

COUNCIL MINUTES

December 3, 2012

The regular Council Meeting was held on Monday, December 3, 2012 at 7:00 PM in the Euclid Municipal Center Council Chamber. Council President Holzheimer Gail presided.

Members Present: Caviness, Scarniench, Lynch, McLaughlin, O'Hare, Langman, Van Ho, Holzheimer Gail.

Excused: Jones

Councilwoman Scarniench moved to excuse Councilwoman Jones. Councilman Lynch seconded. Yeas: Unanimous.

Others Present: Mayor Cervenik, Law Director Frey, Finance Director Malone, Community Development Director Pietravoia, Service Director Bock, Fire Chief Cosgriff, Police Chief Brickman, Recreation Mgr. Stephens, Asst. Director Holody, Asst. Director Sweeney, Clerk of Council Cahill.

Liquor Permit

Council received notice from the Ohio Department of Liquor Control re: hearing dates on four liquor permit objections: Boom Boom Room, LLC dba China Dragon, 25694 Euclid Ave.; L Seven, LLC dba Shots Bar 24680 Euclid Ave.; JCJ&B, LLC dba One 2 Lounge 509 E. 185 St.; Lakeland Boulevard, Inc., 24310 Lakeland Blvd.

Director Frey – Ms. Sweeney is here this evening and would like to address the two notice of hearing relative to Lakeland Boulevard 24310 and matter of JCJ&B, LLC dba One 2 Lounge.

Asst. Director Sweeney – As Council knows I sent an email last week, first to Councilwoman Jones, after I received the letter from Regina, expressing my concern about going forward on the hearing on Shots Bar and China Dragon. I felt we didn't have a good basis to oppose those two liquor permits. I did not hear anything back from Councilwoman Jones, so I sent the email to all of Council. After speaking with the Law Director since Councilwoman Jones is not here and those two establishments are in her ward, we're not going to talk about those two right now, we'll wait until the 10th budget hearings to address those two bars.

However, while the email strings were going around, I had the occasion to talk to Councilman Lynch regarding One 2 Lounge. Council will recall that was one of the two liquor establishments that Council did a Resolution opposing the renewal. One 2 Lounge was one and the BP gas station.

I didn't want to overstep my bounds and ask Council to revoke their objection to the renewal of One 2 Lounge liquor permit, however, Councilman Lynch did bring that up and asked me some questions as to how they were doing. Coincidentally at the same time, the owner of One 2 Lounge, Crystal, she gave me a phone call and I told her about my conversations with Councilman Lynch. She wanted to have a meeting with us to discuss how the bar is progressing and the positive steps they have taken regarding the bar. She also sent a letter along which all of Council has and explained all the pro-active measures they have taken to ensure the safety of the neighborhood, customers and staff.

I also spoke with the Police Dept., in particular Capt. Savage. His email, he agreed with myself and Councilman Lynch that the bar was moving in a positive direction and we had less police interaction with customers there. Capt. Savage stated he would vote for renewal. They've developed a plan, spending money on both consultants and Euclid Police security. They've tried to be a good neighbor to the residents, continuously try to improve the measures they have taken when they learn something is not working and there's a better way to do something. They've continued to communicate with us and I believe they will do so in the future. I'm in agreement with Capt. Savage that maybe this time we would not object to the renewal of their liquor permit since they have taken positive steps and then see where they're at in a year. We always have the opportunity to object, a year from now, next October. I believe Chief Brickman has some comments to make as well.

Chief Brickman – The only thing I would like to add that, prior to the action by council to oppose the renewal of the liquor license, because there were numerous problems that had taken place at that particular establishment. It was a cause of concern for me because of number one, community problems, number two officer safety.

If this establishment still presented those problems, if there was not open dialogue, I would not agree with this. But it appears there is open dialogue now between the ownership there and regular dialogue and our Police Dept. Additionally there's been a considerable reduction in the calls for service over there. We do have an officer that continues to work there and he feels very comfortable with the situation now as compared to where it was in the past.

Councilman Lynch – I did want to point out that since September the managers of the bar have been pro-actively communicating with me as well. I had received numerous resident phone calls over the summer of the problems they were having but after September the only phone calls that I received were to give compliments that they weren't having the noise on the residential streets that they were having before.

To me as far as quality of life issues when I'm thinking about the residents, that's the primary concern. What the bar is doing is they have a specific security officer, even when they close to make sure people are getting in their cars and getting home quietly. I don't think, now that they've made these major changes, I don't think we should penalize them for running a successful business. I talked with the Chief of Police before the meeting too and there were a few phone calls, reports made for the bar recently, but essentially, Chief Brickman correct me if I'm wrong, but essentially what those reports were saying is there were large crowds and they got in their cars quietly and all was clear. Whenever you have a bar near a residential neighborhood, we're going to have some of these issues.

I think One 2 has become a model for investing in time and security and energy and working with administration to turn a problem situation around. For those reasons, I'm going to support it. I know the managers of One 2 are here. I don't know if it would be appropriate to give them an opportunity to speak if Council feels that's necessary. I'll yield to my colleagues preferences on that.

President Holzheimer Gail – Are there any specific questions Council has? Director Frey, what is the appropriate action or motion?

Director Frey – If its Council's desire, the appropriate action would be a motion to withdraw the objection to the renewal of the liquor license.

Councilwoman Scarniench – Director Frey, if all of a sudden this establishment starts having problems again, are we going to be able to shut them down under our nuisance ordinance?

Director Frey – That is always available, Councilwoman. We can bring a nuisance action against any business operation or any residential party in the city at the time it meets our nuisance code. We always have the option of going to Common Pleas Court for an injunction on that. If Council rescinds the objection and the owners don't think we mean business and avoid security and so forth, then absolutely we would go to court.

Councilwoman Scarniench – It looks like they've been working very hard. I'm impressed with what I read here. I just wanted to make sure of that before I vote to rescind it. Thank you.

Councilman Lynch moved to withdraw Council's objection to the renewal of the liquor permit for One 2 Lounge. Councilman McLaughlin seconded.

Roll Call: Yeas: Caviness, Scarniench, Lynch, McLaughlin, O'Hare, Langman, Van Ho, Holzheimer Gail.
Motion passed.

President Holzheimer Gail – We'll wait for Councilwoman Jones. We owe her that courtesy as the Ward Councilwoman for the other two establishments.

Council Minutes

Councilwoman Scarniench moved to accept the Council Minutes of November 19, 2012. Councilman O'Hare seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik read the Resolution of Appreciation to Rick Case, Bikes for Kids program.

Mayor Cervenik presented Resolution 182-2012, a Resolution of Congratulations to the Euclid Public Library, to Director Donna Perzdock; Community Relations Coordinator Rebecca McFarland and Technology Manager Matthew Augustine.

Mayor Cervenik and Councilwoman Caviness presented Resolution 181-2012 to members of the Indian Hills Homeowner's Association commemorating their 70th Anniversary.

Mayor Cervenik and Councilwoman Caviness presented Resolution 180-2012 to members of the Heritage Park Association commemorating their 20th Anniversary.

Mgr. Stephens – Just wanted to make a brief announcement. This coming Saturday we commence our Panther Hoops Rec basketball program at the Euclid Sports Plant. The exciting thing is this is the first time in 12 years, in conjunction with the Euclid Sports Plant, we are going to have a canned food drive. Any resident that's interested in donating a canned food to the this drive, bring it to the Euclid Sports Plant, either Saturday between 9:00 AM and Noon. Or, any day between 9:00 and 7:00 PM each evening. Thank you.

Chief Cosgriff – This is the time of year when we all decide that we're going to decorate our homes for the Holiday. It is usually at this time of year that I like to speak about holiday fire safety, in particular in regards to bring a live Christmas tree inside your home. You have to be aware, those trees that you get from the lots may have been cut 4-6 weeks ago. During that time period those tree have been drying out and then we bring them in the house and string electrical lights on them and maybe put them in front of a heat source. It is a recipe for disaster.

You need to take several precautions when you're bringing a live Christmas tree into your house. The first thing you should do when you get it home, make a fresh cut on the tree and put it in a bucket of water and let it sit outside for a day or two. When you bring it in the house, make sure that you locate it in the right place, you keep it away from heat sources, keep it away from your fireplace, keep it away from exits in your homes. Use the proper type of lights for the tree. You want to use those smaller lights that are UL approved for indoor use. The ones that do not generate heat and follow the directions on the package for how many lights you can string together. You don't want to overload any circuits. Make sure you check the tree for water everyday. If you check it everyday, you'll get a feel for how much water that tree is drinking up during a 24 hour period and then you may be able to go and check it every other day, but you've got to make sure that the tree is well watered.

There is more information on fire safety during the holidays at the US Fire Administration website. If anyone is interested, you can do a search for a Christmas tree fire on the internet and watch just how rapidly a tree will burn. That will be a very visual reminder to make sure you practice fire safety during the holiday season. Thank you.

Mayor Cervenik – I really do need to thank everyone who organized and attended the Euclid Holiday Celebration this past Friday on November 30th at the Shore Cultural Centre. It was a great crowd and we had over 1,000 people that came to watch the Christmas tree and park light up. We had a visit by Santa and Mrs. Claus. They arrived on a horse-drawn sleigh. The horse-drawn sleigh was used to give people rides for the rest of the evening. There were a number of great choirs, both youth and adults that sang and lots of activities for the kids. Thanks to all that participated. They're already planning next year's event and make it even more fun for years to come. We've been very fortunate the first two years of doing this to have tremendous weather. One of these days we're going to have 20 degree weather, four inches of snow and that's okay because some of them over there like that better. We're doing a good thing and it is great to be a Euclid resident and the Mayor of Euclid when I see things happen like what happened Friday night.

Euclid Family Y is collecting unwrapped toys for kids up to the age of 14 for the Toys For Tots program. I wish this meeting was early because they're accepting gifts up until this Friday December 7th. You can either drop them off at the Y or drop them off at my office here at City Hall. We'll make sure the Y gets them. The Y is at 631 Babbitt Road. Any families who need help should pre-register with the Y so they understand the age group and what your child might need.

Euclid Senior Programs is reaching out to area Veterans in need. They're collecting white socks, books, magazines, crossword puzzle books, lotion, shampoos, hairbrushes, pre-paid telephone cards, team mascot clothing, caps such as Browns, Indians, what about those Browns yesterday? These gifts should be wrapped and labeled whether they are for a man or a woman. All these gifts, they would like to receive them at the Euclid Senior Programs by Tuesday December 18th.

Sunday, December 9th at the Henn Mansion from 6:30-8:30 Mrs. Claus and Santa's Elves will be entertaining kids ages 3-7 with crafts, games, cookies, decorating and music and stories. It is \$5 per child and reservations are required. Please call 216-731-2711 and the proceeds from this event will benefit the Friends from the Henn Mansion.

Shore Cultural Centre has a fantastic Holiday Craft Show held Saturday Dec. 8th from 2-5. Many holiday decorations, gifts and more.

On a very positive note, the income tax collections for the month of November, it was reported to me today, came in at \$1,607,677 which is \$77,430 plus dollars ahead of our projections. For the year, we are up \$979,909 over 2011, which is a 4.67% increase. On the income tax side of things we're looking pretty good, we'll talk about the State budget side of things and their cuts on Wednesday, not quite as exciting.

Leaf pick-up, the final pick-up is this week. Rake them now or bag them later. We will be going through the city one more time. Please understand if you don't get them into the street, it is perfectly acceptable to bag them. Obviously when we pick them up on the street, we're able to recycle those leaves and they're used for mulch and things like that. But, if you can't do it this week, please bag them and put them out with your regular trash.

The budget hearings begin Wednesday, 5th and also Monday, 10th. If needed, Wednesday the 12th will be available. You've received your budget books. If you have a chance to look at them, the schedule is in there. If you'd like to send us any questions in advance to help us better give you answers, we'll be happy to do so.

As you go through the budget book, you will see that things are very tight in 2013 and I think myself and the Finance Director have been saying that for quite some time that 2013 is going to be a very tough year as we experience the elimination of the Estate tax which we usually collect, this past year we collected about \$989,000. Also the additional cuts in Local Government funds. Some of things we would have like to have done are not included in the budget this year, but we still will be providing all the basic services and some of the nicer things that the people in the City of Euclid are used to having. I'm looking forward to conducting these budget hearings starting this Wednesday. With that, we'll conclude Reports and Communications.

REPORTS & COMMITTEE MINUTES

Councilwoman Scarniench moved to receive the Safety Committee Min. of 11/14/12; Executive & Finance Committee Min. of 11/19/12; Recreation Commission Min. of 11/29/11 & 10/2/12; Board of Control Minutes of 11/12/12 & 11/19/12. Councilman Langman seconded. Yeas: Unanimous.

Councilwoman Scarniench moved to waive 24 hour notice and place on agenda Res. (212-12). Councilman Lynch seconded. Roll Call: Yeas: Unanimous.

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

No comments from the audience.

LEGISLATION

Res. 184-2012 (204-12) Breakwater Construction from Innerbelt bridge

A resolution encouraging cooperation from the State of Ohio and the Ohio Department of Transportation (ODOT) to take advantage of a unique and rare opportunity to aid in the construction of breakwaters and shoreline protection in the City of Euclid as part of the planned marina and beach restoration projects proposed in the Euclid Waterfront Improvements Plan, and to lower the carbon footprint of the demolition of the old central viaduct I-90 innerbelt bridge in Cleveland. (Sponsored by Councilman McLaughlin)

Councilman McLaughlin moved for passage, Councilman Langman seconded.

Councilman McLaughlin – This is such an exciting Resolution for the City of Euclid that when I saw the agenda come out and I saw how light it was, I decided I had the time to take a minute and lay out the timeline of events that occurred and the collaboration of all to get a Resolution like this on the Agenda. Unfortunately, writing speeches back in school was an arduous task, but this one seemed to flow pretty freely. So I hope to be done by kick-off, we have about an hour and forty minutes. We'll see where it takes us.

Councilman Langman and I spoke last summer regarding the waterfront project. We were excited that the pier was on its way. We wondered what the next step should be and how that plan would be carried out with the limited funds in our capital budget. We surmised the breakwaters to be the most important piece of the entire project. For if the breakwaters and shoreline revetment could commence, a message would be sent that the project is moving forward and would trigger private investment. So, from this conversation, I set out to find funding for a break wall.

In September I made a pitch to Executive Fitzgerald in the Newark Airport for a portion of the casino profits to be earmarked for capital projects in the suburbs. From his demeanor, I knew it was not high on his priority list and from what the papers were saying, that money would be tied up for a while.

So, I composed a letter which I intended to send to all levels of state government explaining our current situation and asking for direction and or help. I started at the county level sending it to Nathan Kelly, Deputy Chief of Staff of Development, Sunny Simon our county councilperson and Ed Jerse, Director of Regional Collaboration.

Mr. Jerse was the first to reply. He informed me that his department couldn't help financially, but had forwarded my letter to Grace Gallucci, Executive Director of the Northeast Ohio Areawide Coordinating Agency. She replied to Mr. Jerse and stated that although it was an interesting project, her department couldn't help financially either. However, her team offered up a couple of ideas, one of them using the old central viaduct bridge.

In an e-mail yesterday, Councilman O'Hare suggested we place Ms. Gallucci on the list of recipients of this resolution. Since, I was going to personally call her to thank her team, I have no objections if the Councilman moves to have her name added.

Intrigued with this idea, I researched the timing of the project, remembering the Governor announcing that the second phase of the project would be funded through a Public Private Partnership. This means the awarded contractor will design build and finance the entire project and once complete, the State will pay the contractor back with interest. This Design Build Financing project limits the field of potential bidders since they will have to finance something like \$300 - 400 million dollars just to get the project started.

I know a Project Manager at Walsh Engineering, the company currently building the westbound viaduct bridge. We talked about the traditional methods of bridge demolition. Basically, they break up the roadway into chunks small enough to fit into the dump trucks, move the load to a large open site to dump it, erect crushing equipment on site, recycle as much of the rebar as possible then try to get rid of the crushed concrete as filler material. We thought if they have to truck it off site, it might as well go to Euclid. However, he called me the next day and said, "Wouldn't it be neat and less expensive to cut the deck in slabs and lower it into barges?"

This was the Eureka moment for me. A simple, green and highly efficient solution which benefits everybody involved including the taxpayers of Ohio. At this point, I was pretty excited and thought it was time to have a meeting with Frank Pietravoia and Jonathan Holody to gain consensus on a path forward. Frank suggested we conference with JJR, the firm that engineered our waterfront improvement plan.

Jason Williams of JJR mentioned that the crushed concrete could only be used as core material and would only constitute about a quarter of the entire breakwaters. Once I mentioned that it would not be crushed but in slab form, he changed his tune. Off the top of his head, he thought these slabs could be stacked and would not move under water and therefore could account for a much larger portion of the core material. Furthermore, because the slabs wouldn't move, if the quarried armor stone, this is the stone that can be seen above the waterline at Sims Park and is used to protect the core from the waves, couldn't be purchased right away, those concrete slabs could be in the water for several years without environmental harm.

We asked Jason to run this concept up the flagpole with some of the local authorities to see whether it would send up any red flags. He spoke with the Ohio Department of Natural Resources division of coastal waters, the Army Corps of Engineers and the Ohio EPA, all of which thought the sawed slabs of concrete would be suitable for the intended use. So initially, from a 30,000 foot perspective, there's no red flags. This is very, very encouraging.

Director Bock and I also had a meeting with Clyde Hadden of CT Consultants. Mr. Hadden, who has a good relationship with ODOT, suggested we be open ended on our specific request to ODOT. So, I rewrote Section 1 to be less binding asking that this solution be an option in the demolition portion of the proposals.

ODOT recently began its search for the eastbound bridge contractors. The deadline for bidders to respond is December 21st of this year. These bidders will be ranked and whittled down to the top three. The contract will be awarded in the summer of 2013.

The westbound bridge is scheduled to be completed in October of 2013. Once it is opened, both east and westbound traffic will use this bridge temporarily and the old bridge demolition will commence immediately for it stands in the exact spot where the new eastbound bridge is to be erected. So, the estimated date of demolition is early next winter to the spring of 2014.

This is a looming deadline since one the hurdles we foresee is getting the permits granted before demolition begins. Director Pietravoia has firsthand experience having recently gone through this process for the pier and he can comment on that later.

Director Bock is scheduling a meeting with the local ODOT reps in the next few weeks to determine how we move forward from this point.

I have this vision of a warm summer evening, buying my wife and children ice cream on the boardwalk standing near the shores of Lake Erie overlooking the marina in Euclid. There's a sign that's mounted to a piece of structural steel from the old bridge. It reads, "These breakwaters were built in part using the deck of the old central viaduct bridge that spanned the Cuyahoga River in Cleveland. After 54 years of dedicated service, it was demolished in 2013. The deck of the bridge was sent by barge from Cleveland to Euclid. It now protects our shores as this recycled roadway rests in the waters of Lake Erie before you." I look down as I step on the actual roadway which is used as a walkway on top of the breakwater and ponder this as I stroll out to the end to watch a beautiful Lake Erie sunset.

I see this vision because it can be reality in our near future. We can make it happen. I would appreciate full support of council on this resolution to send a clear message of our resolve. Thank You all for listening. Madam President.

President Holzheimer Gail – Thank you Councilman McLaughlin. Apparently you must have done well in speech class as well. That was very persuasive.

Director Pietravoia – As you can tell the Councilman is very passionate about this and we discussed it internally with the Mayor and other Directors. Got more excited about it as we learned more through the Councilman's efforts as well as through JJR's inquiries with the agencies that would have to permit the use of that material.

There's no question as Councilman pointed out, there will be a number of challenges, including the timing is probably the most challenging and certainly finding the funding for the rest of the cost of the improvements beyond the hopefully donated material.

A great start. This Resolution will send a strong message and as I shared with the Councilman, it has already caused, at least the permitting agencies to be talking amongst themselves with each other about the potential for a project like this.

I didn't get a chance to share with the Councilman, I don't believe, we've talked several times on this subject, but JJR did say that there's at least one other project nationally that they're aware of and even directly involved in. Not quite the same conditions but where they are attempting to re-use an old bridge for a portion of breakwater structure. The precedence is out there and there's no reason we can't try to make this a reality here for the City of Euclid. I don't know if the Mayor may want to comment as well.

Mayor Cervenik – Only that I think it is ideas and determination such as Councilman McLaughlin has shown here that will help us succeed in bringing our long awaited lakefront project to fruition. We want to thank you and it has been a pleasure working with you and think there's a lot of merit to this. As both the prior speakers mentioned, we've got some challenges and things ahead of us, but I think we can overcome them. If nothing else we've shown people at NOACA and other places that we're serious about going forward with this program and we're going to get it done and they'll be there to help us.

Director Pietravoia – I just wanted to comment also, I might steal a little bit of Director Bock's thunder, but the first rocks are in the water for the extended pier. They have mobilized with the sections of the bin walls that will hold up the new structure are on the beach and heavy equipment is out there. It is exciting to see that happen. The process we had to go through to get those permits was a little bit daunting but we did learn a lot from it. As Councilman McLaughlin and I know Councilman Langman and others in the past we've discussed as we learn from these smaller projects, it will make the bigger ones easier to get through. Thank you.

Mayor Cervenik – We will send you some pictures, but it was very nice when I saw them this afternoon that the steel is AK steel, right across it says Made in the USA. That's good stuff.

Councilman McLaughlin – I would like to add that through the inquiries, I found out that all the steel beams for the bridge will be directly shipped to TIMKEN for re-melting. I thought that was interesting.

Councilman Langman – First, with Councilman McLaughlin's permission, that all of our names could be added to this. This always adds to the heft of such resolutions. A question for Director Pietravoia, Director we passed a more general resolution basically addresses the same concerns back in 2008. Basically you have donated materials reduces the cost of the project. Any breakwater or revetment you have to quarry the stone, all the stone and that obviously costs quite a bit of money. Donated concrete for whatever purpose lowers the cost. I was just curious, have we done anything more to identify perhaps smaller projects where concrete debris could be deposited here for future use?

Director Pietravoia – The challenge has always been, similar to this project, one of timing. The difference here is the quantity and the ability to potentially cut the concrete into sections, versus most projects where it is torn up and basically is in rubble form rather than in these discreet sections as Councilman McLaughlin described. We haven't really been able to identify other resources since that legislation was passed in 2008, at least not similar in scale and opportunity to this one. We commend you in 2008 and Councilman McLaughlin tonight for bringing this other opportunity forward.

President Holzheimer Gail – I want to thank Councilman McLaughlin and Director Pietravoia and everyone involved for taking the time to do the research and meet and dream a little bit. It is a great opportunity for Euclid to show its innovation, build additional partnerships. I don't know if Councilman O'Hare wants to talk about the video he sent earlier, but I wasn't aware of that and this could be the second pier or breakwater in the Cleveland area using recycled materials.

Councilman O'Hare – I sent it around and we can post it out after if we want. It is something that Joe Koskovics, long time Euclid resident, producer for Tri-C, produced recently, as a matter of fact it hasn't even been completely out and I didn't even know it either. I remember as a kid going by and seeing the two ships out there at the end of Gordon Park. As a kid I thought that was an accident that they just kind of wound up there. If you read the story it is about a 7 minute video, it is very interesting. You would think that was a no brainer as you look at it now. That person, that team went through the same challenges. Once they were in and sunk, there was movement, people wanted to take them out and there was going to be this big petition to get them out of the way, take them out.

The offshoot was unattended positive consequences. They haven't even thought of this. There's now about a 50 acre park there. There are people who come from around the world to go bird watching on that plot of land, it is just amazing. It is a forest there. Nobody knew that was the way it was going to be, who knows where this will go as we are successful. There maybe some very positive unintended consequences for us as well. Let's go.

Councilman McLaughlin moved to close debate, Councilman O'Hare seconded. Yeas: Unanimous.

Roll Call: Yeas: Caviness, Scarniench, Lynch, McLaughlin, O'Hare, Langman, Van Ho, Holzheimer Gail.
Passed.

Res. 185-2012 (205-12) OH Police Dept. Pick Up

A resolution reaffirming the City of Euclid's employer pick-up, and payment, of all of the mandatory employee contributions to the Ohio Police and Fire Pension Fund for City of Euclid Police Department employees. (Sponsored by Council President Holzheimer Gail by request of Finance Director)

Councilwoman Scarniench moved for passage, Councilwoman Caviness seconded.

Director Frey – As you are aware in both the Police & Fire Departments, the city pays a portion of the officer's share of their pension fund. In addition we pick up their portion that they pay as a salary reduction. We have to provide the Ohio Police and Fire Pension Fund resolutions, one for each of the safety forces, indicating our continued commitment to do that. It is part of the collective bargaining agreements. We've had these resolutions in the past. This notice came in the fall of this year and we have to have new resolutions to the pension fund by some point in the spring. With the light agenda, we thought we would get those on tonight and get those processed through.

What we are confirming is an already existing practice for a good number of years where we are picking up and the employee portion of the pension and the portion that the employees pay is handled as a salary reduction or a payroll reduction portion. It is a technical piece. We've drafted these right off the Pension's website and the Ohio Administrative Code. I'd be happy to answer questions or Director Malone maybe able to as well.

Director Malone – The real driving force of this is the, I forget the Bill number, but Columbus has passed pension reform bills within the past few months. This has happened before where they've had OPERS or any changes in the mandatory pension laws. They like to refresh or in my terms, I like to call it the old CYA kind of coverage, to have up to date files on any pick up plans either the salary reduction method or the employer pays it. When they pass a new bill involving public sector pensions, this is one of their check off things that they want to update their files on and make sure the pick up plan is in place or in compliance with the IRS code, with the Council is aware of it and it complies with the labor contracts.

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

Roll Call: Yeas: Caviness, Scarniench, Lynch, McLaughlin, O'Hare, Langman, Van Ho, Holzheimer Gail.
Passed.

Res. 186-2012 (206-12) OH Fire Dept. Pick Up

A resolution reaffirming the City of Euclid's employer pick-up, and payment, of all of the mandatory employee contributions to the Ohio Police and Fire Pension Fund for City of Euclid Fire Department employees. (Sponsored by Council President Holzheimer Gail by request of Finance Director)

Councilman McLaughlin moved for passage, Councilman Lynch seconded.

Director Frey – No additional comments. Only that this pertains to the Fire Department's portion.

Councilman McLaughlin moved to close debate, Councilman O'Hare seconded. Yeas: Unanimous.

Roll Call: Yeas: Caviness, Scarniench, Lynch, McLaughlin, O'Hare, Langman, Van Ho, Holzheimer Gail.
Passed.

Res. 187-2012 (209-12) Landmark Commission Appointment

A resolution to re-appoint John Williams to the Euclid Landmark Commission.
(Sponsored by Mayor Cervenik)

Councilman Langman moved for passage, Councilman Van Ho seconded.

Mayor Cervenik – Mr. Williams has been serving on the Euclid Landmark Commission for quite some time and has served admirably and is extremely dedicated to the historical past of the City of Euclid. I would like to have each council member to have their name added to this as well. I talked to John a few weeks ago, he expressed a very strong interest in continuing his service to the community and I couldn't think of anybody else I would want to come back.

President Holzheimer Gail – He has certainly served in that position well. Any objection to adding Council's names? We'll add all of Council as sponsors.

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

Roll Call: Yeas: Caviness, Scarniench, Lynch, McLaughlin, O'Hare, Langman, Van Ho, Holzheimer Gail.
Passed.

CEREMONIAL RESOLUTIONS

Res. 180-2012 (207-12) Heritage Park Assoc.

A resolution recognizing and celebrating the **Heritage Park Association** on the occasion of its 20th year Anniversary. (Sponsored by Mayor Cervenik and Entire Council)

Res. 181-2012 (208-12) Indian Hills Assoc.

A resolution commemorating the 70th Anniversary of the **Indian Hills Homeowners' Association**. (Sponsored by Mayor Cervenik and Entire Council)

Res. 182-2012 (210-12) Euclid Public Library

A resolution of congratulations to the **Euclid Public Library**, the recipient of the **2012 Ohio Historical Records Achievement Award**. (Sponsored by Mayor Cervenik and Entire Council)

Res. 183-2012 (212-12) Bikes for Kids

A resolution of appreciation to Rick Case, the Boys and Girls Clubs and other local charities and churches for their hard work, kindness and the spirit of giving in taking part in the Bikes for Kids program. (Sponsored by Mayor Cervenik and Entire Council)

Councilman Van Ho moved for passage, Councilman Langman seconded.

Roll Call: Yeas: Caviness, Scarniench, Lynch, McLaughlin, O'Hare, Langman, Van Ho, Holzheimer Gail.
Passed.

COMMITTEE OF THE WHOLE

Mr. Christopher Michael Litwinowicz – 21970 Morris Ave. I'm here standing representing a political action committee called Time For Change. We're asking for a resolution 211-12 to be on the next agenda. What this is concerning is one Council or Mayor to sponsor a resolution and speak to the Law Director. It is a resolution mandating a change in the State minimum wage to \$12.50. This way we can move forward and I can have a discussion with the Governor. Just asking for it to be put on, two weeks Council, two weeks from today, and have you all vote on it. This is not political. It doesn't matter how you feel, it is about change.

Congratulations to Mr. McLaughlin who has worked hard. The whole beachfront is not just one person, it is the whole entire city. I also emphasize that later down the line we add onto a phase for lakefront to extend an 8 mile area, mile out beach from Sims Park all the way out to the Euclid Wickliffe border. You can get a government grant for the city, for erosion control. All that area can be fixed up, sand can be put in there to stop those waves from hitting.

Another issue is Resolution 212-12, it is a resolution mandating a change to the Ohio Revised Code of employment of fire at will. These are two issues that are being campaigned and petitioned over twenty some thousand signatures to put it on the ballot for November. There's a question with the federal issue about fiscal cliff. That's not going to happen here because petitioners have petitioned to reduce our income tax. At the same time we're urging the Council to do something now and raise the minimum wage by a vote, that's all legal. The first step is a resolution. Then if the Governor doesn't want to do nothing, then we can go ahead and put it as Council on the ballot for our own city to vote for a state issue. We might not win, but at the same time we'll have twenty some thousand people voting out of eight million people voting in Ohio.

My last one minute goes out to the city and Ward 8. I made my candidacy for 2013 as Ward 8 Councilman. I will be pulling the petitions.

President Holzheimer Gail – Mr. Litwinowicz, political comments are not allowed at this portion of the council meeting. This is city business, not political business please.

Mr. Litwinowicz – Thank you. On the last note, I just want to be moved from being asked about and ask questions and comments to actually having people vote. Thank you. So hopefully in two weeks, somebody from here can contact the Law Director.

Mr. Bud Hilf – 891 E. 237 St. I'm here tonight to talk about the 2013 Euclid Relay for Life, which will be held June 7th at the Euclid High School track and football stadium. This will be our fifth year for having a Relay in Euclid. We've had very successful relays the past several year. Last year we held it Saturday to Sunday. We are moving it back to a Friday to Saturday relay. It will be starting the evening of Friday, June 7th at around 6 PM and running until Noon on Saturday the 8th. This is a very family friendly event, open to the public. There's no charge to come participate. People heard the word relay and they think they have to be in great shape and have to be able to walk around the track a lot and be there for hours and hours. That's not the case. We've had people who do one lap. All the different teams, last year we had over 20 different teams. Set up tents and have raffle prizes and games, sell food. Just are there to raise money to not only fight cancer and for research money that the American Cancer Society has, but for things that, I'm not going to remember the exact name of it, but for instance the American Cancer Society has houses where if you're undergoing cancer treatment and let's say you have to go to another city to receive treatment for your cancer that you can stay at. They have a 24 hour hotline that you can call if you are suffering from cancer, get a cancer diagnosis, have a loved one that has a cancer diagnosis and you have questions or just need somebody to talk to. They have a line that is staffed 24/7 that includes Christmas, Easter, Thanksgiving, there's always somebody there to talk to. That's one of the things Relay goes to support.

What I'm here tonight is to let everyone know that we're having the Relay again. We're looking for not only sponsors and donors and entertainment but more importantly as the team membership chair of the committee, I'm looking for new teams and for old teams to come back. Teams are really what makes this Relay. To have everyone there, be there overnight camping, the bond, the emotion of the luminary ceremony when it gets dusk and we light luminaries in honor and memory of people who are fighting cancer or are lost their fight with cancer to celebrate the caregivers. Especially the Survivor Lap in the beginning where we celebrate the survivors. This is one of the most moving things I've ever been involved with and this will be my fourth year involved with the Euclid Relay. This is my third year as a team captain. The reason I walk and my family walks is we lost my father in April 09 to lung cancer and frankly we've lost too many people to various forms of cancer and that's why we're there.

Our website is Relayforlife.org/Euclid. I can be reached at 216-978-2419. I know we've had council support, we've definitely had wonderful support from the City in the past, the administration, everyone has done a fantastic job of supporting us and looking forward to that again. Again, RelayforLife.org/Euclid will take you to the website for Euclid. If you have a problem with that, just RelayforLife.org, put your zip code, they'll find it. It will be June 7th at the Euclid High School stadium and we look forward to having as many people there. It is family friendly, free and open to the public. Thank you.

President Holzheimer Gail – Seeing no other comments, we'll move forward.

COUNCIL MEMBERS' COMMENTS

Councilman Langman – In a way it is appropriate that we had the Resolution to reappoint John Williams to the Historical Society because the Historical Society is having their Annual Holiday Party this coming Sunday at the History Museum. The time of the party is between 1:00-4:00 PM on Sunday, December 9th. For reservations and you should RSVP, call the Museum at 289-8577 or L Porten at 731-3710. Unfortunately I personally won't be able to make it, but it is a very nice event and you get to tour all the wonderful things that are at Euclid Historical Museum. With that, I'll wish our Jewish friends a Happy Hanukkah and goodnight.

Councilman Van Ho – I'd like to congratulate both Heritage Park and Indian Hills because I never comprehended until I got on Council what these neighborhood associations, how hard they work to make these happen and how they really do affect quality of life and for that matter home values in this city. So congratulations to both of them. That's it, I'll say goodnight.

President Holzheimer Gail – I would like to congratulate them as well and take this opportunity to remind residents that if you don't have a homeowners' association or a street club or a block club, contact your council person or contact Kristal Grida here at City Hall, contact me, we'd be happy to help you start one. They really do help strengthen a neighborhood, I believe that very strongly. The neighborhoods that have them, some use them as more social opportunities to get residents together. Councilman Lynch, I'm sure will talk about his World Café. But building the relationship is the starting point for a strong

neighborhood and a strong city. I do want to thank Indian Hills and Heritage Park for their volunteer work and all their hard work to strengthen their neighborhoods and the many neighborhood associations we have throughout the city. Please if you don't have one, please step up and help start one. You will see a benefit on your street and in your neighborhood and we are happy to help you do that.

I want to thank all those involved with the Holiday Celebration as well, it really was a wonderful evening and I know a lot of hard work went into it. The Triangle in Downtown looked great so we appreciate the efforts for the holiday decorations.

Lastly, budget hearings will start as you know Wednesday 6:30, Dec. 5th and Monday, 10th at 6:30. Take a glance to look through the budget book and any questions ahead of time or areas you want further comment on, please let us know. Thank you.

Councilwoman Caviness – I would like to take this time to also congratulate Heritage Park and Indian Hills on their anniversaries. Heritage Park celebrated last Thursday. Indian Hills will be celebrating at the end of this month. I also like to say that it was good to see Madeline because I know you've been dealing with some things and it is good to see her sitting here.

I feel compelled at this moment just to take a little bit of time to acknowledge and address the current tragedies that we've experienced in the last few days. To deal with the acknowledgement of the untimely death of some of the people and the loss that people are experiencing from these tragedies. I would like to say that my heart and my prayers go out to all the family members of the little three year old and even the persons who in that police chase as well.

I would also like to take this time with this Holiday Season, I know a lot of people are experiencing and I'm not trying to make it a downer, but I understand people are experiencing a lot of financial issues at this moment in time and it is around the Christmas season. I would like to remind people that Christmas is not just about the gift-giving and spending and breaking the bank for just one day to possibly make someone happy because that does not do that. The greatest gift that you could ever give anyone right now is a gift of forgiveness. Not to act out in anger by using a gun or knife, any type of weapon, but just to walk away and think about your actions before you do anything else. We see how those actions can bring a big loss. You might think that it brings a neighborhood together, but that neighborhood is aching and in pain from their loss. I would like for especially young people who are just getting their, I can't say their feet wet, but who are experiencing some turmoil with bullying, etc., I'd just like to, even to the young men who are sitting here to acknowledge the fact that you might have feelings about certain things and people are possibly not as good to you as you would like. But to just take the time to think about what's going on in your life, how to handle it. Try to reach out to someone who can help you in a situation where you are somewhat confused and not to just lash out out of anger initially. Think about your actions before you do it and always remember to forgive because forgiveness is more important for yourself than it is for someone else. It helps to relieve the sting of the emotional turmoil that you are experiencing. Just take time and that's all for me right now. Thank you goodnight.

Councilwoman Scarniench – I too would like to congratulate Heritage Park and Indian Hills Association. In this day in age when so many people don't take the time to be involved with their neighborhoods, these two groups are still working very strongly. We may not always agree, but we are still working very strongly and they're very solid in their neighborhoods.

Congratulations to both of them and again to Shore, thank you for a wonderful evening. The culinary school, the food was fantastic. The kids had a great time, the concerts were wonderful from all the local churches. I had a good time. Thank you and goodnight.

Councilman Lynch – I wanted to thank everyone who was such a big help in our World Café Ward meeting we had this past week. In particular Council President Holzheimer Gail and Councilwoman Jones were able to make it. Manager Stephens played a big part in a lot of the planning and our initial meeting. Director Frey was able to make it as well. Since she's here, Rebecca McFarland kindly was also one of our table hosts. It was a really positive experience for the residents who came. We actually spent just under a couple hours talking about ways we can be a good neighbor and what that really means.

It is funny, one of the things that struck me the most was the tension that we always experience between being friendly enough and minding your own business and sort of knowing when the right time is to reach out and when the right time is to be understanding of people. That was one of Councilwoman Jones' last comments of the meeting for moving forward which is how you understand people's differences and understanding people's stories and realizing that everything that somebody does has a reason behind it. Sometimes there's a lot of hurt and there's a lot of struggle that drives people to do some of the things that they do.

On the positive side, we ended on a note that we're really honored that Euclid is a place where every kind of person can live, of every different class and every different race and every different background. The extent that we continue to reach out to one another to how to make that work, I think is a really exciting thing to do. I look forward to continuing that work with everyone in the city and everyone involved.

Last to Councilman Langman and all our Jewish residents and to everybody else too, Happy Hanukkah and we'll see you next week.

Councilman McLaughlin – Director Bock, Shore Center Drive is unlit. There's a lot of streetlights that are out. I was just wondering if you could make a note and call somebody. Also the last two nights coming home on Route 2 by 200th, there a bank of lights out on the highway and I don't know if that falls under you or not, probably not.

I would just like to thank the administration, Kelley Sweeney and Frank Pietravoia for helping me put that Resolution together. Kelley had to put up with probably 100 revisions that I made to it and she was sweet as pie. Happy Hanukkah Councilman and goodnight.

Councilman O'Hare – I'll say it first because it is easier to say, Happy Hanukkah, than to try to spell it, so I won't do that. In addition, I also would point out about the Holiday Celebration, one quick point that it was unremarkable and that my itself is remarkable. Last year was a big deal and with good reason. I lot of people were nervous and how is this all going to come off. There was just as much time put in this year as last year as I understand but it came off as if it was just this machine that was working. That's when things are really sustainable and they're moving forward. A brief comment on that and echo what everybody else has said about that.

There will be a Housing Building neighborhood committee meeting on Wednesday December 12th at 6:30 PM. There will be two items on the agenda. One is the Urban Agriculture Resolution which was introduced in the first part of November. The second is to discuss the Cleveland Restoration Society. This is a program that Euclid participated in almost ten years ago and we dropped out for a number of reasons because there was little participation among residents. We've been approached with a new program and some new incentives and I think it is worth us discussing that.

Lastly because neighborhood associations are so much on our mind, I'll mention a meeting that's coming up this Thursday at the Lakeland Civic Association. I was driving by last week and there's Mary Czyzycki out by the sign putting up the red ribbons and so forth. It is just people like that who get things done. At this meeting, by the way I think anybody would be welcome to come to it. It is an interesting presentation from the HELP Foundation who is coming there to explain what they're doing with a couple of homes. Currently a couple of homes in the F&S subdivision. It is an amazing partnership between a foundation, a non-profit organization that helps physically and mentally challenged adults be self-sustaining. They do that not only through the housing but also from their work location on Shore Center Drive. The city officials, I think it has cut across just about every city department to help make this a reality currently the two homes. They have a lot of great information to share. Marty Castelletti will be there sharing some of what we learned about the homes and some renovations that went on there. This will be at Forest Park Junior High at 7 PM this coming Thursday. With that I'll say goodnight.

President Holzheimer Gail – I want to congratulate the Euclid Panther Youth Football. I don't have the details, is it December 16th Mr. Stephens if you would share with us? They have a wonderful honor coming up.

Mgr. Stephens – Our Euclid Junior Panther B Team which is made up of our third and fourth grade students here in Euclid were recently selected by the Cleveland Browns Organization to represent our city and play a shortened football game during half-time of the December 16th game of the Washington Redskins. Congratulations to those young men and the volunteer coaches that are involved.

President Holzheimer Gail – What a great honor for them and we wish them great success, although they have great success just being selected. I want to acknowledge the students who are here this evening, it looks like from Notre Dame Cathedral Latin. Thank you for coming and thank you for your interest in our government.

ADJOURNMENT

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

Attest:

Clerk of Council

President of Council

