will – An update of items that will be happening here in the City this coming weekend. The C. E. Orr Ice Arena will be hosting another tournament this weekend. The majority of the participants that are coming in are from out of town. We start the Friday games at 1:00 and will go to 10:30. Saturday morning from 7:15 AM until 10:30 PM. On Sunday, from 7:15 AM until 6:00 PM. Stop by and check out all the different teams that will be there. There's approximately 75 teams that will be coming in. We're glad to be hosting this and look forward to everyone's participation.

The C.E. Orr ice arena starting tomorrow will be offering luncheon skates on Wednesday and Friday from noon until 1:30. The admission that includes skate rental is \$6. If you have your own skates it is \$3. Keep in mind also that the C.E. Orr ice arena does offer free Wifi. Come on in and do some work while you're watching the hockey games or taking a break from the luncheon skate.

On Friday night, Shore Cultural Centre will be hosting their second Harvest Fest. It will be held in the Culinary School in the lower level of Shore Cultural Centre. It is from 6:00-9:00 PM. There will be food, drink, music, side boards and plenty of door prizes. Tickets are \$25 and you can purchase them at the Cultural Centre between 9:00 AM and 6:00 PM. Friday, November 5th from 6:00-9:00 PM.

On Saturday morning, come over to the ice arena, watch the hockey tournament or participate in our 5K Walk and Run. Registration and packet pick up is at 7:30 and we will start the dog run and walk at 8:30 AM and the 5K run and walk at 9 AM. There will be plenty of prizes for everyone participating. We expect about 125 people. We will be blocking off the road from the ice arena, up 222, around Shore Cultural Centre and back down to the ice arena. The road will be closed for 45 minutes while we are doing this run. Come and watch, come cheer them on or come and walk your dog, come and participate. If you have any questions about either of the events, call the Recreation 289-8114 or visit our website, www.cityofeuclid.com.

The last event we have for the month of November will be something new. We're going to be hosting a Cycle cross Race on Sunday, November 14th. Cycle cross is a type of bicycle racing that takes place during the fall and winter. The course is 1-2 miles and it contains a wide mix of terrain from pavement to dirt trails, grassy fields, sand and mud. They'll have several obstacles they'll have to go through such as wooden barriers, railroad ties, steps, steep hills, etc. Blue Sky Bicycle Shop and Snake Bite Racing will be presenting this race. It is race #8 as part of the Northeast Ohio Cycle cross series. The race #8 will be held at Coulter Park which most people know as the McDonald's hill or the retention basin, located at the intersection of E. 222 St. and Euclid Ave. There's three different races. The Novice starts at noon and lasts 30 minutes. The Sport category will start at 12:45 and lasts 45 minutes. The Expert category starts at 1:45 and lasts approximately 1 hour. It is \$25 entry fee for all categories. There will be merchandise and prizes to the top finishers. If you have any questions, call the Rec Dept. or Bill Gibson at Blue Sky Bicycles, 481-4450. We're excited to be hosting this first event and look forward to a fun day. Any questions, please call our office.

Mayor Cervenik – That sounds like lots of fun. I hope you all join in these participation. A couple of announcements. Director Pietravoia and I met with members of Senator Brown's staff this afternoon. Beth Thames, from the local office, but even more importantly Diana Wilkenson who is in the Washington office and she works with the Appropriations Committee. We took them on a on-site tour of our lakefront development area. We started inside the Henn Mansion which they were very impressed with. You always try and impress them at the beginning and then go from there. It was a very productive meeting. They gave us a lot of suggestions. Obviously nobody can guaranty that we will be successful in our request for various funding, but every indication I saw when we put in our application this January that it is going to be met with some very positive and interested people in Washington. That was well worth being out in the cold today.

Tax results, unofficial tax results for the month of October were very encouraging. We've actually finished \$172,492 above projections for the month of October. We collected \$263,000 more this year in October than last year. Sounds good. We've got to remember September through December last year we really tanked. Bottom line is we have improved considerably. It brings us through October 2010 we are \$356,000 ahead of projections, which should make up for some of the shortfall items that I mentioned at last Monday's general fund overview.

I want to let you know that the performance of the Tax Dept. has been phenomenal. They've been sending out the yellow letters and orange letters which is their terminology for different states of delinquencies. They're opening now on a number of Saturday; it started this Saturday. This Saturday they had approximately 150 visitors of which they collected over \$14,000 in down payments for payment plans, for those visitors. For the month of October in-house collections, not what people mailed in, but people who came in through delinquency programs and that, the in-house collections were \$593,000-\$594,000. That's very positive, diligent work by the Tax Dept. and each and every member of that department should be commended. They are really seeking out delinquencies and getting performance right now. We've got a long way to go to financial stability. There's other areas of revenue that we're a little weak in, but certainly their efforts are making that a little easier.

This past Thursday, the 28th, we had a presentation by Mark Barbash from the Ohio Department of Development. He presented Mr. Ray Fogg Sr., with the Job Ready Site Certificate. That site is now known nationally and internationally as a place where a business can locate where they do not have to worry about any type of environmental problems. They can move in, get their plans drawn up with Fogg and begin to grow and prosper in the City of Euclid. I would also like to congratulate Mike Merlin and Mike Novocek from R.A. Fogg, they were there are well. For those of you who did show up and a number of Councilmen and Council President Holzheimer Gail and Councilwoman Jones and Scarniench were there, it was a terribly cold day. They were supposed to have a tent, but it was so windy they couldn't get the tent up so they had a truck and we were all behind the truck trying to block the wind.

The news of the success of Bluestone Business Park really sort of warmed us all up, even though we didn't stay for the desserts afterwards, we all got back in our cars. We're looking for great things to happen there. Mr. Fogg re-committed himself to the understanding that he expects at least 1,000 jobs to be located there in the next few years and that was very exciting to hear that company is going to work very hard to get that done. Congratulations to City Council for their support through all this and congratulations to Director Pietravoia and his staff, we're looking for good things to come.

On the downside, Time Warner sent a letter a couple of weeks ago that because of the State franchise rules for cable companies, that as of today, Time Warner is no longer responsible or will they maintain free of charge our institutional network which is our fiber optic connections between not only city buildings, the Library and some of our parochial schools. We will be in negotiations with them during this month and we're not quite sure and they weren't quite open as to what the cost is going to be. Once we find that out we will look at options of having maintenance or rebuilding of a network from an outside source if Time Warner is not willing to work with us. In the meantime our network is still up and running. Not a real good situation and as soon as we know what the cost will be, we will let you know.

Last but not least, last evening was Halloween. I received some great compliments about the fact that our Police & Fire Dept. were out protecting our children as well as passing out candy. I also received quite a few complaints in various areas about the number of children and the cars being dropped off and stopping in the middle of the street and letting children out to Trick or Treat and then picking them up and causing traffic jams. Actually from my point of view, from where I sat on my front porch with my dog, putting some children in danger at times. If any of you have received those complaints, please let us know, you can give Lisa Mayernik a call or myself on suggestions, maybe a time change, maybe it should be earlier. Some communities are beginning to restrict the age limit of those who are Trick or Treating. Some of you may not have experienced any of that problem at all, it was a mixed bag as I said. If you have any suggestions on how to make Halloween a safe and possibly little more enjoyable for all, please let me know. Obviously it is a year away but I'm putting the seed into your head now so that while it is fresh in you memory, if you did receive complaints from any of your neighbors or constituents that you could let us know. With that, that concludes administrative reports and communications.

REPORTS & COMMITTEE MINUTES

Councilwoman Scarniench moved to receive the Housing & Building Standards Committee Minutes of October 6, 2010; Recreation Commission Minutes of August 24, 2010; Maximus Annual Revenue Required Study & User Charge Report for Wastewater Service October 14, 2010; Board of Control Min. of 10/12/10; 10/18/10. Councilman Gilliham seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE

Council President Holzheimer Gail stated this is the Committee of the Whole for Legislative Matters Only. No one addressed the podium.

LEGISLATION

Ord. (125a-10) First Reading

An emergency ordinance setting the benefits and compensation to be paid City of Euclid personnel, other than employees of a collective bargaining unit, and rescinding Ordinance No. 129-2005 and all amendments thereto, and all other legislative enactments or administrative directives inconsistent hereto, and enacting in lieu thereof the within ordinance to be known and cited as the 2010 CONSOLIDATED COMPENSATION ORDINANCE. (Sponsored by Mayor Cervenik) (Recommended for passage as amended by Executive & Finance Committee)

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

Director Frey – We had a committee meeting last Monday and we went through a list of the changes in the consolidated compensation ordinance. I think generally those were received without objection with a couple of items that I will note in a minute. There was a request and an amendment made last Monday night to roll back the 12% increase for both the minimum and maximum rates assigned to Exhibit B the ranges that are associated with the different grade levels on the job. That's done in (125a).

You also have, I am aware, (125b) which is not on the Council Agenda, but had further revisions that were discussed last Monday but not amended at that point in time. The request was made to provide those to you for discussion and consideration tonight. Those two substantive changes are in Section 13, the vacation language. We have added back a 5th week of vacation for any employee hired on or before January 1, 2000 and that 5th week would come into play when that group of employees, and I believe the number is 11, completes their 20th year of service. That's in (125b).

The other change is in Section 19. We removed what was formerly Section 19.2 that provided for a car allowance for the Directors and Chiefs, at the request of Councilmember Scarniench, that language is included in here.

We think we have in front of you in (125a) and/or (125b) a very workable consolidated compensation ordinance. Again we went through those changes last week highlighting in there is the fact that we have removed a Personal Day and a Birthday as paid holidays. We've capped longevity payments for those city employees who receive longevity, their rate, whatever their rate is at the end of 2010 will be the rate for the duration of their service to the city. We made changes in the amount of vacation that new hires or any employee currently working for the city would receive with the exception that I just noted at Council person Scarniench's request, otherwise employees would be limited to, new hires would be limited to four weeks of vacation.

We think we have a very workable ordinance. We ask your support for passage tonight, either the (125a) as recommended, the (125b) version, so those 11 employees who fall into that category would achieve a 5th week of vacation after 20 years of service to the city. I'd be glad to answer questions.

Councilwoman Scarniench – I hope my colleagues would agree with me on passing (125b). Those 11 people, that's not a lot of people. But when you think back to when Mayor Oyaski was here, there was a 6% cut and I don't believe they have ever caught up with themselves. This just helps to make it a little easier for a few extra people. We're talking about 11 people and that 5th week doesn't come into play until they've been here 20 years. I hope everyone would agree with that and go from there. Thank you.

Councilman Langman – I am comfortable with (125b-10) and appreciate my colleague bringing that to our attention. I'm ready to move forward with that. Thank you.

Councilwoman Minarik – I'm not comfortable with the 5th week and there are a number of reasons why. We are not here so much to take care of the employees, as we are here to take care of the taxpayers who pay the employees. Any little thing we can do to relieve the budget is a good thing.

As I said the last time, I know federal government workers, they don't get more than 4 weeks a year no matter how long they've been on the payroll. From what I've seen in 2009, the report I got, the budget that we spent in 2009 was \$37,895,557.20. When you add in all the departments and all the people that work for the city, the paid time off totaled \$4.9 million and change.

It was over 13% of the budget was paid time off. I believe, yes this is only 11 people in this particular area of city employees, but we need to start going after the paid time off.

Again, we are not here to take care of the city employees as much as we are here to store the people who pay the city employees their money. Considering the unemployment rate, the considering the foreclosure crisis that our people are facing. Considering we've passed a garbage tax, street light assessment tax, we continue to raise sewer rates on an annual basis; I would like to go back to (125a) and max it out for four weeks and those employees who are currently getting 5 or 6, they will still get their 5 or 6 weeks and I think that's fair. Thank you.

Councilman Van Ho – I also will be voting against this resolution but not for the same reasons as my colleague. First I think we've got the cart before the horse in that the next one is a study of compensation. Why don't we wait and let the professionals give us recommendations. If our object is to do this the right way, if it is to do something that will make a few people happy, then let's go ahead and pass this thing.

I have several objections and I'll start going through them. First of all I don't view this as an emergency. Is there going to be any health and welfare to the citizens that's going to be, it is going to be detrimental to them? I don't believe so, let's go through three readings, even if we are going to pass this.

Some things that I noticed as I reading through. First on retirement, I didn't know that PERS had to say that we had to retire. If I decided to retire, PERS may not pay me but I can still retire. According to this, I can't retire until PERS says it.

Director Frey – That's not correct. What we were trying to get to is before the city's obligation to pay out the accumulated sick time and accumulated vacation time triggers, we would need to have notification from PERS that the person has in fact retired. Otherwise they sick time cannot be paid out, it has to roll to their next employee if it is a public employer. The only time under State Code that we are permitted to pay out that accumulated sick time absent us making some annual pay out provision is when the person retires. We don't have any way of assuring ourselves that's happened unless we get that notification. That was the sole purpose for that.

Councilman Van Ho – Then I think we should add language that says that. I have faith in attorneys to be able to manipulate things. Second on the starting rate for initial employment I think this is bad policy on top of page 3. First of all who judges whether an employee should start at more than minimum wage? Is it the Mayor? Is it the Finance Director, who? We're leaving that, what is the minimum qualifications, who judges whether they exceed the minimum qualifications? That needs to also be spelled out.

Number 2 on page 3 where we're talking about recommendation for advancement. Once again, who judges whether an employee's performance has been entirely satisfactory for the last three months? Once again, things that an attorney can pick apart.

This is a question for the Law Director. I thought the amount of vacation you were eligible for was based on any political subdivision you worked at?

Director Frey – That's true, we do have a bridge of time provision. But we have the ability to cap vacation. We have to give credit for time served and what we are saying is after, new hires after January 1, 2011, we would cap that vacation regardless of your prior amount of time at four weeks. You could bring 20 years of public employment service and that would bridge, but you would immediately be eligible for 4 weeks vacation but no more.

Councilman Van Ho – Once again, I think we should spell that out. Here where we're taking away like the Director's car allowance and so forth, are we going to put mileage in for a city employee that's using their own car, are we going to give them mileage instead?

Mayor Cervenik – Yes we will. It will be paid at the Internal Revenue Service rate that is in effect.

Councilman Van Ho – I pointed out the problems that I see with it but I'll be voting against it on a philosophical basis. We keep doing this to our non-represented employees. And yet the represented employees may or may not have to face the same cuts. If we're going to cut, let's cut for everybody. Let's not just take how many out of how many employees are non-represented?

Director Frey – It is less than 100, full time.

Councilman Van Ho – Out of how many full time employees do we have total?

Mayor Cervenik – 450-460 and declining.

Councilman Van Ho – We're trying to balance this thing on the backs of 100 employees and 100 key employees for the most part; directors, day to day supervisors. Let's balance it on everybody's back if we're going to do this, right straight down. If you want to pass this thing let's make it contingent upon all of the unions taking equal cuts. If not then let's leave it alone. With that I'll let someone else speak.

Mayor Cervenik – Councilwoman Minarik could you give me, do you have the breakdown of the various departments to get to your \$4 million?

Councilwoman Minarik – Director Johnson gave me this and how does he break it down, yes, he's got the breakdown by departments. He's got the breakdown by sick time, vacation time, personal days, holidays and comp. I can pass this over and I want it back. Director Johnson gave me that earlier in the year.

President Holzheimer Gail – I can go along with (125b). I think it is a happy medium. There were employees who have been here, but in several years, this is sort of a compromise so to speak. The effort that we have made here is not just to take away from employees, but we have a responsibility to look at our budget, to look at the long term financial picture and this does that but it provides some recognition to the staff that have been here, have put in a lot of time, have worked very hard for us. Yes it is taxpayer's dollars and we're here to protect them, but we're also here to provide service for our community. We cannot provide service to the community without qualified, efficient, hardworking staff. Although it is 11 people, can go along with that as a compromise. This ordinance, many of the things Councilman Van Ho, with all due respect that you brought up are not changes to this ordinance, they are in place already. The changes that were outlined are having to do with taking away personal days, limiting of vacation. We had already addressed sick time pay out at the end. There's some things that they may not provide an immediate budget relief, but again our responsibility and what we promised the residents we would do through the last budget hearing and when we discussed the garbage fees and lighting fees were doing some of these long term measures. There are costs to these items, there are long term costs. This is not going to solve a budget issue next year but it is going to move us closer in that direction. This is what we have control over at the moment. We have bargaining units that are under contract. This is step one. The bargaining units are up for renegotiation or renewal of their contract at the end of next year. We can certainly work towards changes when that comes up. This is what we have control over tonight. We've put several meetings, we've discussed this several times. I would agree, I'm prepared to move forward with (125b).

Councilman O'Neill – Speaking of the non-unionized members of the city. When was the last time that they received a pay raise?

Mayor Cervenik – They have gone the last two years with an equivalent of a six day furlough and no raise. They are finishing up their second year. As I mentioned last week during the budget report, that it is my intention to bring them back to 40 hours a week and 2% raise.

Councilman O'Neill – For the last two years they've been working at 39 hour work week?

Mayor Cervenik – Working a 39 hour work week which is about a 3 ½-4% cut in pay. Although, they're getting paid 39 hours, I will tell you that the vast majority of the non-union people didn't get that hour off because they had work to do and needed to get it done.

Councilman O'Neill – There's no question, we do have a dedicated staff that works for the City and I think they appreciate their jobs. My other question is, by removing 1 or 2 days Holiday or Birthday that they have in the package, it is not really a package, how does it impact financially to the city? In other words, it is not a production type of job and I understand that work may sit for a day if they had that day off, but how does that financially impact the city by taking that day back?

Director Frey – It does not have an immediate financial impact. It does however improve productivity.

Councilman O'Neill – My question is that we have these non-protected, union protected members that have been already cut to 39 hours a week and by the Mayor's statement that they work beyond the 39 hours a week typically, we're going to take another day or two from them which doesn't cost the city any money.

Director Frey – I would agree that it doesn't, there's not a dollar and cents that you can tie to it. There is a productivity increase that you can attribute to those two additional days. Long term, I think it is in our best interest as we look to position ourselves for contract negotiations. I think there are some benefits that go beyond this 80-100 full time employees.

Mayor Cervenik – Again, it is our intention to have fair but very rigid negotiations with all 10 bargaining units this year. Time off does have a cost, can have a cost. It could require in certain departments to have additional people hired to cover vacation time, to cover days off, holiday time. It could cause cost on some overtime in certain occasions. Although it doesn't affect the budget straight on, there are some situations where that additional week of vacation can have a small financial effect. We need to get concessions from the union employees and all the bargaining contracts this fall, or there is going to end up by necessity being considerably less people working here because we can't continue this way.

Councilman O'Neill – I guess what I'm referring to is the two single days. I think that if we can come up with an understanding that those days can be taken without creating any overtime, maybe it is not an impact to the budget, they are going to give a week back on the high end as a long term employee, but one or two days, I just feel that by not impacting the budget, I think we're taking too much from the non-bargaining unit members.

Mayor Cervenik – If this Council decided right now to amend (125b) to leave those days in effect until you examine the results of collective bargaining, I'm not going to argue with you. It should be known that of the amount of time off and un-worked days off, very, very little of that total amount is for the less than 100 people we're talking about. Most of this time off is negotiated time off with union contracts. If that's what this Council wants, I am not going to argue with you.

Councilman O'Neill – I would be in agreement with Councilman Van Ho to maybe let this go for three readings so we can digest it a little bit more or have a little bit more input. It is not an emergency that I can see right now. It should be addressed, but I don't see this as an emergency that needs to be voted on tonight.

Mayor Cervenik – If that's what Council wants to do, that's great. I have no problem with that. I have no problem with you making that second amendment and passing it tonight. The goal of the administration is to get all the other changes passed and in effect. If we have to wait two more council meetings to have that happen, I can live with that. If the majority tonight would rather make an amendment that they hold the cutting of those two days until the results of collective bargaining, that's okay, that's your decision.

Councilman O'Neill – If the floor approves, I would make that amendment.

Councilman Van Ho – Second.

President Holzheimer Gail – State specifically the amendment please.

Councilman O'Neill – The amendment would be, not to cut the two personal days from the legislation until collective bargaining gets a better look at the impact to the budget.

Councilwoman Scarniench – Second.

Councilman O'Neill – If Director Frey wants to clean up that language a little bit?

Director Frey – We're talking about Section 12.1 Holidays. At the very last list in there is 3 personal days, that would change to 5 based on Councilmember O'Neill's motion to amend.

President Holzheimer Gail – There is an amendment on the floor and it has been seconded. We can have discussion about that amendment. This is what we did in the committee. It would have been appropriate to have these discussions in committee so that we not re-hashing it again tonight. There was a committee that met, we've discussed it twice. This was the recommendation from the administration based on our request to look at the consolidated compensation ordinance. Rather than sit here tonight and if we're going to knit-pick a bunch of things, I would rather either leave it here for the first reading, or send it back to Committee. This is not the place to go again through these fine detailed items.

Councilman O'Neill – Unfortunately I was unable to attend that meeting so I didn't have that input. I'm willing to go back to committee if that's the pleasure of the council or let the motion stand.

President Holzheimer Gail – The appropriate discussion is the comments about the amendment.

Councilman Langman – We’ve been kicking this around now for several months after Councilwoman Minarik first proposed it. I agree with you, we can sit here and knit-pick and go back and forth for another series of month. We can say we can wait until the union negotiations are finished, that’s another who knows how long. So if we do that and what we’re saying is that we’re not going to do anything. It is incumbent upon us that we do do something because most of the folks that work in the private sector, they don’t have these items that we’re talking about here tonight. I think it is incumbent upon us, just from their standpoint to show that we are moving forward. I wouldn’t even support letting it go for three readings. We’ve discussed this. We’ve had committee meetings about it. The result is (125b-10). If people want to support that or the “a” version, but I will not support amending it or letting it go three readings or letting it goes for who knows how many months before we find out what negotiations generate. Thank you.

Councilwoman Minarik – I agree with Councilman Langman. Not only, I’m sorry that you did miss that last meeting, but this was proposed by the administration in June and Council had all summer to ask questions in addition to the two committee meetings. After reviewing the two committee meetings you could ask more questions. The only thing I think we should be discussing is the 5 week vacation but I thought, my impression of the result of the committee meeting was it was going to be (125a) and we were going to discuss amending (125a) to what is now before us with (125b). When one considers that, I have to stick to the amendment.

I would not support putting back a day or two of personal days when one considers 12 National Holidays, the ability to have 15 sick days a year which a lot of employees are banking, or using. Now we’re talking about giving five weeks, just the National Holidays along is two weeks and I can understand how this might be difficult because you are a member of a union.

Councilman O’Neill – Point of order, you’ve got to stick to the amendment.

Councilwoman Minarik – I am, I am. So the motion is for the days I do not agree with that and I think there’s been almost six months, we need to vote on this tonight. Thank you.

Councilwoman Jones – I believe my comment is in regard to the amendment. I agree we have had plenty of discussions with this but considering the amount of discussion topics and questions that came up tonight, I would be in favor of waiting. Does it have to go three readings, if we just go another reading until the next council meeting, to at least hash out any questions and then come back and vote on it. There was some discussions on some changes in some of the wording to (125b) that I would rather for us make sure that’s what we want to do before we actually make a decision.

I would like to make a motion to.....

President Holzheimer Gail – We already have a motion on the floor we need to act on before we accept another motion. Any final discussion on the amendment? There’s an amendment and it has been seconded to, in a nutshell, bring back the two personal days that were initially removed.

Roll Call on Amendment:

Yeas: Scarniench, O’Neill, Van Ho

Nays: Gilliham, Jones, Minarik, Wojtila, Langman, Holzheimer Gail

Amendment Failed.

Councilwoman Jones – I would like to make a motion that we table the voting of this until the next Council meeting and get all the other questions hashed out and then it will be it, we make the decision at that time.

President Holzheimer Gail – Table or consider a first reading? Is there a difference Law Director Frey?

Director Frey – I would consider it a first reading.

Councilwoman Jones – I move for a first reading.

President Holzheimer Gail – There’s a motion to make it a first reading and second by Councilman O’Neill. Any questions on that?

Roll Call on First Reading:

Yeas: Gilliham, Jones, O’Neill, Van Ho, Holzheimer Gail

Nays: Scarniench, Minarik, Wojtila, Langman,

First Reading.

President Holzheimer Gail – My intent would be that we waive the readings the next time and pass it. I would ask that all council members who still have questions use the next two weeks to get those answered and talk with colleagues and hopefully we can all come to some consensus and be on the same page.

Mayor Cervenik – I just want to go back to the comment about \$4 million of unpaid time. Just glancing at this quickly and going through my head, at least \$868,000 of that \$4 million that was mentioned of unworked time, is in funds other than the general fund. It is in Waste Water and other departments. The percentage of 13% is very highly overstated. I will make a copy of this and give you the actual percentage. I knew that \$4 million and 13% was way to high. We've got Waste Water, Golf Course Administration, Weatherization, Streets & Sewers. I didn't even include Senior Programs because a good chunk of that is also. The other portion we have in here which really puts an unfair reflection on it is the sick time payouts that we have. That is not somebody working, that is something we're trying to get rid of and we'll do a schedule on this and I'll get this back to you tonight.

Councilwoman Minarik – Then figure the different percentages?

Mayor Cervenik – It will be under 10%.

Councilwoman Minarik – That would be wonderful, thank you.

Councilman Van Ho – I would like to see if the administration could give us a report on how much we would save in total of we passed (125b-10). In other words, tell me exactly how much money this is going to save. From what I'm hearing when I hear about 11 employees here or there, it is not going to save that much money. This is a feel good resolution.

Mayor Cervenik – It is now a first reading and we'll try to calculate that for you. I think it is probably best if we just move on.

Res. 151-2010 (195-10) Proposals for Job Grades & Wage Ranges

A resolution authorizing the Director of Law of the City of Euclid to solicit proposals for a comprehensive wage and job analysis for the described positions in the Consolidated Compensation Ordinance for the purpose of establishing a schedule of job grades and wage ranges. (Sponsored by Council President Holzheimer Gail)

Councilwoman Scarniench moved for passage, Councilwoman Jones seconded.

President Holzheimer Gail – This came as a result of our discussion in the committee meeting with the consolidated compensation ordinance. Rather than increasing the wage rate ranges that are provided at the end that had not been touched for several years, at least 10 years if I recall correctly. Because there's been so many consolidated of positions and change in the market, we thought it was prudent to look at proposals to review our position descriptions and job analysis.

Director Frey – We will prepare request for proposals and get it out to the professional organizations that do this type of work with concentration on public sector. We would anticipate having a vendor selected as soon as the budget is approved. The anticipation is this would be budgeted and as a 2011 general fund expense. We would select a vendor. We think it would take 4-6 months to have that information.

Councilman Van Ho – I commend the idea of having a group of professionals study the whole thing; hope all of my colleagues will vote for this.

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

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

Res. 152-2010 (200-10) Caterer Lakefront Community Center/Mangia Bene

A resolution authorizing the Mayor of the City of Euclid to extend the rental and catering agreement for the Lakefront Community Center with Mangia Bene, d/b/a Events by the Lake for 2011 with an optional renewal period. (Sponsored by Mayor Cervenik)

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

Mayor Cervenik – I communicated to Council a few weeks ago that we were quite satisfied with the performance of Mangia Bene. I explained a little bit about the process of going out for RFP's and originally we had no respondents and Mr. Tizzano did step up and has been doing an exemplary job. We would like him to continue. Both my assistant, Lisa Mayernik and Mike are in the audience if anyone has any questions for him. As we talked about the revenue being a little lower this year, we had that time period that had nothing to do with Mr. Tizzano but more with our inability to determine whether Council wanted the center to continue to be leased, openly, whether it was going to be leased just to Euclid resident, or if it was going to be rented out at all because some had concerns about the wear and tear and damage being done there. A lot of those situations have been taken care of since Mr. Tizzano has taken over the operations of the center. If there's any questions, anyone of the three of us can answer.

Councilman Wojtila – On the new contract, are the business terms the same as the previous contract?

Mayor Cervenik – Yes.

Councilman Van Ho – I think it is a great idea to renew this. Mr. Tizzano has been a member of the business community here for a number of years. I think we constantly go to the business community and ask them to be loyal to us and I think we should be loyal to a Euclid business whenever we possibly can. With that I'd encourage everyone to vote for this resolution.

Mayor Cervenik – I believe Mr. Tizzano sent each councilman a summary of this past few months, and with that he asked for certain things including a little better care of the landscaping. I talked with Director Will this afternoon and I think that can be arranged. He sort of summed up very well, it is tough out there and we're lucky to be able to use his facility and have his expertise to run it.

Councilman O'Neill – I just like to say as the Councilman who represents that area, I've received no complaints from any of the residents with noise or anything of that nature since Mr. Tizzano has taken over that property. I do agree with the Mayor, I have taken a couple of walks back through there that we should invest a little bit more time and monies, which are tight, to try to clean up the property. Maybe pull some of the fake flowers out of the bushes that some people take it upon themselves to put in there for the weddings and then they don't take them when they leave. Some fertilizer, some weed killer, definitely needs to be put down and the beds needs to be taken care of. Hopefully next year that is an adopt a spot, I don't know. It would be nice, I remember when there was some really beautiful gardens before the additions were put there. I think we can do a little bit better. I know we have a very dedicated staff in the Rec Dept. and they are really strained but possibly through the police department with people working off their community service hours, may be something can be worked out, I'm not sure. I'll speak with the Chief after the meeting.

Councilwoman Scarniench – I would like to thank Mr. Tizzano for sending us this update so we actually see it ahead of time. As the Chairman of the Assets Committee I do walk around that building and I haven't seen any damage done since he has taken over, which I really appreciate that and I hope everyone will vote for this. Thank you.

Councilman Langman – I too appreciate Mr. Tizzano's efforts, he has done a very good job. Yes, the landscaping does need to be improved. I would like to make a suggestion going forward. It is to late now to do RFP's and so forth, but I have talked to a couple of restaurants around in the Euclid area that might be interested in the future. Since there are no eateries in the 7th ward if you have constituent restaurants or catering entities that might be interested, I think in late spring, it would be wise to revisit to see if an RFP process might be beneficial at that time. The original RFP process as the Mayor mentioned didn't really generate any proposals. We did very well with Mr. Tizzano but for fairness sake, if there's anybody that's interested, we should look at revisiting the RFP proposals sometime in June of next year.

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

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

Passed.

Ord. 153-2010 (162a-10) Accept Recreation Trails Program Grant

An emergency ordinance authorizing the Mayor of the City of Euclid or his designee to execute a State-Local Project Sponsor Contract Agreement to accept and expend a One Hundred Fifty Thousand Dollar (\$150,000.00) Recreational Trails Program grant and to provide the required twenty percent (20%) match in the amount of Thirty-Seven Thousand Five Hundred Dollars (\$37,500.00) from the 2011 Permanent Improvement Fund. (Sponsored by Mayor Cervenik, Councilpersons Holzheimer Gail, Langman and O'Neill) (Recommended for passage by the City Growth, Planning & Development Committee)

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

Director Pietravoia – Councilman Langman may want to give a committee report as well, but I'll comment briefly on the next three items. They are grants that were awarded by the State of Ohio to the City of Euclid to advance our lakefront development project. The first phase which includes developing trails along beachfront and leading to the pier. The second grant is to expand and enlarge the pier. The third grant is to allow us to acquire the land needed to implement the plan.

We had an extensive committee meeting last week at which time JJR presented. I'll defer comments on that to Councilman Langman. Tonight we are urging passage of these three items. The State has been patient waiting for us to have the opportunity to present with JJR to Council before we actually formally signed the grant authorizations. I do want to comment, the Mayor mentioned about our meeting today with Senator Brown's staff and we did inform them about the State Capital grant prior to this, the \$500,000 received in 2008 and now the \$600,000 represented by these three ordinances. They were very impressed by that and indicated that they would consider that in future requests as part of our local match and seeing the seriousness of the city and the state in supporting our lakefront development. That will in fact help us as we're going forward with our request for federal dollars as well.

The one item that would need to change in Ord. (162-10), the reference to the match coming out of the capital fund, or permanent improvement fund, is the way it is currently written in Section 2. We would request that it read, Or Various TIF funds, both in the opening paragraph and in Section 2. So that we would have the flexibility as we explore the use of the TIF dollars to potentially use that for the match as well as the rest of the capital cost of the project.

Councilman Langman – Obviously the Director is correct, we did have a very fine presentation from JJR. They outlined all the technical components that would go into the park improvements and the pier improvements. They gave us various schematic designs. The process will continue and probably won't be completed until March of next year while they refine some of their schematics and some of the preliminary engineering.

It is certainly an exciting process that we're undertaking. Part of that is because of JJR. We also discussed the economic impact of these particular improvements. Quite honestly just doing the park and pier by themselves won't necessarily generate that much investment concerning the overall project. We did discuss the city's contribution to the project and based on those two improvements you can make the argument for people watching at home, you could invest the money at Shore or Memorial Park or other parks, etc. They would be somewhat correct, but again you have to look at the project overall. All the improvements that are planned for the lakefront and they were very clear about restoring the beaches and the central section of the project zone. They also talked at rather length about the marina, even though that was not the focus of this particular phase. If you take all of that together, that will leverage the significant private investment that they had talked about in the past. They talk about tens of millions of dollars once all of the improvements are made. You have to start somewhere. So I do support making the investment at Sims with the extension of the pier. Quite honestly, it is because of the track record of JJR. They have a proven track record of success in lakefront development projects. We are very fortunate that we found them through our RFP process, they are a very fine firm. With their help I'm sure we will see all the improvements over the next few years. Thank you.

Councilman O'Neill – I do want to reiterate what Councilman Langman said. We've invested a lot of time and certainly a lot of finance into this project. Hopefully people are paying more attention to it and they can see as the concept is now turning into more of a reality, certainly we hope by the beginning of April will be the true test that the lakefront development has started when we see dirt starting to get moved around. With respect to the people that are very passionate about Sims and we spoke to a lot of those folks, I was actually down there today talking to some of the disc golf people, to reassure them that disc golf will remain. I would appreciate if the people stop putting their shopping carts in Sims Park; I dragged one back today myself. Disc golf folks are happy about the shared use of the park. We did reassure them that activity will remain there. We're going where the money takes us, where we get grant money. I would like to see the trails be started. Unfortunately we're not quite there yet, but this is a very important component of the total project. I would encourage all Council members to vote affirmative on all three of these legislations. Thank you.

Councilman Langman – Director Pietravoia just to cover a clarifying questions that were left over from the committee meeting. I know it was very soon after, but did you have an opportunity to check on the Downtown TIF and whether that will be applicable or will that be a future answer?

Director Pietravoia – We did with the assistance of Director Brett raise the question with our legal counsel. We don't have a definitive answer yet. As I explained at the last meeting, the interpretation is that the TIF funds that come into the downtown district have to be related in some way to the improvement that was installed at the time the TIF was established. That was the construction of the new drugstore at the corner of Bliss and Lake Shore. We're exploring whether there's a way to make that connection to the lakefront and ultimately it would boil down to whether all of Council felt comfortable that there was a strong enough relationship.

My recommendation at this time, regardless of what the legal answer is, I still feel strongly that we have similar capital needs that are coming forward in the downtown district that could more clearly be related to those funds and that we ought to try to reserve those dollars for future capital improvements in the continuing phases of the downtown improvements.

Councilman Langman – One more TIF question. We had talked about earlier in the process of perhaps redoing again the lakefront TIF. Have we made any progress on those conversations?

Director Pietravoia – We talked about expanding the lakefront TIF.

Councilman Langman – Well there's really two issues, expansion and obviously some of the future improvements won't be captured until the TIF is a certain number of years down the road. Have we considered doing that? I know we have done it once before, but have we explored that and the ramifications of that?

Director Pietravoia – We're continuing to explore it. The main concern is the timing, if you know that development is imminent, that's the best time to establish the TIF because then you get the maximum benefit for a period of 25-30 years. We have a little bit of a risk, the example being what we did for the Harbor Town TIF. We all believed that we were ready to go forward, it didn't quite pan out. The development didn't take place right away. We're seeing some dollars come into the Harbor Town TIF but not to the level that would have occurred if development had taken place. In the meantime we're using up those years that could have been used to finance public improvements in the area.

The caution to not pull the trigger to quickly so you can get maximum benefit out of the tax increment financing district. Asst. Director Gliha is here, I don't know if you want to comment any further. I believe that summarizes our concerns at this point about expanding at this point in time.

Councilman Langman – I'll save the rest of my questions for an email for the Director.

Councilman Van Ho – I'll be happy to support this. But I would also ask, could we get a list of all of the grants that we have, the local match and what the Feds or the State or whomever are giving us? I think we need to see that and possibly the public needs to see that we are stretching our money and that the city employees are trying to find grants to stretch money as far as we can go. The lakefront is one of the glorious ones, it is easy to support, but there are a lot of other small grants. Very rarely does a council meeting go by when we don't accept a grant, whether it be small or big. I'd like to see if we could get a complete list of that.

President Holzheimer Gail – Not just the lakefront ones?

Councilman Van Ho – Everything; I don't care if we got a grant to buy mops for City Hall, I'd like to see it.

President Holzheimer Gail – I'm sure we can make that happen. We do need to amend this to include the reference to possible funding from the various TIF funds.

Councilwoman Scarniench moved to amend Ord. (162-10), at the end of the first paragraph and end of Section 2, or various TIF funds. Councilman Gilliam seconded.

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

Amendment passes.

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

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

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

Passed.

Ord. 154-2010 (163a-10) Ohio Trails Fund

An emergency ordinance authorizing the Mayor of the City of Euclid or his designee to execute a State-Local Project Sponsor Contract Agreement to accept and expend a Three Hundred Fifty Thousand dollar (\$350,000.00) Clean Ohio Trails Fund grant and to provide the required twenty-five percent (25%) match in the amount of Eighty-Seven Thousand Five Hundred Dollars (\$87,500.00) from the ~~Endowment Fund~~ State Capital Grant. (Sponsored by Mayor Cervenik, Councilpersons Holzheimer Gail, Langman and O'Neill) (Recommended for passage, as amended, by the City Growth, Planning & Development Committee)

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

Director Pietravoia – Just to note, this legislation was already amended out of committee to change the match from the Endowment Fund to the State Capital Grant. We reported at the Committee meeting, I'm very pleased to report again tonight that inquiry with the State they did indicate that the capital grant could be used as our local match. This particular ordinance is for the acquisition of land on the eastern end of the waterfront district. It will be necessary to go forward ultimately with the trails and the marina and other features at that end of the district.

Councilman Langman – As JJR described, the two bowling alley lots will primarily be for restaurant, harbor master facilities and other marina related facilities. As the Director said, it will be the eastern terminus for the lakefront trail that will stretch from Harbor Town area all the way to Sims and the expanded pier.

Councilman Van Ho – Do we need to amend this resolution also to include TIF's or not?

Director Pietravoia – No, in this case the match is through the State Capital grant and not the TIF.

Director Frey – The amendment happened at the committee meeting. It came back to Council as an amended piece.

Director Pietravoia – I did want to comment that with passage of this ordinance and acceptance of this grant combined with the funds remaining from the State Capital Grant, we believe we have enough funds in place to go forward with the purchase of the two bowling alley lots that Councilman Langman was referring to. If everything comes together as we expect, we'll have that on the November 15th legislative agenda.

Councilwoman Minarik – I have a couple of questions, I'm not sure who to ask this of. I will be voting for this. I'm just a little disappointed because this end of the project isn't happening for awhile that we applied for the grant now. That brings me to my questions. Are there structures on those two parcels at the current time? That was the first question. The second one is, because we're currently getting property taxes, do we know how much in property taxes we're going to be not receiving once we purchase these? Is there any idea of what the maintenance costs of these two parcels is?

That brings me to why I'm a little sorry that we got the grant right now, but I'm very glad we're not spending any money to purchase the properties. I do know that we will be losing tax dollars and it will cost the city something to keep up the properties. Can anyone answer those questions?

Director Pietravoia – I can begin. There are no current structures on any of the properties that we would be acquiring. The timing is important because the State Capital Grant has been in place since 2008 and we are coming up on our deadline to expend those funds. In essence we're fortunate that we received the other grant, as you might recall we were originally talking about using our Endowment Fund. So this will allow us to go forward with the acquisition, meet the deadline for the first grant, without having to touch our Endowment funds.

The other point that I think is important, we already control Sims Park. With these acquisitions we will control the eastern end. The middle section is the next piece that we'll start negotiations on.

Without all the pieces in place that the Trail System doesn't make sense. It takes time to do all of these acquisitions and negotiations. While it may seem early, the timing will benefit us because we can indicate to the middle section property owners that we now have everything in place we need and we now need your cooperation to do the middle section.

On your question about taxes, I would have to look that up, I don't know off the top of my head what the current taxes are being paid, but it is for land only at this point. All those dollars are going into the TIF because of the Harbor Town TIF.

Councilwoman Minarik – And the maintenance, but before those get answered, following up on the meeting with Senator Brown's office, by having the east end in place, that's also a plus for getting federal dollars?

Director Pietravoia – Correct. Basically what they're saying is the more the city can show that we have control of the land that we need, the better chance we have of getting funding and also the more we can show that we've actually expended local dollars on any aspect of the project. That gives us a stronger basis for requesting federal funds. I should clarify. When they're comparing to other requests that haven't expended any local or state dollars, certainly we're going to be in a stronger position because we'll be showing that we are spending our own money as well as the State support for the project.

President Holzheimer Gail – Director Will, did you want to address the maintenance of the property?

Director Will – We will do our best in our abilities to do what we can do. As long as we have the ability to have our summer part-time help in the following years we'll be able to hopefully continue to do that, to take care of it the best we can.

Councilman O'Neill – By acquiring this property does it potentially give us the ability to build structure on that property prior to the trail being put in? I guess what I'm leaning towards is it is pretty close to the area that eventually the marina will go in and we had talked about a restaurant going in with private investment. In your experience, if you care to comment, do you feel that potentially we could develop that property which would compliment the lakefront development on the land based restaurant or the amenities that we were looking for to develop the east end of the property. I'll look forward to your comments.

Director Pietravoia – I do believe that there could be potential to develop the property prior to the rest of the trail system being in place. What we would have to be careful of and I'm confident in JJR's ability in this regard. They'll be designing from an engineering standpoint the grade that that portion of the land near the lake will need to be in order to make the trails and the access down to the marina work. We'd have to make sure, if we're going to build anything that we already know the proper grades for the rest of the improvements so that we're not prohibiting those future improvements for happening by building there early.

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

Councilman Langman 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.

Ord. 155-2010 (164a-10) State-Local Nature Works Project

An emergency ordinance authorizing the Mayor of the City of Euclid or his designee to execute a State-Local Nature Works Project Agreement to accept and expend a One Hundred Thousand Dollar (\$100,000.00) Nature Works grant and to provide the required twenty-five percent (25%) match in the amount of Twenty-Five Thousand Dollars (\$25,000.00) from the 2011 Permanent Improvement Fund. (Sponsored by Mayor Cervenik, Councilpersons Holzheimer Gail, Langman and O'Neill)
(Recommended for passage by the City Growth, Planning & Development Committee)

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

Director Pietravoia – Same comments we just need to make a similar amendment in Section 2 to add or various TIF funds as a possibility for the \$25,000 required local match.

Councilman Van Ho moved to amend Ord. (164-10) to include in the opening paragraph and the end of Section 2, or various TIF funds. Councilman Langman seconded.

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

Amendment passed.

Councilman Langman – To talk a little bit about the park very briefly is that the trails to be installed will be in essence green trails, as will the parking lots, the parking stalls, hopefully they will be sensitive to pervious concrete, they'll use that material that will help with water quality. Also on the pier and within the park, hopefully we will use some compliment, LED, solar lighting, so it is not on the grid. It will really make the park green besides the natural greenery that is already there.

Director Pietravoia – When we met with Senator Brown's staff they did indicate that those aspects would likely make the project eligible for other potential funding. What we were discussing with them is the annual appropriations request, but there are various grants that are available throughout the year that we could potentially go after for those kinds of aspects of the project.

I do want to thank Asst. Director Gliha for being with us tonight for these pieces, I haven't let him respond to anything. If you want to ask a question of him, that would be fine.

President Holzheimer Gail – Asst. Director Gliha, would you like to add anything?

Asst. Director Gliha – Director Pietravoia has done a wonderful job along with Councilman Langman.

Councilman Langman – Obviously we have two senators from the State of Ohio and that is going to change after tomorrow evening. Are we prepared then to approach the new Senator whether it is Mr. Lee or Mr. Portman? Usually these types of appropriations require support of both senators to move forward.

Mayor Cervenik – We've working with both Senators in the past and whoever the new senator is come elections tomorrow, we'll be working very closely with that person as well. Anybody whose purse strings in Washington, they are my best friends.

Councilman Langman – You will contact them on Thursday whoever it is?

Mayor Cervenik – I'll give them a few days to celebrate.

Councilman Langman – One is good. Thank you.

Councilman Wojtila – We talked about this at the committee meeting, we talked about the pier area, not doing a portion but having to do the entire portion. The grants and the amount of \$100,000, we talked about another million. Are we then proposing that in next year's capital budget that a million would be for a pier?

Director Pietravoia – It will be reflected in the capital budget, but the plan is to use the various TIF funds to issue and pay off the annual debt service for the construction of the pier.

Councilman Wojtila – So the answer is no, you're not planning to have a million dollar line item for a pier out of 2011 capital budget.

Mayor Cervenik – Not out of our normal capital program where we have our resurfacing and purchasing of equipment of that, no.

Director Pietravoia – Sorry councilman I misunderstood the question. It will be reflected with use of other funds somewhere in the list of capital projects that we present to Council.

Councilman Wojtila – I'm always thinking that we do about \$2 million annually.

Director Pietravoia – This is outside of that.

Councilman O'Neill – I don't want to beleaguer the topic, but I want to answer some questions from some of the residents that have approached me about the trails and the security of the park. Just very briefly that that is at the top of our priorities is that the park will be clean and safe. I just want to make that mention that the lighting and potentially security will be addressed for the park and will be a safe park.

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

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

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

Passed.

Ord. 156-2010 (202-10)

An ordinance to provide for the issuance of \$560,000 in principal amount of bonds of the City of Euclid, Ohio for the purposes of refunding notes originally issued to make various building improvements to the city's Shore Cultural Centre and Henn Mansion, paying accrued interest thereon, providing for the city to purchase the bonds into its bond retirement fund and declaring an emergency. (Sponsored by All Members of Council by request of Finance Director)

Councilwoman Jones moved for passage, Councilwoman Minarik seconded.

Director Brett – These notes have actually already been paid by the City but the auditors felt they should be re-issued as taxable notes and then bought back by the City and put into the bond retirement fund. We would repay it using non-tax revenues over ten years. This is kind of a re-classification of debt more than anything else. We already paid for it but we're going to receive new money for the \$560,000 and then gradually pay it back using the non-tax revenues.

President Holzheimer Gail – I want to be clear to the audience. This is not new borrowing. This is something we have done. We've had it in notes and looking to pay it in bonds which is a longer term, no?

Director Brett – There's no need to re-issue them as bonds. We're setting them up so that we treat them like bonds but we save all of the incidental costs of issuing a bond, and since we're buying them ourselves we establish what is considered a fair market rate for the interest and then proceed to pay them over the 10 year period.

Councilman Langman – Director Brett, can you define what non-tax revenues for the audience are?

Director Brett – Interest earnings, fines, licenses and permits, things that are not normally collected like property taxes and income taxes and probably the inheritance tax. I imagine we could most likely use the interest earnings and fines, licenses and permits.

Councilman Langman – You mentioned one in there I guess I haven't heard before the inheritance tax, will we consider that non-tax revenue?

Director Brett – No inheritance tax would be tax revenue, I'm sorry.

Councilman Langman – So it is the usual fines, fees and forfeitures.

Director Brett – Fines, fees and forfeitures, correct.

Councilman Langman – Thank you.

Mayor Cervenik – What did happen is the former Finance Director paid this note off that was being held in the bond retirement fund with bond retirement fund money, in error. Because the bond retirement funds are considered taxable revenues and we were forbidden to pay that off with taxable revenues. This is correcting that mistake. As Director Brett said, from here on end we will pay this off over 10 years with non-tax revenues as the borrowing ordinance required in the first place. It is unfortunate that it happened, it is fortunate that we're able to fix it.

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

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

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

Passed.

Ord. 157-2010 (201-10) Bonds Various Purposes

An ordinance to provide for the issuance and sale of notes of the City of Euclid, Ohio, in anticipation of the issuance of bonds, in a principal amount now estimated not to exceed \$7,040,000 for various purposes, and declaring an emergency. (Sponsored by All Member of Council by request of Finance Director)

Councilwoman Scarniench moved for passage, Councilman Wojtila seconded.

Director Brett – These are essentially a consolidated repayment of previously issued notes. What we are attempting to do here is put together notes that are coming due December 1st and then look toward May with the idea of possibly going out to general obligation bonds at that time, which would require us to probably go to a rating agency and get our credit rating reviewed by probably Moody's and then going out to market at that time.

Right now if we bring everything together and they mature on the same day, there's a window where we could probably save some money by refunding some older debt and we could save some money at that point. The question becomes whether or not the city wants to go through the rating process and all of the pleasantries that entails or put them to bonds or roll them a note for another year and again to watch essentially the interest rates to see whether or not it behooves us to stay short or go long.

Councilwoman Minarik – Director Brett, it says in Section 2 an estimated rate of 6% and then on the next page then you're talking 5%. How is that determined? I thought municipal bonds were paying, depending on your credit rating, anywhere from 3.75 to 5 or something like that. How does that work, the estimated interest that we'll be paying that, correct?

Director Brett – No we will not be paying that on these notes. Those are interest rates that were set up and they're historical just to avoid cities paying too much interest. They would always be set at a rate that was far in excess of the market rate for notes or bonds to kind of.

Councilwoman Minarik- So it is a standard.

Director Brett – Yes, like your credit card says not to exceed 21% or something like that. We're expecting more like 1.3 or 1.4% or 1.5 like the last set were. The feds seems to be making moves now that would also dampen long term interest rates, which again would have impact on what our decisions are come May when these all come due. Their activities have the affect of dampening interest rates in the long term and that would be a good time to go long and take these at that time.

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

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

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

Passed.

Ord. 158-2010 (192-10) County Health Services

An ordinance authorizing the Mayor of the City of Euclid to enter into a contract with the County of Cuyahoga, District Board of Health, for various health services for the City of Euclid for the year 2011. (Sponsored by Mayor Cervenik)

Councilman Gilliam moved for passage, Councilwoman Scarniench seconded.

Director Smith – Chapter 3709 of the Ohio Revised Code requires that each city in the State of Ohio provide health services through a city health district or by contract or union with the County Health district or an adjacent city health district. In the past we have contracted with the Cuyahoga County Board of Health. Some of the key issues focused on is the prevention and control of chronic diseases like asthma, diabetes, cancer and heart disease. They have worked diligently to enforce Ohio's comprehensive smoke free law having over a 95% compliance rate within their respective jurisdiction. The Board of Health is maintaining its current uniform rate of \$3.70 per capita throughout the district for its 2011 services. This is the same rate that was charged in 2009 and 2010. Based upon this information, I am requesting your authorization to contract for health services for the year 2011 with the Cuyahoga County District Board of Health.

Councilwoman Minarik – It seems like it is by State law as well, what happens if we don't approve the \$195,000 or whatever it is?

President Holzheimer Gail – We would be responsible for providing the services ourselves.

Director Smith – In one form or another, that is correct.

Councilwoman Minarik – Again, would you go over what those services are, other than enforcing the smoking ban, I got that one.

Director Smith – In their letter to us they said their primary focus is associated with the prevention and control of chronic diseases like asthma, diabetes, cancer and heart disease.

Councilwoman Minarik – How do they do that; that they spend \$195,000?

Director Smith – Through various types of educational activities. I have a lot of that information and I'd be more than happy to provide it to you if that would be beneficial.

President Holzheimer Gail – They do rabies prevention. If somebody has rodents in their house, they come out and inspect and provide prevention for that type of activity. Over the years when we've had to spray for mosquitoes they provide that service. That's much more than that. It is keeping the community at-large healthy.

Mayor Cervenik – They do restaurant inspections, complaint inspections, you name it, anything to do with the health and well being of the community they are out there and they are very, very responsive to our calls. They check our pools. They run the whole gambit.

President Holzheimer Gail – I know we receive their annual report, we may receive a quarterly email update. The report shows everything that they do. I know I had occasion to call them for critters in people's houses that have called me in the past and they are very helpful and very responsive to community needs. Keep them in mind as a resource, any health issue.

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

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

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

Passed.

Ord. 159-2010 (198-10) Emergency Repairs to Sewers Bids

An ordinance authorizing the Director of Public Service of the City of Euclid to advertise for bids and enter into a contract for Emergency Repairs to Streets, Sewers & Sludge Lines for the year 2011, with an option for a one-year extension for 2012. (Sponsored by Councilperson Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilman Van Ho seconded.

Director Smith – Each year we have a contract in place with the construction company in order to complete emergency repairs to the streets, sewers and sludge lines. Historically this has been a one year contract having an option for a one year extension. 2010 is the final year of the current contract. I am requesting your approval to solicit bids and enter into a contract thereafter for the year 2011 and also a potential one year extension for 2012. This will be a time and materials contract having an estimated limit in the amount of \$50,000. In 2009 the contract amount was approximately \$28,000 and in 2010 the contract amount was approximately \$30,000. For your awareness in the 22 year history of having an emergency contract, I'm only aware of exceeding the \$50,000 amount on a single occasion.

Councilman Wojtila – My other question on the ordinance is it says capital budget. Wouldn't we be able to use other funds in it is sludge line and sewer lines that we're doing emergency repairs to?

Director Smith – I'm sorry the question is about the use of other funds?

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Councilman Wojtila – Would we be able to use other funds if we're doing emergency repairs to sludge lines, sewers and actually even streets, don't we have other funds that we can use?

Mayor Cervenik – That has been the case many times where it is a trunk line, it would go towards Waste Water Treatment plant. We have allocated the expenses accordingly.

Councilman Wojtila – We don't need to amend, we can use the other funds without an amendment?

Mayor Cervenik – If it can be allocated to Waste Water and other funds, it just gets allocated there, it won't be taken out of this \$50,000, so there's really no amendment.

Councilwoman Minarik – The question is the actual fund being capital budget. We thought we could hire a Development Director at Shore from capital budget and now this, and we couldn't, and now this is a contract. I thought capital budget is more for things, not services. We can take this out of capital budget is my question?

Mayor Cervenik – The service is fixing sewer breaks, sludge line breaks and things like that. The contract for the Development Director at Shore is strictly administrative.

Councilwoman Minarik – I'm not trying to cause a problem here, I'm just asking because this is not really for things, it is for a service agreement. I just want to make sure we can take this out of the capital budget.

Mayor Cervenik – This is for repairing things and replacing things that break.

President Holzheimer Gail – They don't get paid unless they're do the work.

Mayor Cervenik – The only time they get paid is if they're an emergency problem. We have only exceeded that \$50,000 once in the time we can remember and that was a crazy year.

Councilwoman Minarik – That's fine, I just want to make sure we're pulling it out of the fund, we can pull it out of capital, that was my question, okay.

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

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

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

Ord. 160-2010 (197-10) Proposals Building Dept. Consulting Services

An ordinance authorizing the Director of Public Service of the City of Euclid to seek proposals and enter into an agreement for Building Department Consulting Services. (Sponsored by Councilperson Wojtila by request of Service Director)

Councilman Wojtila moved for passage, Councilman Van Ho seconded.

Director Smith – It has been approximately 3 years since we have sought proposals for Building Official services. At this time I am seeking your approval to solicit qualifications and enter into a contract thereafter for these services. I am proposing a two year contract. For you information about 95% of these fees are past onto the owner. In 2010 the fees generated were approximately \$50,000 but of course they vary yearly. Thank you.

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

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

Passed.

Res. 161-2010 (199-10) Extend Contract Lake Business Products-Copiers

A resolution authorizing the Director of Finance of the City of Euclid to extend the City-wide copier/printer system contract with Lake Business Products, 37200 Research Drive, Eastlake, Ohio 44095, through March 31, 2011. (Sponsor Council President Holzheimer Gail request of Finance Director)

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

Mayor Cervenik – We have put together the RFP for the copier service, however we felt that it is a very important contract we need to live with the decision for 3 years. Back in May 17, 2010, you did extend it until the end of the year. The former Finance Director as he left did not put together on RFP. We just don't want to be under the pressure of having to make a decision based upon a timeline. This will give us an extra 90 days to make our decision. We expect to have the vendor in place, chosen by the end of the year. It will take them at least 30 days or somewhere in that neighborhood to replace the equipment that is here now. We just want that little extra time to make sure we're not making a wrong decision just because of a time constraint.

Councilman Wojtila – Just that we can extend and they are agreeable to extend for three months?

Mayor Cervenik – Yes.

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

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

Passed.

Res. 162-2010 (193-10) Mill Limitation

A Resolution adopting the rate of each tax necessary to be levied both inside and outside the ten-mill limitation, as certified by the Cuyahoga County Budget Commission. (Sponsored by Mayor Cervenik and All Members of Council)

Councilwoman Scarniench moved for passage, Councilwoman Jones seconded.

Director Brett – My predecessor put together a tax budget probably in June or July that was sent to the County Budget Commission about that time. The primary purpose of that was to set the millage for those funds where the city receives property tax. This Resolution is accepting the millages established by the Cuyahoga County Budget Commission for next year. We will have to do this again because once after tomorrow's election we'll know whether or not the two mil levy for sewers at which case we'll have to add that back on because it was taken off because they didn't know whether or not it would pass. We have certain deadlines to meet to return this to the Budget Commission but then we would amend the Resolution accepting these rates and send that onto the Budget Commission as well. We'll probably send them a note that that particular one was renewed and we'd go through legislation again.

President Holzheimer Gail – Questions from Council? Seeing none, this is a resolution so roll call please.

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

Passed.

Ord. (188-10) Payment for Medical Care of Prisoners – Second Reading

An emergency ordinance authorizing the Mayor as Ex-Officio Director of Public Safety of the City of Euclid, or his designee, to provide regulations for the payment of medical care for prisoners in custody at the Euclid City Jail. (Sponsored by Mayor Cervenik by request of Police Chief)

President Holzheimer Gail – Law Director Frey has indicated he would like this to continue as a second reading, still working on gathering information. We will consider this a second reading.

Ord. 163-2010 (196-10) Recycling Materials Processing

An ordinance authorizing the Mayor of the City of Euclid to enter into an agreement for the processing of recyclable materials generated within and collected by the City of Euclid on behalf of the City of Euclid. (Sponsored by Mayor Cervenik and Council President Holzheimer Gail)

Councilman Van Ho moved for passage, Councilman Wojtila seconded.

Director Smith – Each member has been provided with a copy of the proposed agreement for recycling processing services. This agreement will be with the Penn Ohio Coal Company doing business as the Kimble transfer and recycling company. This contractor was the most responsive and responsible as determined by the evaluation of proposals received by a 10 member community consortium in conjunction with the assistance of the Cuyahoga County Solid Waste district. Upon our request, Kimble has extended this proposal to the City of Euclid. This agreement will be in effect through September 30, 2015. It includes a revenue sharing formula which has the potential to generate monies into the city. At this time I am requesting your approval to enter into a contract with the Kimble Transfer and Recycling Company as outlined. We certainly will be happy to answer any questions that you may have.

Councilwoman Scarniench – Everybody is asking, do we have any idea when we're going to get started with this?

Director Smith – Where we're currently at in the process, the truck is scheduled for delivery prior to the 12th of November. We have some outfitting to do. Employee interviews are currently underway, we have received a number of applications, I don't know the exact amount, but quite a few. After the last Board of Control meeting, not this present one, but one week ago the bins, we're going to utilize the 18 gallon bins and they were ordered immediately following that meeting with an anticipated delivery date of 3 weeks. If everything goes well as the program continues to develop, I would assume within the, towards the end of the month, or within the first week or two of December we'll be underway.

Councilwoman Minarik – I'd like to wait until we pass the compensation ordinance for hiring these people, myself. But I still have questions about a three man crew and why those people need a supervisor. I have a real problem with that. Also I was wondering, if we sign off on this, are we held to this in light of the other communities, or does everybody have to sign onto this agreement that is part of the consortium for us to be locked into the five years?

Director Smith – I'll defer to Director Frey if need be, but it is my understanding each member community is a stand alone contract. I'm aware that either 3 or 4 of the communities have signed up. I know the other ones are pending, I'm not aware of any reason they haven't other than simply council action at this point.

Director Frey – To amplify that. This is a separate agreement between the City of Euclid and Kimble Recycling. There is a cancellation provision in here. But this is an agreement solely between us and the contractor to do the recycling.

Councilwoman Minarik – I thought the consortium is guarantying that we would get money back from recycling. If we don't have all the communities signing on will we still be paid for our recyclables?

Director Frey – That is part of the contract that an established rate per commodity.

Councilwoman Minarik – If we do a solo contract, whether or not the other communities sign onto this consortium agreement, we will still get paid for our recycling I think is my question. What is the advantage of the consortium?

Director Frey – They went through the selection process. They've developed the agreement, they went through the selection. They picked this vendor as a responsive vendor with the assistance of, we're taking advantage of their work.

Councilwoman Minarik – Okay, thanks.

Councilman Langman – Law Director Frey, the ordinance itself, shouldn't it specify the Consortium, it doesn't really do that? I know it is a technical matter, but it is not mentioned in the actual ordinance.

Director Frey – We can certainly add it in.

Councilman Langman – I would prefer that it is specified.

Director Frey – The name is Penn Ohio Coal Company doing business as Kimble Transfer and Recycling. We certainly can add that. We can amend this legislation to add that as the name of the entity to whom we are contracting.

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Councilman Langman moved to amend Ord. (196-10) to add Penn Ohio Coal Company dba Kimble Transfer and Recycling Company. Councilman O'Neill seconded.

President Holzheimer Gail – Do we need to specify where it goes? You'll deal with the language?

Director Frey – Both the opening section and then in the operative Section 1.

President Holzheimer Gail – Any questions on the amendment?

Roll Call on Amendment:

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

Amendment Passed.

Councilman Langman – Thank you. Just a few more questions. Director Smith under the witness section, it lists the various communities. I don't know when this was actually drafted because the list you sent to us included Beachwood and Cleveland Heights. Are they part of this consortium? Or does the language in the contract which does not list them, does that carry?

Director Smith – I can check that. It was my understanding and I was doing my math here as I was going through. It was my understanding there were 12 member communities so I will have to confirm the remaining two.

Councilman Langman – Law Director Frey does that matter on the contract we're considering?

Director Frey – Again it does not. Our contract is between the City of Euclid and Penn Ohio Coal. There could be twenty more and it wouldn't matter because our terms are here.

Councilman Langman – I'm sorry I was signing some paperwork that was being past around so if this question is repetitive, forgive me. Our contract with J&J for waste hauling, if that terminates like next year or the year after, that does not affect our agreement with the consortium?

Director Smith – J&J contract is a stand alone contract for the collection. It was for a 5 year timeframe much like this contractor's, tremendous amount of legal verbiage if there's a breach or failure to perform. Of course under certain circumstances there could be a situation that arises where there's a change in the vendor, but right now this seems to certainly mirror our current J&J contract to a very beneficial standpoint.

Councilman Langman – Of course there's another question that I have, but I can't find the section, but it had to do with in case collection was privatized. I guess my question is, did we look at that avenue, either with J&J or another carrier or another firm before we got to far down the line in the process?

Director Smith – Yes, we had a tremendous amount of research that went into this. When the word started to get out and it has actually continued from our last meeting forward from J&J, from other waste haulers from another entity that has an interest in doing this. We've reviewed those. Much of it was a phone call saying hey we can do as good or better than what J&J is doing and then we haven't heard back. J&J has been the most responsive to the city at this point in time and that is why it was the recommendation to go with that. I'm referring to J&J as Penn Ohio Coal, that's why the recommendation was to go with the Penn Ohio Coal Company Kimble Transfer.

Councilman Langman – I'm actually referring to the actual collection of the recyclables. Instead of our staff, J&J or another firm. Is that what you were referring to?

Director Smith – Both. That was part of it as well. Both the processing and the collection. We had discussions with J&J as far as the advantage of having them do the collection. But we already had the bid for them doing the collection and if I'm not mistaken it was close to \$342,000. They were willing to come back and revisit that number but they were certainly no where near the number we have budgeted for this service. In addition there was another company that they expressed some interest and we never heard back from them.

Councilman Langman – It is no secret that I still have concerns about this; we're bringing on staff, payroll, etc. Everything depends on the tonnage or increased tonnage that we divert out of the landfill. So the lynch pin to that is the educational efforts. Director Smith, do we have materials that this Council could look at as far as the educational aspect of the program goes?

Director Smith – As far as what you have in your hands, I'm not exactly sure. As far as the material provided, I know we're working on the website, the pass out literature, the approval of this contract is going to set forth what is acceptable materials and what is not, that is the last page of the agreement. Essentially it is going to mimic that last page on what is an acceptable recyclable. Everything can be comingled and I do anticipate once this is approved the educational aspect, everyone is going to start to pick up on it. It is going to happen obviously prior to the day that we start the collection.

Councilman Langman – Thank you. I will say it again, I think if we would have had some committee meeting along the way we would have probably been just about where we are today and more questions would have been answered. Obviously we will probably move forward tonight. Thank you.

Councilman Van Ho – I would just like to commend the administration and Director Smith in putting this together. I think it is a step in the right direction that we could potentially even make some money on it. If, as my colleague said, the education process is thorough enough, I'm sure the residents will cooperate.

Councilman Wojtala – Director Frey it talks about a fuel surcharge. Would that apply to us since we're delivering the recyclables to them?

Director Frey – They go from the Twinsburg location to a, I don't remember where the other, in Canton, so that fuel surcharge would apply to just to that component.

Councilman Gilliam – I was not in favor of the recycling portion at this time but I do not want to stop progress. My colleagues have supported this so I just want to say that I will be voting for this and I just wanted to put that out there on the record. Thank you.

Councilman O'Neill – I do support the recycling and I agree with Councilman Langman, I wish we had a little bit more time to digest it, maybe get the word out on the education portion of it. I will support it, but I would suggest also that maybe we start in the schools, with the kids to take home literature to their parents. It seems like we can get the quickest impact by having kids bring some flyers home to their family and start the kids on recycling and that might spread throughout the neighborhoods and community.

President Holzheimer Gail – That's part of the plan.

Councilwoman Minarik – I just have two more questions. I know there are some things the way that whole green movement is changing and growing over time. This contract specifies exactly what J&J will pick up. Do we have the option down the road to add types of recyclables that aren't necessarily the type they get, like batteries, fluorescent lights, things like that? As the technology changes that actually can generate funding too, perhaps it needs to be set aside in a separate kind of bag. Do we have the option with this contract to insert that later on down the road? The second question is, if we go with a shorter term, is that going to impact whether or not we will get money on recyclables? That's it, thanks.

Director Smith – With regards to your initial question. I think the contract speaks for itself. It is very clear and it outlines it. What I would comment on is the cooperation we've received from J&J whether it be J&J, Kimble or Penn Ohio Coal has been very good to work with that company. If we've had questions, if we've had issues, much like allowing us to participate in the consortium, they did not have to allow us the same arrangement as the other communities because we were not part. Can I sit here and guaranty you tonight that they would allow us to make an amendment to this? Not necessarily, it couldn't be unilateral, it would have to be negotiated between both parties. I feel confident in our relationship with J&J, if there was something beneficial we could work it out. I feel pretty confident in that.

With regards to a shorter term, in my opinion I can confirm that but in my opinion a shorter term would have an impact on the profit sharing. This was a competitive process that the Consortium went through. They just made the award or the recommendation based on the most competitive that was received. Obviously there was some entities that after the fact wanted to take another opportunity but they never rose to the occasion.

Councilwoman Jones – Director Smith I think you mentioned that the bins are going to be delivered probably in another 3 weeks or so. How will those be distributed to the households and residents that will be partaking in the recycling process?

Director Smith – The three weeks I wanted to give myself a little cushion just to make sure that our vendor can deliver. We’ve been checking on a fairly regular basis as to the process of the bins and it was a three week delivery upon the order. So now the order has been behind us by one week. As far as the bin delivery, through my discussions with the Asst. Director who has had a lot of history in the City of Euclid with regards to collection, we anticipate that the bin removal will be a collective effort between the Streets & Sewer Dept. and the new individuals working under the Engineering Dept. that will assist with distributions of the bins. With the bins will come an informational letter as well outlining some of the requirements, what is permissible, what is not permissible. We envision a mass distribution of the bins.

Councilwoman Jones – Will we receive on a regular basis the amount, how many pounds or tons are taken to the recycle location on a regular basis, whether it is per month, per quarter, so we’ll know how our progress is going?

Director Smith – That is part of the contractual agreement that each truck from the city or the dumpster if that be the case will be weighed and I believe it is a monthly requirement.

Councilwoman Jones – You’ll share that information with Council members?

Director Smith – Certainly.

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

Councilman Gilliam 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.

CEREMONIAL RESOLUTIONS

Res. 150-2010 (194-10) Euclid Public Library

A resolution of congratulations to the **Euclid Public Library** on being selected as a “**4 Star Library**” for 2010 by the Library Journal Rating System. (Sponsored by Mayor Cervenik and Entire Council)

Councilwoman Scarniench moved for passage, Councilman O’Neill seconded.

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

Passed.

COMMITTEE OF THE WHOLE

President Holzheimer Gail – That completes legislation and brings us to Committee of the Whole, the public portion. I will remind you, given that it is the night before the election that comments about a political candidate are out of order. Please state your name and address for the record.

Mr. Christopher Litwinowicz – 21970 Morris Ave., aka Wild Distribution. Thank you Barack Obama, small business administration. I want to sit down and talk with the Council because I have a proposition. I’d like to propose and sit down with the Director of Finance and see what we can do about lowering your transportation costs through gasoline. Green. Just the other green.

The land that we have a lot of possibilities, but years ago we discussed wind turbine. Wouldn’t it be awesome to have our electricity bill paid by wind? To futuristic? Well that’s what time for change is. Concerning the election, I would hope that government access of the City of Euclid would be around because public access was taken. I’m asking the entire city council who represents each ward to consider after hearing this year \$300,000, \$500,000, we’ve got a lot of money left over, but what you all did was cut ideas and kids that wanted to be creative in this city. And if I have to get an attorney to stand up or get a petition, it won’t be funny. Because just the opportunity in what I had and now the kids out here can’t get and it is stupid. People out here work jobs at \$7.65 an hour to accomplish something, that’s what you took away. You took away \$500,000 to get a government grant. How much does it cost? I know how much it costs because the funny thing is for years my attorney has helped this city, because we’re already with Time Warner, the CW network. But I don’t make no profit. What you have in front of you here is incorporation. It is no longer Christopher, it is no longer solicitation, I’m a running business out here and through Cuyahoga Vendor’s license, even though I don’t have a manufacture CD, I still should be able to stand in Euclid and sell my product. What it is is Barack Obama is giving money so we can manufacture. Now I’m a manufacturer. So now there’s a lot of aspects, you know and it is kind of funny because I

learned a lot. \$125. Long road, I could sell a lot, but we're missing the Mall is the main point. The main point is in 97 when I used to work there, we brought a platinum selling artist down there, now we ain't getting that sales tax. That's kind of been, you know, so hopefully government can give me a whole bunch of money so I can first buy out the gas stations and then I'm going to hire everybody because they got to work it. The police department in the city, I'll pay you all \$30 an hour to sit at the gas station at night. But it will be business. Off the record, the money that's for the bonds, let's spend that money and get Shore Cultural Centre where it needs to be. That's all I ask and that's all the city asks and the voters ask. That money was supposed to be there. They never did it, the Board of Education. It is our time to react, time for change and we're going to keep it, it is a historical site. I like to see the historical permit out there.

Also, the last comment before the election, I'm a Cuyahoga County judge. Learning a lot but that's the only job that's out here that's going to hire somebody. But, other than that, congratulations and I'm going to find out more about business and hopefully I can be a good taxpayer and make a lot of money out of Euclid. I don't want to kick out all the ethnic people who own the gas stations, but this is the only way legally to buy it, because I feel we're paying way too much. Last comment, when I do buy them and I have to charge \$3, that's only for a period of time to pay back the loan. At the present time I would guaranty your house gas bill, I will credit \$2500 times 25, 0000

President Holzheimer Gail – Thank you Mr. Litwinowicz.

Mr. Dave Shilander – 22400 Euclid Ave. Regarding streetlights up on Euclid Ave. I've always called them in when they are out and I've seen more than I can record between Chardon Rd. and Babbitt Rd. A lot of them are what I call cycling, they're on for 20 minutes and then they're off and then back on. Also maybe it is just me, but I think they look dimmer, I don't know if they can brown out the lights to conserve power but it just seems that something isn't right and it is more than an occasional one or two to call in. Thank you.

Director Smith – We can check on, we've had several meetings and just so everyone is aware, the residents are watching, if there's an issue with the streetlight, feel free to contact me or your council representative. I routinely get emails saying that there's a concern or problem; or through our website. If we receive that problem we immediately forward it to CEI. If it is non-responsive, feel free to check back with us and we'll send a second notice.

President Holzheimer Gail – We can send somebody out to make sure we check, it sounds like there's a number of them out there to make sure we have them on our list.

Director Smith – The Police Dept. has been very helpful in providing us with a listing of the lights on a regular basis.

Mayor Cervenik – The Chief just informed me, he'll call the night shift this evening and they will keep an eye on them. We've got a few on Babbitt Rd. near Shore that are doing the same thing, going on and off and I've got those pole numbers. Again we'll call those in.

Mrs. Del Tekieli – 5 E. 221 St., a member of the Shore Cultural Centre Board of Trustees. I'm here tonight to invite you to our second Harvest Fest, this coming Friday night, November 5, from 6:00-9:00 PM. The donation is \$25. It is being actively supported by the Euclid Symphony Orchestra, the Euclid Hunger Center, the Euclid Kiwanis and the Euclid Rotary. We have more than 42 door prizes. Ten of them are collectors bags from Ohio State University. That was donated by Whole Foods. We have a number of very good restaurants. We have a number of items from Whole Foods. This will be a lovely event, good entertainment. I appreciate the members of the administration and Council that have purchased tickets and bought ads for us. I promise it will be fun and if it isn't, I'll dance with you. Thank you very much.

President Holzheimer Gail – Seeing no other comments, we'll move onto Council Members Comments.

COUNCIL MEMBERS' COMMENTS

President Holzheimer Gail – I had a question from a resident who said they were going to watch to make sure I asked about it tonight. Two questions, both have to do with Lake Shore and the downtown area. One is the work that's happening at 222 and Babbitt. While it is great to see an addition, not only to that work that the city is helping to do but also the improvements to the number of shopping centers down there. The question was, are our tax dollars going to pay for those improvements at the intersection. I explained that yes they are tax dollars, they are not our general fund tax dollars, they are other funds that come from both federal government and state and county, I believe, that help for pay for that.

While they are our tax dollars, they are dedicated for those types of public improvements. In addition we do have some funding through RTA. I wanted to have Director Pietravoia or the Mayor, whoever would like to, confirm that and also talk about why those type of public improvements are important to our community in terms of a payback and community improvement.

Director Pietravoia – You are correct. There are a number of sources that the dollars are coming from for that project. None of them are general fund. We're receiving \$50,000 from the Greater Cleveland Regional Transit Authority and that will help to pay for the new bus shelters and the improvements around the shelters. Many people I'm sure recall the old shelter that was at the northwest corner where the CVS is located now. It has taken some time but this is to rebuild that major transfer site in our downtown district. That in part is what is happening. \$50,000 from GCRTA. A little over \$41,000 from the Community Development Block Grant funds that we receive our municipal beautification program. \$10,000 that was a private donation when the CVS was built that will help to pay for the new community message board that will be located at that intersection. The remainder of the project is out of our capital budget, not the general fund.

President Holzheimer Gail – Which has to be used for capital, permanent improvements.

Director Pietravoia – Correct. Just briefly a comment on the importance of these kinds of improvements. As we went through almost a two year planning process for the downtown business district, we worked with both the stakeholders, business owners, residents from the community to identify the kinds of physical improvements they wanted to see in the downtown district. This is the very first phase of the public improvements that will then continue throughout the rest of the downtown district. As we've been meeting with various property owners and trying to court new businesses to come into the district, we have been showing them the plan and promising that we would go forward with the city's part of the puzzle which is to fix the public right of way. This is the first piece to that puzzle. We shared those plans with First Merit. We shared them with the out of state owners of Lake Shore Plaza, with the local owners of Shore Center and the new center that was renovated where the former Dave's used to be. Almost \$15 million worth of improvements to date over the past couple of years and in large part we sold the story and it is not just a story it is the truth that we plan to make public improvements that will compliment all those private improvements that are coming to the downtown district.

My hope is as we move forward, first the intersection and then the rest of downtown, that we will also see continued major private investment in our downtown business district. We'll see a return, probably 5-10 fold on what we're investing on the public side.

President Holzheimer Gail – I think it is important, residents, I can understand the concern and the question when they see things like that and they're questioning are we spending the tax dollars wisely. IT is important both for them to know those dollars cannot be used for general services, police, fire, safety, housing, only for permanent improvements but also we got assistance from other places to do it using community development block grant. And that it does spur on additional economic development that both raises the pride in our community, the tax dollars and the investment. I wanted to make sure that point was made and people understand that.

Mayor Cervenik – A think a case in point, proof in the pudding, if you would is the E. 222 St. business corridor. When we brought 40 or so business people into my office and sat down and told them we were no longer going to just lower the pavement under the bridge, but we were going to revitalize their neighborhood, their industrial district; they not only made improvements on signage and everything else, Lincoln Electric bought a building and moved their robotics to there. H.C. Starck bought a building and brought in 165 jobs. Hose Master bought a building, expanded and they just re-did their whole front area again to make it look phenomenal. It takes some public investment to get the private sector to understand that we care. I think as Director Pietravoia says, you're already seeing real growth downtown and we expect much more.

President Holzheimer Gail – The other part of the question was, he was told that Lake Shore Blvd. would be repaved in 2010 and I explained that was a State Road, the initial plan was probably then and we did tell people publicly it would be 2010. He had asked what is the progress of that?

Mayor Cervenik – We were told that it would be done in 2010 and Director Smith has a letter from ODOT telling us that they were wrong, it is 2011.

Director Smith – I'll be brief and only read it in pertinent part. This was a letter received from our partner in this project, the Ohio Department of Transportation. Addressed to the Mayor, the project was originally scheduled to sell in our State FY 2011 with Urban Paving program funding available beginning

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July 1, 2010. However due to current funding constraint issues, we are required to reschedule this project to our fiscal year 2012 program; therefore funding will now be available beginning July 1, 2011. It was signed by Mr. Shivoni of ODOT.

Just for your awareness and for everyone else's awareness out there, we have a meeting scheduled tomorrow with ODOT, the funding is in place and that's part of the process of meeting with them to go through what is expected from the city. This project will be constructed next year.

Councilman Gilliam – Don't have much to say but if you haven't done the early voting or absentee, please vote tomorrow to renew the sewer levy. It is very important that we have this renewed. It is not an increase, it is a renewal. It would cause major instability and be a huge detriment if this were not passed.

In addition to that I was reading in a USA Today, that the country of Brazil mandates that all citizens between the ages of 18 and 70 vote. If they don't they are assessed a fine. They may not be able to get a passport and they may have some other issues internally. Even though that sounds kind of drastic, I wish we could pass it along to the 18-70 year olds who are not voting. Please vote tomorrow, vote for your candidate of choice, vote with your conscience. But in relation to the City of Euclid is important that we keep that sewer renewal and I will close. Thank you.

Councilwoman Scarniench – I have lots of things but Mr. Beno is not here so I guess I'll go see him tomorrow. Recreation Dept., Howl at the Hall was fabulous as always. It was a lot of fun. For those that missed it, I was in normal attire. Once that was over, on Friday I went to the Senior Center and I actually scared a couple of them. That was a lot of fun. I enjoyed that, every year Halloween comes and you get to act really nuts and for two days I was really nuts or as some people, that's just normal for me. I love having the kids around and I loved being with the seniors on Friday, it was a lot of fun. Thank you.

One of the things no one brought up yet, on November 11th is Veterans Day and right here in City Hall at 11:00, the Veterans come together and they do a beautiful program. If you're home and you would like to come, if you're a Vet, please come and join us. It is a wonderful ceremony that takes place in honor of our Vets. Last but not least I would like to send condolences out to Debbie Beck and her family. Her mother passed away this past week and she will be missed by Debbie, Jeff and their children. Thank you.

Councilwoman Jones – I want to comment, if you haven't had the opportunity to vote, please get out and do so. Another opportunity to vote for something on a different note, every week Channel 8 news in the morning has a contest, what they call Cool Schools. One of our Euclid schools is in that contest for this week. It is the Central Middle School. If you have the opportunity to go on the Fox 8 website, fox8.com and vote for Central Middle School as the Cool School. The voting ends this Thursday, Nov. 4th at 5:59 AM. You can go onto the website at any time and cast your votes. You can cast them for as many times as you want. We have an opportunity there. It gives the festivities and a fun day for the school itself. It is all given by the Fox 8 channel. Take the opportunity and use your voting rights again to vote for Euclid Central Middle School.

The holidays are coming up very soon and Thanksgiving is coming up, it will be here before you know it. So on, November 25, 2010 from 11:00 AM until 2:00 PM, Thanksgiving dinners will be served at Imani Church on E. 260th. It is the sixth year of serving Thanksgiving dinners. Everyone is welcome to come. They will also deliver meals to the elderly and handicapped if they are unable to come out. They will provide transportation to and from the meals for the residents of Euclid. You can call to make reservations by calling 216-732-8204. They are more than welcome to take your reservations. If you don't have an opportunity to go to Imani, there's also another Thanksgiving dinner being served at the Lake Shore Boulevard Church, at 24600. On Thanksgiving Day please join them for the community meal on Sunday, November 21st at 1:00 PM. The meal will be served at Boulevard Presbyterian Church, 24600 Lake Shore Blvd. The Church services are at 10 AM and the dinner will be served at 1:00 PM on the 21st. Imani's dinner is on November 25th.

I also want to announce that neighborhood association meeting for the following streets: E. 248, E. 250, E. 252, Treadwell, Fisher, will be on November 16th at 7 PM. Judge LeBarron will be the guest speaker. Please take the opportunity to come. The location will be at the Euclidian Room at the Mall. So I hope to see you all there. With that I'll say goodnight, thank you.

Councilwoman Minarik- The last Council Meeting a gentleman was up at the mic talking about Time Warner and the Maestro, since my cable was also doing all that stuff, I called Time Warner. It turns out, when the box is old, typically these cable boxes are like a 3-5 year timeframe. What you can do is call Time Warner, they will come out and replace the box. However Time Warner assumes that everybody has high definition now. Our government channels are not part of the whole high definition. So if you get a new box because the Maestro software is timing out your cable, be sure you let Time Warner know that you want the older system that's not high def; they'll bring you a box that allows the Channels 20, 21 and 22 to be aired. Does that make sense? They give you a high def box, you're not going to get the

government channels.

The next thing I wanted to talk about was the Maximus report. I'm hoping that my colleague will call a Service Committee meeting but I did have a couple of questions. On the water bills, I found out we are paying \$1.61 per mcf and this is on Table 1; my understanding from the Supt. is that is for, as he put it and you can answer when I'm finished, he called it the \$1.61 mcf is for the city's \$4.82 per account per quarter for billing and collection services. I wanted to verify, is this for city accounts that we are paying \$1.61 per mcf.

The other question I had was in Appendix 9, it talked about the consumption rates and I noticed that Maximus did not include a consumption rate for 2009. I wanted to know if did not get a 2009 consumption rate, that's Appendix 9. The third question I have, I believe we hire Maximus to give us annual reports and I think it is like for \$45,000 a year. So because they did not give us a report last year, will we get our money back that we paid them last year? That's all I have, thank you.

Mayor Cervenik – I'll answer the last question first. I don't believe we paid for a report we didn't receive, I will check into that. I'm quite sure we didn't. Yes, we are paying \$1.61 per mcf for the charges that the Cleveland Water Dept. charges us for the reading of the meters and the billing. That's for each and every customer. For a house they charge \$4.82 per quarter. The average use is 3 mcf's per quarter and that's where \$1.61 comes in. We pay that, they charge us for that. We don't have our own meter readers, we don't have our own billing department, yet. That may come up during our discussions with Maximus because total cost for the City of Cleveland to read our meters and bill, again they are sort of like Central Collection Agency used to be with our taxes, they bill and they collect and put in the bank just what they get. Any time there's a delinquent bill, the water gets turned off and people come down and pay to turn their water on, guess what? All that goes to the water, it doesn't come to the sewer. We're going to talk about that. We are charging the residents what Cleveland Water is charging for their meter to be read and they're bill to be sent out.

Councilwoman Minarik – So the \$4.82 per household per quarter, and that's \$1.61. My question to the Supt. was, how then does Cleveland justify the \$7 flat service charge because on their website that says that's also for billing and meter reading and things like that.

Mayor Cervenik – That is for their billing. This is for them to come and read our meters and put it on for our sewer charge. Their \$7 is for the water. We have a combined bill.

Councilwoman Minarik – This \$1.61 we're paying is for reading the sewer.

Mayor Cervenik – It is a lot of money and we have to look at that. I talked about the Tax Dept. and what they're doing. Their budget is still lower than what we were paying CCA 4 years ago.

Councilwoman Minarik – I wasn't real clear on that \$1.61 the way it was explained to me. Thank you. Do you know why we don't have a 2009 consumption report?

Director Smith – I can check on that. It very well could have been missed. The report was reviewed and updated on more than one occasion, because that had to do with having the most current information available. It could have been an oversight.

Councilman O'Neill – To the residents of not only Ward 5 but throughout the city, it is leaf season and we're well into the pick up. I would remind the residents to visit the website and find the areas that the leaf collection is in progress and where they maybe going to. The city tries to pick up your leaves the same day as your garbage collection but typically as the weeks go on and the days go on, they fall behind. I would now encourage any resident with a computer to check the area the leaf pick up is being done. When you do rake your leaves, they're supposed to go to the tree lawn, not the street. With that in mind, safety precaution: if there are a pile of leaves in the street, don't park on them. Typically car fires do happen and people wonder why their car caught on fire and generally it is a hot catalytic converter parking over a pile of dry leaves that get ignited and cars catch on fire. It happens all the time, I see it quite a bit.

Mayor Cervenik, I've had some calls about the property at Lake Shore and 219 regarding the temporary orange fencing and the black barrels, we've had them there about a year or so. If you can comment on what's happening over there.

Mayor Cervenik – I'll defer to Director Pietravoia.

Director Pietravoia – To the residents that are inquiring, we have been working with the current owners of the property and we share their frustration and this process has taken a lot longer than any of us ever expected. They're going through a Phase 1 and Phase 2 environmental clean up of that site because of the former underground tanks that stored gasoline. The first round of work they did drilling and sampling of the soil and that's what those black barrels are that are on site. They contain some of the samples that they pulled out of the ground. They did find that the tank area was okay, but the area around where the gasoline dispenser machines used to be located, there was some indication that there was some leakage there. The State required they do a second round of drilling and testing. They were notified of that in May, it took them until the end of September to complete that second round. Once that was done, they had to submit another report for review by the State. That's under review right now. We do expect the State will be complete with that review shortly and if they find that everything has been taken care of, the barrels can finally be removed, the orange plastic fencing can finally be removed and the site will be maintained until it is developed.

Councilman O'Neill – I appreciate your diligence on that Director Pietravoia. It is a component of the downtown area that I know once it is completed it will really accent entering the downtown area from 219. I would encourage our residents to vote for Issue 51, the sewer renewal. It is not an increase in sewer rates or taxes, it is just a renewal.

One of our previous restaurants that had closed and is going through some fairly extensive renovation, the old Copper Top, Matt Quinn the owner, has put a fair amount of money, not only to the exterior front and interior, but he's also adding a wrap around patio. A fair amount of money, he didn't ask for any funds from the city, but he's another private enterprise that realizes the impact of what we are doing with Block Grant money, intersection, renovation of the different shopping centers. He realizes that there's a financial win/win situation for not only himself but the city. Look for them to open in a couple of weeks. I assume it is going to be a soft opening and then hopefully more of a grand opening.

One other thing, the lakefront development, I'm kind of passionate as well as Councilman Langman about it and I don't normally read these things but they were brought to my attention, these blogs that somebody sent me in an email. A lot of it was negative and I probably shouldn't take those to heart but I suspect some of them may not be Euclid residents, some of them maybe. The only question I say is the people that kind of beat us down a little bit, what do they expect us to do? We are trying very hard, especially community development people and the city council to work this city back to the great city it was. It is a very good city. Is it what it was in the 70's? No. But we have the opportunity to capture that time and I think actually do better. Those people if they're Euclid residents and if they're not Euclid resident, thanks for your comments but you can keep them to yourself. But if you are a Euclid resident, then what have you done today, what have you done this week, what have you done this month, to try to make Euclid a better place? That is what I throw back to the people that will sit behind an email address with no face or no name and throw a shot to the city. With that, I request that everybody vote that is eligible and good night.

Councilman Wojtila – This Wednesday, November 3rd, there will be a mini-ward six meeting. That's at Ss. Robert and William on E. 260th St. That begins at 7:00. This is the culmination of three meetings that we have had, this is the third meeting and it is targeted to specific streets that had similar problems about 6-7 streets although we've opened it up, as we have on the other meetings, opened it up to all of Ward 6, but we allow those streets to talk first. That is this Wednesday, November 3, Ss. Robert and William on E. 260 St. at 7:00. Community Policing will be there, Mayor Cervenik and myself will be part of the people that will be listening to the citizens. Please, come to that.

To Councilwoman Minarik, we will be having a Service Committee Meeting, I talked to Director Smith before the meeting. Not only to talk about the Maximus report but also to get an update on the Long Term Control plan and our negotiations on the Consent Decree with EPA. Director Smith will be providing dates and I'll communicate those to everybody.

Councilman Langman – Director Pietravoia, can you update us on the status of the solar array installation?

Director Pietravoia – The firm that we hired to install the installation is just about done with the engineering reports and they will submit plans to our building department for review. I'm going to ask Mr. Bock, I assume you have not yet received them, so they should be received shortly. Depending how quickly we can turn around the plan review, which I'm told shouldn't be more than a week to two weeks at most, once the permit is issued they'll be able to begin the actual work on the roof top for both the Library and City Hall. Depending weather because we're getting late in the season.

Councilman Langman – What is the expected start time, assuming everything goes smoothly?

Director Pietravoia – Depending when they submit the plans, we would be looking at the end of this month, November, middle to the end of this month.

Councilman Langman – The reason why I bring it up again is looking back in my notes it has been about a year since we gave the initial approval. It seems like it has been an inordinate amount of time. I do look forward to it and doing other projects.

I will turn now to Director Smith for our Shoreview and 248 St. construction update. Specifically Director, if you can let the residents know when CEI will install the decorative streetlights.

Director Smith – Where we stand currently on the 248 project. For those that live there, I'm sure are very satisfied that the concrete is in and access has been restored to the drives and to the roads. Much of the final top soil has been placed within the last day or two. Hydro-seeding is expected to occur tomorrow. There's a few remaining box outs to be poured and the ceiling of the concrete surface. Restoration of the staging area to the north is currently underway. The lighting component, I was told by our on-site representative today that he had a conversation with the contractor and that will occur within two weeks. I want to qualify that and I want to be very specific that that's in accordance with what the contractor is saying. I'm not necessarily optimistic that is going to occur within the next two weeks, so I want everyone to be aware that's according to the contractor. I tried to get a better handle directly from CEI today but I did not have an opportunity to talk to the CEI representative, the individuals that will actually be performing the work. As information becomes available, I'll certainly get it out to you so you can share that or I'll share it at the next meeting.

Councilman Langman – Director Will, the gas bills at Shore, have we straightened out that matter yet?

Director Will – At this point I can't tell you it is finalized, but it is all in the works of getting it changed over. I know there was some different issues but I will follow through again tomorrow on that and report and let you all know.

Councilman Langman – You're talking about Dominion, they're straightening out what they need to or is it on our end?

Director Will – It is on our end at this point right now.

Councilman Langman – Would it have been easier just to take the gas bill down there to them instead of incurring all of these late fees?

Director Will – There were further issues than just making sure that the bill actually went from this office to that office. There were some other internal problems with the billing as far as some of the different addresses that are on the bills too. So it wasn't coming directly to our Finance Dept. either.

Councilman Langman – Have we had issues with other entities throughout the city not getting gas bills timely or getting gas bills that were mis-addressed like the Golf Course?

Director Will – Actually we have, yes.

Councilman Langman – I will ask again if I don't hear from you in the meantime at the next Council meeting. Finally, since a little bit of time, I will go back to Director Pietravoia and ask him if he can give us an overall update on the downtown streetscape and redevelopment plan. I know there's engineering underway for the more extensive work.

Director Pietravoia – In essence that is the focus of the next phase of work. The engineering study that will be funded through NOACA. We're working with Director Smith. We finally got approval for the work program itself from the Ohio Department of Transportation. With that in place we can now bid the work for the next phase. That will probably take several months once we select a contractor.

Director Smith – It will be two weeks, the required advertisement period is a two week timeframe and then however long we put upon ourselves to make the selection.

Director Pietravoia – Director Smith I was talking about the actual work itself once we make a selection.

Director Smith – The work itself I believe we specified in the RFQ an 18 month time period for design.

Councilman Langman – That work will focus on, will that be on the Babbitt, 222 interchange or that will still be focused on the Boulevard, or is that overall?

Director Pietravoia – That includes all of downtown with the exception of Shore Center Drive which is not part of the federal highway system. It will be considered for traffic count studies but the improvements will not be developed for that roadway because it is not part of the federal aid highway system.

Councilman Langman – Does that include the street or the alley as they call it in front of Shore?

Director Pietravoia – That is being looked at as part of the study.

Councilman Langman – Very good, bless you Madame Chair and I hope to see everyone at Harvest Fest.

President Holzheimer Gail – We need the Board of Health to come in here, we're all sneezing and coughing, clean get the dust out.

Councilman Van Ho – The first question would go to Director Smith, can you get an estimate for us on what the newest federal reg about changing out all of our street signs is going to cost us? What timeframes and so forth that we have to work with? Second, Chief Repicky, congratulations on winning the William French Smith Cooperative Policing Award. It is just another example of how our employees try and provide better services with limited amounts of money. This is a national award that was given to the Chief and several other Chiefs for their work in doing cooperative policing. Congratulations.

Law Director, can we look at what we can do to further put pressure on the people at 22270 Lakemont, that is a house that has been a pain to people not only in its Ward but my Ward too. Constant complaints, whatever we can do to get this brought back into reasonableness.

Councilman Gilliam left, I was going to tell him Australia also has required voting, so maybe there's a trend starting here. I'd encourage everyone to please vote tomorrow regardless of whether they're Democrat, Republican, Independent, Progressive, Conservative or Tea Party. Have at it and let's see how democracy works. With that I'll say goodnight.

ADJOURNMENT

Councilman Langman moved to adjourn. Councilwoman Scarniench seconded. Yeas: Unanimous.

Attest:

Clerk of Council

President of Council