

COUNCIL MINUTES
December 17, 2012

The regular Council Meeting was held on Monday, December 17, 2012 at 7:00 PM in the Euclid Municipal Center Council Chamber. Council President Holzheimer Gail presided.

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

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, Commissioner Beno, Clerk of Council Cahill.

Moment of Silence was held to recognize the victims in the tragedy in Newtown, Connecticut at Sandy Hook Elementary School.

COMMUNICATIONS

Council received letters from the Ohio Division of Liquor Control acknowledging Council's withdrawal of objections to: One 2 Lounge; China Dragon and Shots Bar. Also, the December 17th hearing on 24310 Lakeland Blvd. has been continued, reschedule date to be announced.

COUNCIL MINUTES

Councilwoman Scarniench moved to receive the Council Minutes of December 3, 2012. Councilman Lynch seconded. Yeas: Unanimous.

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor Cervenik – It really was a tough couple of days reflecting on the tragedy at the school and it was very fitting to have a moment of silence. My children are grown but I do have a young grandchild and I'm sure parents, really had to sit at home this weekend and wonder and pray hopefully this country of ours figuring out how we can avoid these things in the future. There's no simple answer, that's for sure.

I do want to assure the residents that I talked with both the Police Chief and Fire Chief today and we'll be meeting on a number of topics, but certainly this one now with Supt. Bell on Wednesday. I can assure you we have plans at the Police Department, disaster plans. We have committed to making sure they are up to date. Chief Brickman also told me that they will be looking at putting on a number of seminars and training for teachers and administrative staff in all of our schools, to make sure they understand the best practice, God forbid this ever happens again. There are many things in place to keep our children safe. If there's anything we find that we can do better, we will certainly do so. I just wanted everybody to know that ever person in this administration and our safety forces, city council and the school system, we have first and foremost your children's safety in our minds. We will keep you updated on the situation.

Also, it was a rather sad week in the City of Euclid for many, many people. We lost some longtime residents that were very active in the community in their own ways. John Telich, Sr., passed away and was buried Saturday. John was active in many organizations, including the Rotary, which was one of his favorites. He was also a Charter member of the Jaycees. The fireworks committee that first got the fireworks going and you can go on and on, Boys League and others. John was a very, he made sure you knew what he wanted and how he felt about things and yet he did it in a way that he always backed it up with contributions and hard work and the city is a much better place because of John.

We also lost Mr. Ed Hurley, long, long time resident of E. 200th Street, large family. Mr. Hurley's passion was Catholic education and faith. He always felt that faith will only continue and evolve and bring people to do good things if in fact there's a Catholic education. He also was very, very concerned about the life of all people both living and dead. I attended his funeral Saturday, also at Our Lady of the Lake, it was a very busy place this weekend. To listen to people talk about him, it was inspiring.

Tonight we're presenting Mr. Chuck Hill with the Cleveland Clinic Hospital Award. He could not accept that personally because his wife passed away a couple days before that ceremony took place. Sue, probably many of you know her at all sorts of events but she was a long time and very kind and always smiling volunteer at Euclid Hospital.

Also former Council President Ed Gudenas' father, Jonas Gudenas passed away this week as well at 95 or 96 years old. He has lived on 194th Street as long as I can remember. All of us have learned something from each one of these individuals, all good things. From all of us here in the City of Euclid, we wish their families peace and understanding. We thank them for sharing their lives with us through the years and we're here to support those families in any way we can.

Mayor Cervenik presented Res. 188-2012, a resolution of congratulation for Donna L. Perdsock on her retirement from Director of the Euclid Public Library.

Mayor Cervenik and Mr. Rich Lee, Vice-President of Operations at Euclid Hospital, presented Mr. Chuck Hill with the 2012 Cleveland Clinic Hospital Award for Community Service.

Mayor Cervenik and Police Chief Brickman presented the Oath of Office to Police Officer Franco Gianfagna.

Mayor Cervenik – Many of you attended the Holiday Celebration which was held on Friday, November 30th. Again for the second year it was a huge success, probably 1500 people there throughout the evening. I just want to mention the sponsors because without these sponsors we couldn't do it. They spent hours of volunteering, more than just writing a check. They had people in their organizations volunteer and work with us through the evening and planning. Our major sponsor was K&D. Tree lighting sponsor is Eaton Industrial Aerospace Corporation. The co-tree lighting sponsor was Euclid Hospital. Santa sponsor, Action Car Star Collision. Sleigh sponsor was Sims Buick GMC. Children's Concert co-sponsors were Dollar Bank and St. Roberts & William. Holiday Concert sponsor, the Carlson Agency Nationwide. Children's Activity sponsor was our Lady of the Lake parish. We had three tree sponsors and that tree is on fabulous tree sitting on the point of 222 & Babbitt, that was Confident Car Care and Tire, Daugherty Construction and Villa Angela-St. Joseph School. I would like to also thank Spirit Media, No Problem Printing and Design Studio, Northcoast Party Rental and all the volunteers that were there to help out. Especially no festival works without people coming and attending and all that came and attended and had a great time. Thank you very much, we'll be back again next year, bigger and better. I can't promise the third year in a row with 50 degree weather, but I'll give it a shot. Some people said they missed the snow, I said that's all right. It was a great time for all and the staff at the City of Euclid and Coral and Council members that helped. You made Euclid shine, we had a great evening and people felt like they were at home and that's where we are.

Please remember to recycle your holiday boxes, gift wrapping and other items, it is all recyclable. If Santa is real good to you and you have so much paper and boxes left over and it doesn't fit in the yellow bin, put it in a bag and put the bag over by the yellow bin and our people will be happy to pick it up for you.

Last but not least, Merry Christmas and a happy, healthy and prosperous New Year. That ends our presentation.

REPORTS & COMMITTEE MINUTES

Councilwoman Scarniench moved to receive the Fire Report of September 2012; Monthly Finance Report thru Nov. 30, 2012; Board of Control Minutes of 11/26/12 & 12/3/12. Councilman Van Ho seconded. Yeas: Unanimous.

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

Mr. Jeffrey Beck – 25540 Chatworth. Item #2. The sale of the house on Coolidge Ave. I'm familiar with the program that I thought the City had in place where we would purchase these houses, or get these houses from the Land Bank and then rehab the house and then sell it. But, this doesn't look like it is a rehabbed house, this looks like something we are just selling. Because of the price I'm really not sure.

I also noticed that there was \$23,000 in property taxes which were due on the house which I guess when the city assumes ownership are wiped out. Just a question for that, since two-thirds of that would have gone to the Schools, do they have to agree to that or is that just something the can do? Is that something that is automatic? If you could answer those questions I'd appreciate it. Thanks.

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

LEGISLATION

Res. 189-2012 (213-12) Animal Shelter Commission Members

A resolution to reappoint Pat Barnes, Bill Kermavner, and Patti Burlingham and to appoint Jane Brockway to the Euclid Animal Shelter Commission. (Sponsored by Mayor Cervenik)

Councilwoman Jones moved for passage, Councilman Lynch seconded.

Mayor Cervenik – We're asking to reappoint a number of members and then to appoint a new member Jane Brockway to the Euclid Animal Shelter Commission. I met with them at the holiday party they had at Fay Miller's house and they are very good strong volunteers that care very much for the animals at our shelter. It is more than just dogs and cats, we have some other animals as well. They have committed to searching and finding more volunteers. I will use this moment tonight to ask people, residents of the City of Euclid, to if you think you can volunteer to help clean cages and wash blankets and other maintenance that needs to be done at the shelter, I guaranty you they will be happy to have you and welcome you in. You just need to call Petpals or my office and I will refer you to them. These people will keep the great shelter we have going strong for many years to come.

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

Ord. 190-2012 (218a-12) Sale of Home

An emergency ordinance authorizing the sale of a single family residence, Permanent Parcel No. 648-39-039, 28051 Coolidge Avenue for the amount of \$12,500.00 to Maxine McCall and LaTanya M. Emerson, mother and daughter. (Sponsored by Councilperson Jones by request of CS&ED Director)

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

Director Pietravoia – I'll start with a brief explanation and then turn it over to Paul Beno our Planning & Zoning Commissioner who has also been handling the disposition of city owned properties for our department.

This is a little bit of an unusual situation. The property is located on Coolidge which is south of Euclid Avenue in the Hillandale neighborhood. It is not following the typical land bank sale procedure because those procedures were set up primarily for vacant land, whereas this property does have a single family home and a two car garage located on it.

When properties like this go through a tax foreclosure process, we are notified through the Law Dept. about an opportunity to indicate an interest in the property. At the time that occurred, when the County contact our Law Dept., we were actively acquiring properties for rehabilitation as Mr. Beck indicated through our NSP grant program.

This property a number of reasons took a very extended time to get through the process and actually ended up coming into our ownership. By the time it did, we had already not only identified enough properties for the NSP rehab that we already had control of, but had pretty much obligated those funds for those properties. At that point we needed to determine how we would handle this particular property since we didn't have immediate funds for rehabilitation.

We did have conversation through Mr. Beno with the County Land Bank to see if they might be interested in the property. They declined but did offer, if the city was interested, they did offer in carrying out the demolition of the structures on the property.

At this point I would like to turn it over to Mr. Beno because that's when we started developing a strategy for marketing and disposing of the property under Mr. Beno's leadership.

Commissioner Beno – One of the primary things that we were trying to accomplish with this sale and our proposed method of sale was to accomplish home ownership for the house. Also to bring it up to code compliance. I would like to emphasize that this property will require an extensive rehabilitation. The estimated value of the work to be done on the house is approximately \$40,000. The purchasers have demonstrated the financial capacity to complete the project. They are also enthusiastic about remaining homeowner occupants, not just the required five years but into the foreseeable future.

This sale subject to these conditions should help strengthen the Hillandale neighborhood and our city's housing stock and I'll be glad to answer any additional questions Council might have.

President Holzheimer Gail – The question from Mr. Beck about the taxes that were owed?

Director Frey – When the property goes through the tax foreclosure process, whether it is vacant land or a structure on it, the taxes are abated on that. All of the entities, the City of Euclid, the Euclid Public Library, City Schools, County, all lose those tax dollars on that property and that's why it is incumbent upon us to get the property back into productive use as soon as possible to minimize that loss.

Councilman O'Hare – I realize Director Frey you can't give anywhere near an exact answer, but any idea what value the house and the property will be valued at? It certainly is not going to be valued at the \$12,500. Director Pietravoia, you may have an idea as well.

Director Frey – One of the benefits of pulling permits is that permit information also goes down to the County, formerly the County Auditor but the County Fiscal Officer so they can use that in establishing the value of the property. Once permit work is done and permits are closed out, I would anticipate this property will have the value of the purchase price, plus the value of the rehabs at a minimum.

Councilman O'Hare – That's one of the benefits of the permitting process. While the City, School Board, Library and County may have lost out, moving forward it gets re-established and it is one of the nice aspects of this. While it is important to take down houses that are beyond repair and they take down the entire neighborhood as well. If we can hold onto a house and return it to ownership and productive value that always should be our number one goal. If there are more out there like this, that there's the possibility of doing that, to me it's more attractive than demolition. Thank you.

Councilman McLaughlin – Mr. Beno, this \$40,000 of rehabilitation is there a timeline in which they have to get these done?

Commissioner Beno – In the process of assuming violations, the purchaser agrees to be will underway within 90 days. They are given more time if it takes more time to do the work. But they are expected to have a good start in 90 days.

Councilman McLaughlin – They'll be on a schedule, they'll have an inspector come by the house? Or how does that process work?

Commissioner Beno – If they have not made a start on the rehabilitation, they could be subject to being prosecuted.

Councilman Lynch – Just a question for Director Frey as a follow up to Mr. Beck's question just to clarify the tax abatement that's happening. Although the tax would have gone, once it is divvy up to the City and Schools and elsewhere, this is still essentially a function of State law so the State can pre-empt this type of issue. It is really a mechanism from the State of Ohio rather than us sort of saying yes to giving up this tax or not, is that correct?

Director Frey – That is absolutely correct. We don't set that law. That's from the State and it is how the foreclosure process is handled. If someone bought the property during the tax foreclosure process, after the foreclosure had been determined by the Board of Revision or Common Pleas Court, they would have to redeem, not redeem it, they would have to pay those back taxes. When no one buys that property, and it moves onto the next step in this case to the City, those taxes are cleared from the records and that's State law that does that.

Councilman Lynch – It is an important point to clarify for residents who are listening that the way the State of Ohio gives powers to cities in Ohio through the home rule amendment basically says that cities can do whatever you want and exercise your own home rule powers to the extent that it doesn't conflict with State law. So the State and we're experiencing more and more, we're getting less and less self-determination and less and less to do what we want. Whenever the State chooses to put a law in place, then we always have to abide by that. If we have home rule with the scraps that are left, but the State gets to set the agenda. Whatever substantive law happens from the State of Ohio, that's our starting point. It is important to clarify because sometimes there are bigger forces at play and we're seeing it in our budget and other issues. But even sort of a housekeeping matter like this to cities are here because the State says so and we have to abide with what they do. It is just a point of clarification I wanted to make about where we get our powers from. Thanks.

Councilwoman Jones – Knowing the community and knowing this house has been empty for a number of years, it is good to see that it will be re-established and put back on as part of a taxable property, but as far as the asset to the community as well. Because the house has been empty for awhile and it was deteriorating. I did go through the inside with Mr. Beno and it does need a lot of work on the inside. Not as much on the outside although the outside will have some work done to it, in addition to the garage.

I thank Ms. McCall and Ms. Emerson for making the commitment to the community and turning this house into something that would be an asset to the community. Thank you.

Councilman Langman – Law Director Frey, what happens if future circumstances dictates the owners have to move prior to the completion of the five year residency?

Director Frey – In that case, we get to recoup the down payment assistance in its entirety. Fifty-percent of that is forgiven after five years and we would recoup that remaining 50% once the property is sold. If it is before five years and it is sold, we recoup 100% of the down-payment assistance, that's the limit.

Councilman Langman – There is some protection although the owners would be able to sell it as the other property.

Director Frey – Yes they could, there's no restriction on their ability to sell. It is the funds that we have put into making this property productive, we would be able to recoup.

Councilman Langman – How does the city monitor whether in fact it is still an owner occupied property?

Director Frey – It would require the point of sale inspection. If it was not going to be owner occupied, it would require a rental inspection and we would handle that as we do every other property that we try to use all reasonable means to determine that it is not owner occupied but a rental and subject to the annual rental inspection. Complaints are a part of that, if somebody notifies us that they suspect this is not an owner occupied property, that's a good indication. I know we try to look at tax mailing addresses if they differ from the property address, if it is not a mortgage servicing company who's handling the tax payments on it. Various items such as that but it would require us to determine, unlikely someone would come in on any property, I don't mean just this property, on any property and say I'm now renting this out. I suppose we get some people who will do that, what do I need to do to comply with city law.

Councilman Langman – In other words it is not really a pro-active process? You don't have to come in and say I still live here under this particular program?

Director Frey – That's correct, we don't require the owner to come in periodically and verify they're still residing at the property.

Councilman Langman – I see Mr. Beno wants to add in.

Commissioner Beno – Actually in this case, and in the case of all the EDCOR loans that we make, Karen Tomsic of EDCOR does have a system where she tracks and checks the residency once a year. This would be included in that portfolio.

Councilman Langman – Thank, that's good to know. Thank you.

Director Pietravoia – I wanted to comment on Councilman McLaughlin's question earlier. Just note the buyer will assume the violations on the property and will put funds into an escrow. As a result there will be, at least one, probably several inspections by our Housing Dept. Under any item, the work that's done under permit, to make sure the work is actually completed. I think that's what you were getting at in your question earlier so I wanted to comment on that.

Also Councilman O'Hare, one of the points he made, I just wanted to re-iterate, there are limited demolition funds out there as all of Council knows. If we can identify properties like this where it can be salvaged and there's a buyer that will do the rehabilitation, that saves those demolition funds for another property where there might be a greater need for those limited resources. We really do think this is a win/win for the city, for the buyer and for the neighborhood.

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

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

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

Passed.

Ord. 191-2012 (219-12) Budget Amendment

An emergency ordinance amending Ordinance No. 164-2012 which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2012. (Sponsored by Mayor Cervenik by request of Finance Director)

Councilwoman Caviness moved for passage, Councilwoman Scarniench seconded.

Director Malone - This is the final appropriation ordinance for the 2012 fiscal year. It is nice to be out of 2012 but we have one major change which is attached to that. We had an unanticipated retirement out of the Street Maintenance and Repair Fund, which had to increase the appropriation for that fund. One item that did not increase the appropriation which I think would be good news for City Council is we are paying off as of today during the work day the \$850,000 street assessment note. Anytime you pay off an inter-fund note, that's a good thing. I'm pleased with the end of 2012. Bring on 2013 with all its challenges and be glad to try to answer any questions to the best of my ability.

President Holzheimer Gail – This is the last amendment for the 2012 budget, one item, which is pretty good. Typically we do have a few in December.

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

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

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

Ord. 192-2012 (220-12) 2013 Budget

An emergency ordinance which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2013. (Sponsored by Mayor Cervenik by request of Finance Director)

Councilwoman Scarniench moved for passage, Councilman Lynch seconded.

President Holzheimer Gail – This is the result of several meetings over the last several weeks, the budget for 2013.

Director Malone – This is my first experience on the go around with the full annual appropriation. It is going to be a difficult year, we've talked about that with the State cut backs and what we're trying to do in income tax and working with City Council.

I'm not going to go over the issues again, but I do think I'll refer to Councilman Langman's comments at the Finance Committee meeting that based upon what we know now, we currently know this is the best budget the city can do at this time. I would certainly caution city council, members of the audience that as we go through 2013 there will be other amendments, I'm confident of that. Hopefully they will be constructive and not to the contrary. It is a good start. The staff will be pleased because we won't have to redo the budget because of the temporary. It was an interesting go around for me as my first time through it, actually learned some things, that was a good thing. I appreciate the Mayor, Council and everyone's patience in trying to put this together.

A budget is a working document. It is not final and you leave it behind. I always like to say, I leave the door open, certainly try to ask questions as we go throughout the year. Sometimes I don't have the answer but I'll certainly do my best to try to answer them on the issues involved. I sincerely appreciate the cooperation of all parties involved. Thank you very much.

Councilwoman Scarniench – You did a great job with this budget as usual. It is very tough I know. I would ask, even though I will vote for this, I would ask, please find some way that we can keep our part-time animal warden. On Sunday I watched her trying to catch a dog that was running around Euclid Ave. If she wasn't here those few days when our regular Warden is not here, that dog probably would have gotten himself killed or caused an accident with somebody.

We have so many animals in this city and it is so hard. When I first starting coming to City Council meetings, we had four animal wardens, we had a secretary and a maintenance person. There was always work to do. None of that has changed. None of it has changed, they work very hard and I have watched them, they are amazing what they do. I hope you could find a way to keep her here. Thank you.

Councilman Lynch – I'll just say very briefly what I had been eluding to at the earlier legislation is that cities throughout the county and throughout the state with budgetary constraints we are facing, are really losing the sense of what it means to have home rule. What we're experiencing with decreasing property values, a slew of other regional forces from blight and sprawl and down the line. On top of that, a cut to the local government fund, is really taking away the hallmark of home rule is that each of us in our individual cities are supposed to have a complete self-determination. All of these things are pulling the rug out from under us. I want to commend the administration and the Mayor for the work they've done and what they're doing with resources that we do have. But, I wish we could do more and we ought to be able to do more. That was never the deal that the State had with cities.

Senator Voinovich said a few weeks ago, the bargain when we implemented our state income tax was we in the municipalities were going to get 40% of that back. That's been cut dramatically and that's going to be cut more. Those are dollars that are supposed to go directly toward general fund and they're not there any more at the levels where they're supposed to be for us to exercise our home rule powers which means self-determination and us, the people who we see and live with and work with everyday who know how and where the money should be spent.

That being said, I appreciate all the hard work that's gone into it and I am confident that Euclid is going to be a place where the rest of the state admires for what we do with what we have. But, it is really the responsibility of the State to support the quality of life in its cities. We need to be doing a better job of that. Thanks.

Mayor Cervenik – I would like to point out, we wish we could do more too. It is my sincere intention to approach you in June and show you we may be able to do a little bit more with what we have. To do that right now would not be prudent.

Something that sort of sticks out is our budget for 2013 in the General Fund is listed at \$38,743,000. The budget on the prior page for 2012 was \$39,893,000. That's a substantial reduction. Now some of that reduction is because we will not be re-issuing or paying off again the street light note and some other items like that, but my main point is, we're spending at 2012 and 2011 figures, I think we're a couple hundred thousand over what we spent in 2011. I don't have the 2010 in front of me. We hope to be able to add a few positions on that will make some of the things in this city a little better. As I said in budget hearings, we are very confident that we can maintain the quality of life in the City of Euclid and answer the concerns of our residents what we post here tonight.

If you read the paper and I'm sure most of you did and I hope you had a little grin on your face that I did that Lincoln Electric had their largest incentive bonus in their history. I was on the phone that afternoon with Mr. Trivisonno and he said I've proven myself wrong again. He did because the last two years, he said well next year there's no way we're going to be able to top last year's. I said Rick, do it one more time. Do it again next year.

We're very fortunate to have companies such as Lincoln Electric, Eaton, Hose Master, if I start going on, I know I'll forget somebody. We're very lucky to have the industrial and commercial investors and corporations and employers in this city that we do. The vast majority of them are very, very active in the City of Euclid. We appreciate their investment, we appreciate their ongoing investment. As I told Mr. Trivisonno we will be there with them every step of the way to help them expand because as they expand, so does our general fund budget and our ability to provide not only those businesses services but our residents as well.

I would like to thank City Council for working with us to get this budget passed early. There are a lot of benefits to getting it past early. It is a little bit harder and it is a little bit more work, but you get a better product when you don't rely on final numbers from the prior year. We took a lot of time to identify the revenue that we knew was coming in and then we made our expenditures accordingly. City Council has the ability and the responsibility to appropriate the funds that we spend. We don't need to appropriate other than notifying the county of the revenue coming in.

What we did this time made a lot of sense. Your cooperation, your questions, your making us work harder to explain what we needed to do, it is very helpful to us. As Director Malone said, this is his first whole full round of this in the City of Euclid and we'll continue to learn and continue to work with you. Thank you.

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

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

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

Passed.

Ord. 193-2012 (221-12) Transfer of Funds

An emergency ordinance providing for the schedule of inter-transfer of funds between all funds. (Sponsored by Mayor Cervenik by request of the Finance Director)

Councilman Van Ho moved for passage, Councilman Langman seconded.

President Holzheimer Gail – This is just following the budget appropriates the transfers as needed.

Mayor Cervenik – You summed it up well. This is an ordinance that is required. Even though you do appropriate the transfers in the budget itself, as the Auditors state, we are required to have a separate piece of legislation to authorize those transfers.

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

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

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

Passed.

Res. 194-2012 (223-12) Police Union Contract

A resolution authorizing the Mayor of the City of Euclid to execute an Agreement by and between the City of Euclid and the Fraternal Order of Police, Lodge 18, as exclusive bargaining agent for full time sworn Patrol Officers and all full time sworn Supervisory Officers, exclusive of the Chief of Police and the Executive Captain, to be effective January 1, 2012 through December 31, 2014. (Sponsored by Mayor Cervenik)

Councilwoman Jones moved for passage, Councilwoman Scarniench seconded.

Director Frey – Pleased to be able to present this resolution this evening. I know we met last week to discuss this as allowed in Executive session. This resolution if approved by City Council tonight and I'm recommending that it be approved, would provide for a 2% retro-active increase for the police officers through the entirety of 2012. 2% increase for 2013 and a 1% increase for 2014. Except for officers hired on or after January 1, 2013 for whom the 2011 rate will apply until each of those officers reaches first class status, which can be up to 24 months. Some of those officers, newly hired, if they've not gone through the training academy, I believe they start out as a Class 4 Officer, but typically they are hired having already completed the complete Peace Officer Training Academy and would come in as a Class 3 officer. In any event, for up to 24 months, they will be paid at the 2011 rate before they reach first class status. Those same group of officers will also have the number of holidays reduced by three, starting with 2013 and thereafter. For all the officers current and future, we've removed the Good Friday, as it is typically know, the Friday before Easter, from the premium holiday list and switched that with Easter because there are less officers assigned then and that will be a savings to the city.

There is a reduction in the available number of hours of compensatory time that can be cashed in on an annual basis beginning with the hours earned in 2013. That cash in reduction right now is at 480 hours and it will drop to 240 hours. The healthcare premium, each of the officers will pay will increase by \$25 a month beginning January 2013. Finally, relevant to the economic side of this, officers indicating their intention to retire on a date certain can notify the Chief and use up to 10 weeks of accumulated time prior to their actual termination date. During that period of time they will not accrue sick time, holiday time or vacation time. What it allows the city to do is to reduce that lump sum payout at retirement, it affords the officer essentially an earlier start date. They will not be on duty during that ten week period if they choose to take that. There's both a savings to us because there is no other accumulated time and it does have the effect of spreading out some of that lump sum payment during that final period.

I'm happy to answer questions on the police contract if Council has any.

President Holzheimer Gail – I would like to thank both you and the members of the FOP bargaining unit for continuing to work together to come up with the resolution after council rejected it the last time. The course we thought it would go was arbitration which would have been much more costly to the city. I want to thank you and members of FOP for getting together and working through this together. While it doesn't get to the parody in terms of just simply the 2% increase, the other concessions, the other terms that are part of this make up for that and provide a savings going forward. With that, I am comfortable with this agreement.

Councilwoman Scarniench – I was going to say the same thing. This worked out to be a great compromise on both sides of the table and I appreciate that. Just like you said, it is the beginning of where we're going in the future. I thank them all for working to do this. I have a question and I'll do it for clarification. The union has not voted on this yet. If there is no change, it goes through. But if there's anything in there that they don't agree with, this is null and void, correct?

Director Frey – That's correct. Thank you, I meant to point that out. This has not yet been ratified by the members of the FOP. If they don't ratify this, it is not a let's pick a piece here and there. They ratify the agreement or don't. If it is not ratified we do not have the authority to sign a contract. We don't have the authority to agree to a modification to that and subject to that ratification without again coming back to city council.

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

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

Passed.

Res. 195-2012 (216-12) Teamsters Union Contract

A resolution authorizing the Mayor of the City of Euclid to execute an Agreement by and between the City of Euclid and the Teamsters Local No. 244, as exclusive bargaining agent for Parks and Recreation Maintenance Employees and Animal Control Officers, to be effective January 1, 2012 through December 31, 2014. (Sponsored by Mayor Cervenik)

Councilman Lynch moved for passage, Councilman McLaughlin seconded.

Director Frey – The Parks & Rec Maintenance employees and Animal Control Officer who is covered by this bargaining agreement have in fact ratified this contract, so it is different immediately from what we just talked about. The terms listed here are the terms that the union has, not just the bargaining committee, but the entirety of the union has voted to approve.

This agreement would provide for a 2% retro-active increase from July 1, 2012 through the end of the year. 2% increase for 2013 and a 1% increase for 2014. But for those employees who hold the classification as a special equipment operator or a light equipment operator, those individuals will in addition to the percentage increases receive an equity adjustment so their rates by the beginning of 2014, January 1, 2014 will be the same as the comparable classification in the AFSCME agreement that is also on the agenda tonight.

That's the difference. This bargaining group will also have the \$25 per month increase in the healthcare contribution. This bargaining unit will have a reduction for new hires to a maximum of 4 weeks of paid vacation after 10 years of service and a reduction to 3 days of personal time. That will effect employees hired in this bargaining unit on or after January 1, 2013.

The city will provide uniforms for the Parks & Recreation Maintenance employees. We have not provided them up to this point. We will be providing those, uniforms at this point. It is Director Bock's position and we all agree we would like to have all of the employees in the city who have regular contact with our residents to be uniformed in their appearance. We will provide those uniforms starting 2013.

We are going to attempt to mirror significant portions of this contract, so it might be a little while before we actually sign the written agreement and send it to SERB, but we want to mirror the language in this contract to the language in the AFSCME agreement since we are trying to unify the supervision of the two units, we would like to have the terms and conditions similarly drafted. That's a work in progress. I know Scott Reese our Streets Superintendent has been working on that with the head of the local bargaining group for the Parks Maintenance employees. I'll be glad to answer questions.

Councilwoman Scarniench – Director Frey, in the 6th Whereas it says that we're going to be supplying the uniforms but there's no change in the uniform allowance, so why would they still get the allowance if the city is paying?

Director Frey – We don't provide boots or exterior wear. We will provide uniform shirt and uniform pants. The employee still has to provide, particularly for those individuals, same is true with Streets by the way. Those folks you will see also will be getting a uniform allowance that's the same as the allowance provided to Parks. They are responsible for all their, I guess I would call it exterior gear. We will provide the shirt and pants but everything else is up to them.

Councilman Van Ho – One question, it seems like everybody got uniforms except the Dog Warden and Asst. Dog Warden. Is there a reason for that?

Director Frey – They have uniforms. They get a uniform allowance and they get uniforms.

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

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

Passed.

Res. 196-2012 (217-12) AFSCME Union Contract

A resolution authorizing the Mayor of the City of Euclid to execute an Agreement by and between the City of Euclid and the Ohio Council 8 and Local 2509 of the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME), as exclusive bargaining agent for Streets and Public Buildings employees, to be effective January 1, 2012 through December 31, 2014. (Sponsored by Mayor Cervenik)

Councilman McLaughlin moved for passage, Councilman Lynch seconded.

Director Frey – This bargaining group, Streets & Sewers, this is not Waste Water, but Streets & Sewers employees, public building and building maintenance employees, I think that's all. It used to be the golf course employees but they're no longer represented by this bargaining group. Traffic Maintenance, thank you. Are covered by this bargaining agreement. Again, this group has voted to ratify, they have voted to ratify this agreement. They will receive a 2% increase from July 1, 2012 through the end of the year. 2% for 2013. 1% for 2014. There is as you can see an additional equity adjustment of twenty-five cents per hour effective January 1, 2014. That was based on a survey of similar assigned employees in communities in our immediate vicinity. I know I indicated to members of Council last week, this bargaining group there's a fairly significant gap that we will continue to look at and address. We want to make sure, this is a portion of it, this .25 cent per hour is a portion of that. Before we go further which would be the next round of negotiations 2015, we'll want to really drill down on the numbers associated with those positions and in the other communities as well to make absolutely certain where we are.

The other change, the economic change is we're increasing the shift premium. We started shifts, Director Bock indicated this week, so we have members of the Streets Dept. that are on-duty at all times, 7 days a week starting now. Like it or not, we know it is going to snow and we need to have our trucks out. I know they're equipped and ready but we'll need to have them out on the road primarily starting with our major streets and hill areas to keep them safe for passage. We are on shift. That shift change will go up from .65 cents an hour to .75 cents. There's a minor adjustment, there's on signal technician who is just .19 cents below the rate for the other members of the other trade members, the electrician, carpenter and we agreed to equalize that rate.

This group of employees does not have the full compliment of city paid benefits. There are city paid benefits, but not city paid provided benefits as they have some coverage through AFSCME and we pay for that. We've agreed to change from the AFSCME vision one to AFSCME vision two plan. I appreciate Councilwoman Jones pointing out the fact that I left an extraneous until in that whereas clause. I apologize. I'm reading it and proofreading it I missed it. It has absolutely no purpose in there and we can strike that out.

This group as I indicated will get an increase in their clothing allowance, clothing and boots and so forth so that it is equal to that of the Parks Maintenance employees. Our point was to try to unify to the extent that we possibly could, the terms and conditions. Same reduction for new hires, starting January 1, 2013. Employee will receive no more than 4 weeks paid time off, after ten full years of service and will be limited to three days of personal time, again starting in that very first year.

We had some issues, this past round of contracts, not negotiations, actually there was no issue with the negotiations, but in the past we have allowed employees and so it becomes a past practice in the bargaining agreement that they could be actually not at work if they were one of the shift assigned employees, not at work for instance on Christmas Day and get paid premium time as well as vacation time for that time. We have agreed that only those individuals who are at work will receive premium pay. We will be modifying some of that contract language. I know that's a head scratcher and it ought to be because it just doesn't make sense where somebody could be working that day and getting paid less than somebody who was off. It is one of those language interpretations or implementation of the bargaining agreement many years past that created that problem. To their credit, the union stood up and said let's fix it. I applaud them and appreciate their willingness to work with us to clean up that language. In this group I'm happy to answer questions.

Councilwoman Scarniench – We see a lot about the uniforms. This is the first time that we're actually going out and supplying the uniforms. Do you have an idea of how much we are saving by taking those uniform allowances away and we provide them?

Director Frey – Our uniform cost depending on the work group, this group had uniforms before. They had to provide the exterior gear, the boots and exterior, Carhart or whatever is worn and we provided the shirts and so forth. It depends on the type of uniform. I think it can be a couple of dollars to \$3 per employee per week but I'm not exactly certain of that. It is much more cost effective for us to supply the uniform and squeeze any allowances than it is to provide for a larger allowance. That probably is not true, one of the departments we provide allowances Motor Maintenance. Those guys have to buy their tools. As you know all of you work on your own cars, that equipment has gotten nothing but more expensive as time has gone on, much more technically complex equipment. Other than that, it is better for us to provide the uniforms. Not only do we know how the employees are going to look, but it saves us some money. In this case this group will get an increase in that uniform allowance but that's getting everything matched up with the Parks.

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

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

Res. 197-2012 (222-12) Correction Officers Union Contract

A resolution authorizing the Mayor of the City of Euclid to execute an Agreement by and between the City of Euclid and the Euclid Corrections Officers Association, as exclusive bargaining agent for Corrections Officers, Corporals and Commanders in the City of Euclid Correction's Facility, to be effective January 1, 2012 through December 31, 2014.

(Sponsored by Mayor Cervenik)

Councilwoman Jones moved for passage, Councilman Lynch seconded.

Director Frey – This one was perhaps, the dynamics here were the most challenging or interesting of any of the negotiations. Before I forget, this one has yet to be ratified by the membership. Much like the FOP agreement, our ability to sign this contract and put its terms and conditions into play will be dependent not only on council's determination this evening, but then a ratification vote by the membership.

Assuming that happens, this agreement would provide a 2% increase for July 1st through December 31, 2012. 2% increase for 2013; 1% for 2014. There is a need for our facility to have correction officers certified on the State required DUI test equipment, the Intoxilyzer 8000. That's the unit we have to use and it requires the operators to be certified for use on that item. We believe there's approximately 8 of the 20 full time officers who are certified on that Intoxilyzer 8000. What we agreed in our discussions with the bargaining unit is rather than any general increase in the proficiency allowance for Corrections Officers, that we would increase the proficiency allowance for those that are certified on the Intoxilyzer 8000. It would just be for those members who achieve that certification. It is because we need to have an officer on each shift, three shifts a day, seven days a week, certified to do that test because if we don't then we have to take the suspect to some other police agency to do it. It is in our interest to have an officer on duty, able to conduct that test. Again, about 8 we think, I'm estimating. That question came to me late today so I don't have a precise answer unless the Chief knows for sure but we believe it is 8 of the 20 fulltime.

Here's the other interesting piece of this agreement. One of the issues we have is a number of correction officers are part time so they're working part time at other positions as well. We have a lot of call offs in the corrections department and it requires us then to double shift officers. Somebody who is just getting done with their 8 hours and we're telling them, not asking them, we're telling them, you have to stay for another 8 hours. One of the ways to combat that is to have the officers who are scheduled to report, report. We've given a fairly low cost incentive to do so and that's for those officers who carry a balance of 1200 hours of sick time, they can exchange those hours they earn, 120 maximum a year is earned in sick time, that's a state law provision for a full time employee. A full time employee earns 120 hours of sick time a year. If they had a 1200 balance they could cash in up to 120 hours a year at \$2.50 an hour. We just didn't pull that number out of the air. In our collective bargaining agreements we will pay out excess sick time over 1200 hours at a rate of \$2.50 per hour on retirement. We used that number from that provision. What it amounts to is a maximum of \$300 a year. If we cause in our correction officers the sense that I have something I can get a bonus, a little bonus at the end of the year for not using my sick hours, it will help our, one it will reduce our overtime and two it will help our stress level of our other officers who can end up working some fairly long hours. This is an issue for the management but it is also an issue for the union. They are very unhappy when their colleagues don't show up because they're stuck. It is not a place you can work short-staffed.

In this contract we are going to provide uniforms. We have provided uniforms, sporadically in the past, they get pretty worn out. The officers are required to buy their own shoes and apparently because of the type of work and surface, you're going to go through two or more pairs of shoes in a year's time. That part of the existing contract continues in there but we are removing the clothing maintenance provision and we are going to provide uniforms through our uniform contract.

This whole cost, this license premium, this sick time bonus for whatever term you want to call it and the cost of providing the uniforms will be offset by the removal of the uniform allowance. It is a very cost neutral provision but we think a better performance driven provision.

New hires in the bargaining unit will be capped at 4 weeks of vacation and a reduction of three holidays in their bargaining agreement for new hires. The same provisions with the healthcare, there will be the \$25 per month increase in the contribution level. This is subject to the union ratifying the agreement. We had this meeting last week Thursday so I didn't even have this information for you Wednesday evening when we met. I'll be glad to answer questions on this.

Councilwoman Scarniench – I will be abstaining from this because it does affect a member of my family.

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

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

Abstain: Scarniench

Passed.

Ord. 198-2012 (214-12) Press Box

An emergency ordinance amending Ordinance No. 32-2011 where the cost to rebuild the Press Box at Paul Serra Field was estimated at \$223,000.00 and the final total cost is \$404,639.89. (Sponsored by Councilperson McLaughlin by request of Service Director)

Councilman Van Ho moved for passage, Councilman Langman seconded.

Director Frey – Thank you for allowing me to explain this. I did send an email, I’m not sure if it got to everybody before the Council Meeting because I sent it out rather late this afternoon. When we had the arson fire in 2010 we spent \$49,000 in clearing the site. That was reimbursed net of our \$10,000 deductible. We were also reimbursed for all of the content of the building, that was not subject to that deductible. Those checks had been received, paid. In addition we received \$147,000 and some change from the insurance company as a preliminary payment on this contract.

When we had our initial estimate on the contract cost of \$203,000 and had the typical 100%, we went out to bid. The contract bid prices as I’ve indicated in my email to you came in substantially higher than the estimate. You asked the question why was that and I think primarily that was because of the few number of contractors that bid this project. It is a small project and we had I believe if I recall, just two generals and we had a single electric and a single plumbing contractor who submitted bids. It just wasn’t a bid enough project.

In small construction you still have all of the overhead costs associated with the project so it drives up the cost per square foot. I appreciate Councilman McLaughlin’s comment about the cost per square foot, it is substantial on this. We did not build it with frills. We did build it, however, to make it fire resistant, so there are no combustible materials in this. We used all masonry, we used a metal roof on this building. The decking is a composite material partly because we did not want to repeat of what happened initially.

All of the project costs save for \$10,000 is covered by the insurance company. I’ve signed the statement of loss after having these prices. To be candid, I should have been earlier to you with this piece of legislation. It should have been before you last spring with these contract prices. We came in, in total, under the bid by a few thousand dollars, not much but under bid by a few thousand dollars. That included one change order that was approved to the general contractor, VIP Restoration for additional work we decided to have done. Every one of these line items came in under the bid price. CT Consultants while I showed it in here in part because we were getting the reimbursement from the insurance company included CT’s cost, that was authorized in a separate piece of legislation and it also came in slightly under the authorized budget. I’m happy to answer questions. I’m glad we’ve got the project done. We should have the reimbursement, the final payment to us should be here before the end of the calendar year. It goes back into the revolving fund. This is not a general fund expense. That final reimbursement should be in the amount of \$257,491.00. I’m glad to answer questions.

President Holzheimer Gail – Thank you for sending the email earlier. Just to clarify, the error was in the initial estimate. The bids were higher. The cost difference is not due to either change orders or over spending what the bid was for. The bids came in under what the bid amount was. The difference was what was initially estimated was off.

Director Frey – That’s correct. Our estimate of the project cost was vastly understated.

Councilman Van Ho – Director Frey, I’m a little lost on how we got past 110% for \$223,000 up to about \$400,000. Can you explain? Did we rebid it then?

Director Frey – We awarded through Board of Control at the \$277,300 for VIP Restoration and \$59,000 for the plumbing work and \$34,600 for the electrical. That’s where I’m saying we should be back to council with this piece of legislation then. I should have been back to you with this piece of legislation in whenever we made the Board of Control award, September 2011.

Councilman Van Ho - I’m just trying to understand the 110% rule.

Director Frey – The 110% rule would mean that we would either reject the bids, or come back to Council and say our estimate was wrong, here’s the price that’s going to take it. The error is one in timing. We had gotten the commitment, we had supplied the pricing information, had gotten the information from the insurance company that they were going to reimburse on those prices. But I should have brought this piece of legislation back to Council then.

Councilman Van Ho – The only thing we’re on the hook for is the \$10,000 of the deductible?

Director Frey – Yes, that’s all we’re paying on this project.

Councilman Lynch – Just understanding the timeframe, the insurance company made it clear to us that even though our estimate was much lower that they’d be able to cover that.

Director Frey – We didn’t give the insurance company the estimate of \$203,000. When we got the bids in, we gave them those bid prices. We said this project is going to cost us this amount and our insurance coverage was a replacement coverage.

Councilman Lynch – So the insurance company doesn’t do this weighing of what sort of threshold from the original estimate to what they’re going to pay now. We gave them the real number once we had it and they were okay with that. If it were unreasonably high at that point in time we would have expected the insurance company to reject it.

Director Frey – That’s right. That’s absolutely the process that was employed here. We sent the plans actually, here’s the materials, the construction plans went to the insurance company for their review and they gave s the go ahead to go forward with the project.

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

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

Roll Call: Yeas: Caviness, Scarniench, Jones, Lynch, McLaughlin, O’Hare, Langman, Holzheimer Gail.
Nay: Van Ho

Passed.

Ord. (211-12) RTA Sportsman Park Dog Park

An emergency ordinance authorizing the Director of Law of the City of Euclid to enter into a lease agreement with the Greater Cleveland Regional Transit Authority to lease a portion of the area known as Sportsman Park, being permanent parcel number 647-09-009, and situated in the City of Euclid for use as a City sponsored dog park. (Sponsored by Councilpersons Jones, Langman, Van Ho)

Councilman Langman moved for passage, Councilman Van Ho seconded.

Director Frey – Good thing it is the last one tonight because I wasn’t sure I’d get through all of those without coughing my way to the end. We had approved legislation some time ago authorizing me in lieu of the Mayor who sits on the RTA Board to negotiate with RTA about establishing a dog park at what we formerly called Sportsman Park to the west of the RTA park-n-ride lot on St. Clair.

Tonight I’m asking for your approval to enter into that agreement. At the request of the Council President, I talked about some of the key components of the lease agreement. We have supplied a diagram of our intention, our intended construction site, which construction is rather minimal. We’re going to be putting in fencing so that there’s a resident area and then two separated areas, one for small dogs and one for larger dogs. We will have access to the Park-n-Ride for our resident’s dog owners to park and it is the parking spaces most conveniently located to where the dog park itself is located.

In exchange for our ability to have the use of that property for a five year period for the dog park, and the parking access, we have agreed that we will provide snow removal and grass cutting. There are some islands, some grass islands in the Park-n-Ride lot that we will cut while we’re cutting the dog park area and our street crew will clear this parking lot for the Park-n-Ride. That’s our lease payment. We also agreed we would provide public messaging for RTA on our message board which frankly we would have done that in any event as another governmental unit.

This lease is for 5 years. It will allow us to extend it on an annual basis. It does give RTA the right to terminate the lease in the event that they have some development project that would require the use of that. Our capital investment is relatively modest here, it is the fencing. We will hope that in future years we’re able to add more than just a couple of picnic tables or benches but also some additional amenities depending on the use of it. I would hope our partnership with our recreation or dog park committee that existed will work with us. We will sign it, we will have the appropriate disposal facility there and the bag dispenser so people can clean up after their animals. I’m happy to answer questions on this.

Councilman Langman – Law Director Frey, five years sounds a little short for approximately last year we allocated \$20,000 worth of capital investment. Why only five years instead of 10 or 15?

Director Frey – This is all the longer RTA would go on an initial term. There is a recognition of an annual renewal. We used this same area as a soccer field some years ago. That lease expired and had not been renewed. Nobody has been using that property. I think if all goes well we can certainly approach RTA much earlier than the expiration of the 5 years to renew for another 5 year term. I don't have any expectation that they're going to somehow expand their Park-n-Ride, but in difference to them, they're not going to want to commit themselves to a longer period of time.

Should we find that we had to relocate, the fencing itself I'm fairly confident, all the materials could be reused, the fencing itself could be re-used, we would just cut the posts and replace the posts at a new location. I don't think we would lose our \$20,000 investment is my point. Used fencing is not the easiest to reinstall but it can be used. We already took the bleachers that were still there and those were refurbished and we're using them at a ball field. I can only say that if I were on RTA's side of this, an initial five year term would seem appropriate to me.

Councilman Langman – Obviously the dog park served several years ago now and has not been active at least 3-4. Do we have any provisions to reach out to recreate this committee because in other communities, the community groups do a great job in taking care of the parks and helping to maintain them and make sure they're in good order.

Director Frey – I'm not sure that's a question necessarily for me. I know that a number of council members were involved with that and I would imagine would be interested in restarting that. I know program director Annemarie Finch in our Recreation Dept. was also involved with that. I think there's a core group that would be quite interested and I would imagine Petpals would be interested in promoting that type of responsible ownership as well. I would imagine the bones are here to get that restarted.

Councilman Langman – I just want to make sure the proper people are collecting the bones, I don't know if you want the Council to reach out or whether Annemarie would do it.

Director Frey – I would ask Annemarie to, but I would ask Council to do so as well. I think that would be appropriate.

Councilman Langman – Other than that, I think this would be a nice inclusion to a project that if you research it is about 20 years in the making. I know at one time Councilwoman Fay Miller and Ed Gudenas talked about a dog park. Then in early 2000 Councilman Gruber and Councilman McTighe were interested in one. We picked it back up in 2008, so I think this would be a great amenity for the community. Although capital investment is tight, I think once you get a community involved, we see in other communities that they will help raise funds to maintain the park. I think there maybe other opportunities as far as sponsorships go that can make it a very worthwhile amenity. I hope people support it, thank you.

Councilman McLaughlin – Mayor could you take me back since all this was prior to my tenure here on Council as to why the decision was made to lease instead of using city owned property?

Mayor Cervenik – The Committee had at one time recommended Memorial Park. With some of the other improvements at Memorial Park Committee, recommended that it didn't really fit in. As the Law Director said we used this property for many years as a soccer field. It sort of eliminates the concern that it could be bothering neighbors as right by Memorial Park was located, Blisswood Condominiums are in that area. With the negligible cost of this lease and the ample parking, the space of the area that was determined that is where we'll go and see how it works.

We've had people actually want to have our parks completely open to walking of dogs and dogs not on leashes. This is our responsible step to seeing how much the dog park is really going to be used.

Councilman McLaughlin – I understand the dog park, I own a dog.

Mayor Cervenik – Barley?

Councilman McLaughlin – Barley's gone, not it is Mae. They kind of look alike. My concern is that in lieu of the budget that we just passed tonight and how I've seen some of our city-owned properties not look so great because we are struggling to mow them. I'm concerned about getting there before five o'clock in the morning to shovel their snow and then come back when it is a snowy day and having to go through that lot. I think it is an added burden to the City and if we had chosen a spot that is already being plowed and mowed by our department, it wouldn't add any work to our already stretched manpower. Any comments on that?

Director Frey – One of the things we hope is in our incoming ODOT facility which will be on the other side of the Park-n-Ride lot, we will get a benefit, a reduction in the amount of snow removal that we have to do with city crews on some of the streets in that area. That the ODOT trucks will accommodate us by clearing some of our streets as they go to their highway routes. That's the indication I've gotten from Director Bock, I don't think it is a stretch to suspect that they will be assisting. We think we will get some benefit from the ODOT, at the same time we have to do this as an in-kind rent.

You're right, we are stretched. Typically the group that would be doing this parking lot would be our Parks Dept. and not our Street guys. We think there will be a trade off if you will.

Councilwoman Jones – I was originally on one of the committees that talked about the dog park, not as far back as Councilman Langman mentioned but around the time of 2008. We did look at a lot of different locations, city owned properties, non-city-owned properties. We weighed them and it took almost a year to go through and evaluate them, site visits and pros and cons for each one. Actually this was not the number one location that the dog park committee chose, it was the Strike Zone location the dog park committee chose. For whatever various reasons, that was voted against.

The Sportsman's Park as this was called, was one of the locations we did look at and for various number of reasons, that wasn't the number one reason. I am looking forward to it opening. Even though I don't have a dog of my own but I do appreciate those that are dog owners to be able to have somewhere to bring their dogs.

A couple of questions I do have is, I know at one time there was talk about a drainage issue over there. Is that still an issue or has that been taken care of? Or is there not an issue? The other question is, I do believe there is but isn't there a water supply at that location as well?

Director Frey – There is not a water supply at that location. We talked about that, a water supply. That would be as Councilman Langman pointed out, that would be an area where some committee supporting the dog park could take a very active role. We talked about that when we looked at this site. If that becomes an issue, then it would be easier for us to fill some sort of dispenser than it would be to pipe to the area. We'll figure that out but that might be an area where a citizen's support group would take an active role in helping to keep that facility, the dogs hydrated. If nothing else, we would have to bring water to the site through one of the city watering vehicles and fill a dispenser.

I know that Mr. Valencic and Mr. Reese were talking about the water issue. In wet season that property is wet, there's no question about it. They're going to look into, there is storm drain there on the site. They're looking at how they might be able to direct a better flow to the drain. The water comes on site from the rail tracks that are at an elevated level behind that. They're going to look at that to see if they can better direct the water flow to that storm drain that is on site and keep it drier. If we add material it will bring up the elevation and keep it drier as well.

Councilwoman Jones – For those that will be using the dog park, will park in the Park-n-Ride parking lot and then walk over to that area. So, at times when there maybe snow on the ground, not a lot but a little, will there be a shoveled way to get there because that's across a grassy spot? Or, is that going to be cleared to get to the gate to get in. I'm looking at the diagram coming around that turn.

Director Frey – They're going to have to walk across the grass. I doubt that's going to be cleared. Dogs probably will love it, I don't know if the owners are going to be as excited but the dogs will love bouncing through the snow. We do have a walkway from the driveway into the area, but we don't have, there is driveway back there for the busses to loop around but likely you're going to be walking across grass to get to that area. Regardless of where we located a dog park, in snowy weather, I don't know, I don't own a dog, I don't know that I would take the dog out to a dog park in the snow. I'm sure the dog would love it.

Councilwoman Scarniench – I have to agree with Councilman McLaughlin. I really can't vote for this. I have a problem with using our manpower to clear that driveway to cut their grass. The other night I was riding around, I have grass that's this high in a lot that we're supposed to cut and it was never cut. I complained about it all summer. Now we're going to go and cut RTA's, I really have a problem with this. Pretty soon we will own the Erwine property, we already own St. Robert's property, we should be looking at our own property, not doing work for somebody else. I'll be voting no for this.

Councilman Langman – Director Bock, assuming that this passes, can we engineer the park a little greener so we keep water out of the storm water system?

Director Bock – The water issues there are not bad as first thought. There are a couple of spots that are low spots that are a little wet but we're going to be able to take care of those relatively easily. The area we place this in was to make it easier for us and cheaper for us to do. I believe there was \$15,000 set aside money-wise for this project that's fence work. The rest of the work will be taken care of internally with our guys. It is not a lot of it. The material we use will be recycling from other projects and other

jobs that we do. It is actually a chance for us to get rid of some material that we don't need to be stockpiling but it is a perfect use for over there.

We picked a spot that was going to be inexpensive to do. Snowplowing this lot and I told Director Frey at the time when it was brought to me, is not a huge issue. I'm talking about in a 4-6 inch snowstorm, maybe I'll spend 45 minutes there with my Building Maintenance Dept., going over with pick-up trucks and we'll be able to clear the snow off. It is not that big an issue. I don't see it as a problem there. I see it as probably the easiest spot for us to build it cheaply. It won't be opened this year. By the time we get the fence up and we do some of the minor stuff, it is probably springtime before we get in there and do anything with it. I don't see it as a huge issue, I think we can maintain it and do it and have little effect on the services we're providing. Obviously any work is an addition, but this is probably the best case scenario for the location.

Councilman O'Hare – What's the timeline, I know going back 20 years for some of the initial thoughts on this. When was the capital originally appropriated and when was the first date on this?

President Holzheimer Gail – Director Frey, do you know when we first asked you to negotiate the lease?

Mayor Cervenik – The capital was appropriated last year and we carried it over to 2012.

Director Frey- The lease, we authorized that last September, September 2011.

Councilman O'Hare – From that standpoint, it is interesting again, I've had dogs, I love dogs, I've gone to a dog park in another city before, once or twice and that was about it. The dog didn't like it and it didn't work out well and that's fine. I know there's people who are very passionate about this. This isn't something that I voted on and it is the gap between when this came up and then where we are now. We have four of the nine people on council who I don't think were involved in this in the first place.

I'm not interested in rehashing the whole thing and yet when we're at the 11th hour like this where it gets down to a lease which gets down to a physical place for it, really that's where we are. I'm not comfortable voting for it. My sense is there's enough support and I'm just willing to go with it that way. In a time when we're stretched so tightly for resources, I could see many other uses being used for those resources.

Councilman Langman – Perhaps we should delay the vote until we have a chance if our newer colleagues have questions about it. I could just tell you from the past we've discussed this in detail many, many times and perhaps we need to do it some more. I'm perfectly happy to wait so that all questions could be answered, more of the history can be described because it has been a lengthy process. As Councilwoman Jones said, we did have citizens committee, an Ad Hoc committee, that spent many, many months looking at various spots and personally I would have preferred that it go into Memorial Park but it didn't because it would have been a lot less expensive. But there were other mitigating circumstances. I would be happy to either table it or pull it until all of our colleagues have the appropriate information. I do think it is a good project and a worthwhile one for our residents. We've encumbered the monies to do it and these are relatively popular throughout the community. Unless we're prepared to release those capital funds for other uses, I think it is a good use of our capital money. I would be happy to table it for now.

Mayor Cervenik – The administration, although I don't speak for RTA directly, and neither one of us have any earth-shattering issue to having this done tonight. In all honesty I thought the administration was doing what the majority of council has been trying to have done for quite some time and that was to experiment and see with minimum expenditure the popularity of a dog park. If more information in needed by this body, we're fine with that, that's okay.

President Holzheimer Gail – More appropriately, why don't we send it to committee so all of these discussions could happen at a committee level rather than on the Council floor. There are a lot of questions about operational issues and we can go through the history. Ideally get some of the residents back who were on the committee to provide their input as well. I'm comfortable with the site, I didn't think Memorial was the best site. We as a council did ask the administration to negotiate this but in difference to my new colleagues, I would rather have you be part of this new discussion and decision and feel comfortable with it going forward if we're going to have it be an amenity in our community.

Councilman Van Ho – I'd like to send it to committee, probably Parks & Recreation to look at. But I also have a comment. If you want to find a reason to stop any project, you can. We have got to start moving on small projects that make quality of life and this is one of them. As far as the mowing, it won't take that long.

President Holzheimer Gail – We merged Parks & Rec with Community Programs. If it is okay with Councilman Lynch we can send it there understanding it won't probably be heard until the end of January. The timeframe isn't as important because we wouldn't be looking at it until spring anyway.

Councilman Lynch – That would be fine with me.

Councilwoman Caviness – I don't say much obviously but I would like to say this in terms of a dog park. I've been as my colleague Councilman O'Hare, I've been there a couple of times, I do own a dog. I don't and I agree with Councilwoman Scarniench in terms of added expense for maintenance. The other this is that when in owning a dog, I see the benefit of walking my dog in my neighborhood for many reasons. One is to get to know my neighbors, when weather is good we can stop and talk. The other thing is visibility. When we're concerned so much about crime in our neighborhoods right now, to be able to take my dog out and have a reason to go out and walk the neighborhood and see what is going on, that's beneficial to me. I don't see so much in terms of going to a dog park. I would like to know how many people actually have been polled to see if a dog park would be useful. How many people would actually go to a dog park. I'm the newest one here, I don't know, I'm not familiar with that. I agree in sending it to committee so I can get more knowledge in this. Thank you.

Councilwoman Caviness moved Ord. (211-12) to the Community Programs Committee. Councilman Lynch seconded.

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

Nay: McLaughlin

Sent to Community Programs Committee.

CEREMONIAL RESOLUTION

Res. 188-2012 (215-12) Library Director Perdzock

A resolution of congratulations for **Donna L. Perdzock** recognizing her outstanding leadership of the Euclid Public Library on the occasion of her retirement after forty-two years of service. (Sponsored by Mayor Cervenik and Entire Council)

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

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

Passed.

COMMITTEE OF THE WHOLE – PUBLIC PORTION

Ms. Rose M. Allen – 26241 Lake Shore Blvd. Holiday greetings to everyone. It is hard to believe that it was 36 years ago that I became a resident of Euclid moving from upstate New York. At the time, Tony Giunta was Mayor and we had council people such as Mike Kosmetos and Tom Meros and Joe Farrell was Council President.

When I came here we didn't have access pretty much to the Lake and I guess I complained enough and continued to hound those council persons that eventually the beach that is there at Sims Park now was created and people now have access to the Lake. A lot of people said people in Euclid don't want to go down to the beach but I'm one person who has lived around water most of my life and wanted to be there. At least something happened.

In October, a week after the Mayor's birthday, I had a major birthday, one of those milestone birthdays. I started thinking about where do I want to place what time I have left. I've come to this Council many times to ask about things and make suggestions to the city hoping that I could make a difference. I'm not sure this is the place for me to continue to put my energy into making a difference. I probably will turn my energy toward something else and right now my major focus will be on healthcare, particularly drug abuse prevention and preventing deaths due to the drug abuse.

I do have a wish list I would like to leave you with as I move into different direction. I do believe the city has a lot of potential but we haven't gotten there yet. We do have some new people on Council who might have different takes on how to get things done or how to allow things to happen.

The first thing I would ask is we have people on Council who don't fall into the patterns of the past where people would rather shoot down the idea because they didn't like the messenger who brought the idea. I hope we have moved past that.

Some of the things I've brought up before and I'm still here, it is hard to believe it has been almost ten years ago that I first talked about wind turbines at this podium after coming back from a trip to Germany and seeing what they were doing there. Well we now have three major turbines in Euclid. We have the Lincoln turbine and the Sopko turbines. From Bluestone Energy park you can see those turbines. I'm hoping we will continue to work hard enough to bring some companies into Bluestone Industrial Park that will start manufacturing parts for turbines so we can have some new jobs in Euclid. It is a perfect backdrop to see the turbines turning when you're standing looking at Bluestone.

I would hope also that we work a little harder on producing a boardwalk and marina on the lake. I still believe it is something that can happen. As before, I brought up an idea of an outlet mall where Euclid Square Mall sits. Down between Dayton and Columbus there's a new mall that went up and it is very profitable even in hard times, that's when people want to save money.

I look at hoping one more thing that I've mentioned before, the empty property adjacent to the Pena building would be an ideal location for a golf dome. The one down in Chagrin Falls, a lot of people don't even know it exists. But eventually some diehard golfers get down to Chagrin Falls and play when the weather turns wintery, if it ever happens this year.

I would like us to look into those things and continue to move the city forward or do some things that will bring new development to Euclid. My final question, I'll leave it as a question is, I know that Pat Kirn is no longer Manager at Briardale Golf Course and I'm hoping that we're not paying the same amount of money to Billy Casper without having a person in the position of manager of the golf course.

On that I will say goodnight, happy holidays to whatever holiday you are celebrating and a wonderful new year for the City of Euclid and that's my Euclid Wish for 2013. Thank you.

Mr. Jeffrey Beck – 25540 Chatworth. I didn't get a chance to look at the agenda until late this afternoon, my fault, I know it came out on Friday. One item that caught my eye was the sale of the home. I had a few questions which I asked but as I sat back there and listened to the presentation, I had several more questions that came up that I was hoping someone on Council would ask, but no one did so I'm going to come up here and ask them. Hopefully we'll have the answers, I know Mr. Beno is gone now but maybe Director Pietravoia or Director Frey will have some of these answers.

One of the questions is it sounds like this house is in pretty bad shape. Does it have an occupancy permit? Can these people move in right away?

Director Frey – It does not have an occupancy permit.

Mr. Beck – Okay so they will not be moving in until the home is fixed up.

Director Frey- Not until they complete the repairs.

Mr. Beck – It was mentioned that down payment assistance money will be used to purchase this home, but from my knowledge of EDCOR there are no funds in the down payment assistance program. There's supposed to be some available, my understanding is February or March timeframe, but there's no money right now. Has that been taken into consideration?

Director Pietravoia – In essence as I understand it, we would structure this as a second mortgage on the property. We would hold that mortgage. It is a paper transfer, there wouldn't be actual dollars transferring.

Mr. Beck – Third question is I know that the City can't take a profit on the sale of a house. Where do we come up with the \$12,500 price point?

Director Pietravoia – I'm not sure about our point on the profit end of it.

Mr. Beck – I was told that we can't make a profit. If we buy a house for nothing and we put \$60,000 into fixing it up, we sell it for \$60,000. We can't sell it for \$80,000 or \$90,000.

Director Pietravoia – Thank you for the clarification, I understand the point you're making. Those were rules that related specifically to the homes that we purchased with NSP funds. Those are federal rules as part of that program. In this case the property literally came to us through the tax foreclosure process, there's no NSP dollars in the property so they wouldn't come under the same rules.

Mr. Beck – You stated the home will take about \$40,000 to fix up. If the purchase price is \$12,500 the last valuation on the property was \$28,000 in 2010. Did they put up a bond for the \$40,000? Or, do they have the cash on hand to be able to fix this property up?

Director Pietravoia – That will be handled through the escrow agreement. This is a fairly standard practice when the Housing Dept. allows a property owner to assume violations. They make sure they have resources to correct all the violations and that's handled partly by the escrow they hold until the improvements are made. There are financial protections in place to first make sure they have the resources to actually do the improvements and secondly to hold part of the funds in escrow so the escrow funds could be used to make the improvements if the owner didn't go forward with them on their own.

Mr. Beck – I'm just curious as to what bank would lend twice the value, almost twice the value of what the auditor says the home is worth in order to fix it up. That sounds like a stretch. If they are involved in

down payment assistance program, that is income eligible too, so it is not like they have a lot of ready cash on hand. Those are my questions, I'm just curious, do we have more houses that will be, I guess flipping in this manner? Do we have more in the works that we're going to be doing or is this just one?

Director Frey – We have made a policy decision that we would not seek through the tax foreclosure process parcels that had buildings on them. This is the only one that I know we currently hold as a tax foreclosure in our land bank that has a house on it. Save for one that just recently acquired but in that case we're going to do the demolition on that house. All we are taking now is raw land.

Mr. Beck – I'm glad these people are moving in. I'm glad that we've got a house being occupied. I just hope they do have the funds or can get the funds loaned to them to get this property fixed up. In this day in age the way banks look at loans, it is going to be tough to get \$40,000 together on a home that's only valued at \$28,000 and that was before the last valuation which obviously everyone knows has gone down.

On that note, I hope everyone has a good Holiday Season and a Happy New Year. We'll look forward to seeing you next year. Thanks.

President Holzheimer Gail – Seeing no other comments, we'll go to Council Members' comments.

COUNCIL MEMBERS' COMMENTS

Councilman Van Ho – I had received an email from East Ohio Gas stating they will be increasing their transmission fees. Is that going to impact our residents?

Director Frey – If it is a delivery fee, that would impact everybody's total gas rate. What we provide is a gas supply rate. It is the natural gas that's burned, that's what we're providing through our aggregation program. There is a Dominion East Ohio component for the transmission of that which we don't control.

Councilman Van Ho – So everyone will get hit?

Director Frey – Yes, regardless of who your supplier is.

Councilman Van Ho – I was reading about \$7 million for housing demolition that is being awarded to Cleveland the suburbs. If the story is correct, it was in the Plain Dealer, that's enough money to demolish 2300 homes. Are we getting any portion of that?

Director Pietravoia – I believe that article was referring to the DTAC funds which we are getting a portion of. We announced it to Council awhile back, we'll get a total of \$200,000 toward demolition here in the City of Euclid.

Councilman Van Ho – To the Police Chief, there was a rumor at Willoughby South that there was a kid going to bring a gun to school. The kids wrote and asked questions about this on the Willoughby Police Department's Facebook. I thought that made pretty good sense because a lot of people both younger and older communicate on Facebook pretty much.

I went and looked on Facebook and could not find any official website or site on Facebook and that is something we can do that will not cost us any money. It will cost somebody some time to put the site together a little bit. I think it is something that would be worthwhile for us to have because of the ability to communicate with the public and put rumors like what Willoughby was confronted with down. Also, you may get some good tips on various crimes and it would cost us almost nothing.

Chief Brickman – You are correct, our lack of use of social media is apparent by looking for it in that regard. We do use it as an investigative tool. I can't really go into a lot of particulars associated with its use. We do have plans and funds available from a grant for redesign of our web page. It is one of our goals for next year and at that point in time we'll look into other technologies that we would be able to use to enhance our services and to obtain information.

Councilman Van Ho – Not just the webpage you're discussing but the Facebook page would be well worthwhile because you'll get amazing communication going back and forth on that.

I would like to say to everybody both here and watching TV. We saw what happened at Sandy Hook this past week and I would just urge everyone to hug their kids a little tighter because they lost 20 fantastic little people. When you hear something like that, don't just assume that it is some nut-ball bragging about what he is going to do and will never do it. Call the Police Chief or the Police Dept. and tell them so they can investigate it. I know purchasing guns, it is not that hard to get a gun in the State of Ohio. There are also people that make a good profit at buying guns specifically to give to people who can't qualify to buy them under the State of Ohio. Let's be preventative. That's all I have to say tonight.

President Holzheimer Gail – I would like to add my condolences to the Telich and Hurley family, also last week Tom McNamara who was a former Euclid Councilman and served as the Euclid Council Clerk passed away. I would also like to extend our sympathies from the city and thank him for his service in the past and extend our sympathies to his family.

Director Pietravoia, this will be your last meeting as Director, so I would like to thank you. I know you're not going anywhere we will still have your energy and enthusiasm and ideas working to help make Euclid a better place but in a different capacity. I would like to thank you for your service and excellent work here in the City. It has been a pleasure and I wish you well in your retirement, although I know it won't be a long retirement, you will be working. You've accomplished a lot over eight years. I want to thank you for that.

Director Pietravoia – Thank you very much. It has been a great experience when the Mayor decided to hire me, I was excited to come back to Euclid because as most of you know we started our family here and we have relocated here. This is now our community and I think I still have a lot to offer and I'm excited about the opportunity to come back and help work on some of the major projects here in the City of Euclid. I want to thank Council and the Mayor for creating that opportunity as well.

President Holzheimer Gail – We look forward to many good things to come. At our next Council meeting we will see new Director Jonathan Holody sitting in that seat, so we welcome you and look forward to equally great things happening from the Economic Development Department.

Also congratulations to Judge-Elect Tim McCormack. Although it maybe Judge now. He was sworn in and robed today at Villa Angela-St. Joseph High School. As many of you know Tim grew up here in Euclid, served as a Euclid City Councilman to get his start and will be serving in the Court of Appeals. We wish him well.

Director Frey, are there other bargaining units left unsettled?

Director Frey – There are, thank you I meant to mention that when we brought these. Two more, both Teamster units. The Building & Housing inspectors and the Waste Water Treatment employees. I have a meeting tomorrow at 2 PM. I was going to meet with them Friday and some nasty bug got a hold of me and I didn't do any meeting except the pillow and the couch. I'm meeting tomorrow at 2 PM.

President Holzheimer Gail – Thank you for your hard work in getting those done. I know it was a very lengthy process. I appreciate your work in getting the four that we had on tonight. I would also like to thank all of the Directors, Mayor, Tom Malone, Director Malone and all the Finance staff for helping to get the budget process completed.

For all your hard work this year, Council, thank you to all of you. I know it is not the end of a term or anything, nobody is going any where. But as we are ending this year, it is a good opportunity to reflect on what we have had. I won't go my full five minutes. It is a good opportunity to reflect on the good things that have happened. When we see the tragedies we get very thankful and I get emotional when I even think about that one. Thankful for what we have and who we have here and the community that we have. I appreciate all of your hard work and effort and of course to Regina. Happy Holidays, Merry Christmas and Happy New Year to all.

Councilwoman Caviness – I would like to take this moment to extend my condolences to everyone at Sandy Hook. I know when I go into some of the school systems throughout the county there are a couple of them where we practice lock down. I happen to be there sometimes when they practice their lock down. No one really takes it that seriously when they scream lock down, everyone is going in the room locking the doors and no one is permitted to go in or out. It is held for a few moments and then everything else continues on. I hope people take it more seriously when we do that from now on because of this situation. I'd just like to say that for one.

I would like to extend a thank you to Mayor Cervenik and also Police Chief Brickman for answering my call concerning the situation at Euclid Central. I appreciate your explanation and when residents contacted me about it, I had something I could say. I don't know what more you'll be able to do or have you been in contact Chief Brickman with Supt. Bell and the procedures you might, do you know anything more that maybe done to prevent this from happening again? The situation with the young man with the gun specifically?

Chief Brickman – I've had no direct contact with him, however our officers with some internal communications have worked on developing a plan for school safety that we think will enhance the safety for the students, faculty and staff at all of the different facilities. We are in the process of getting that together. There are some new techniques that are being taught and a well-trained staff is extremely important if there is any type of emergencies that take place at a school. We want to make sure everybody is trained as well as they can be to try to avoid any type of circumstance of that nature in the City of Euclid.

Councilwoman Caviness – I know going into some of the schools, we do have to possibly in some school systems, go through metal detectors. That holds up everything when kids are coming into school and if they are late they are held up going through the metal detectors. To some extent that gives a different connotation to going to school when you have to do that. I would hate to see that happen but I don't know what else could possibly be done at this point. Thank you again for responding to me.

The other thing is I would just like to mention that Indian Hills had a Holiday Party on Saturday and they celebrated their 70th Anniversary as we know, they received a resolution from the Mayor and from Council at the last meeting. I would also like to say that I have never been to so many holiday parties before and having to commit to going to these parties, not saying oh I guess I'll go. I'm saying yes I have to go, but they're a lot of fun, a real ball.

On that note, I won't use all the time either, but I would just like to wish everyone a Merry Christmas, a Happy Kwanza and a Happy New Year. Thank you and good night.

Councilwoman Scarniench – I should say ditto to everything that you said. Thank you to everybody. Thank you to Donna, she's done a fantastic job as the boss over there for so many years and will be missed but I know she's not going too far away. Also to Chuck Hill because no matter what you needed, Chuck was always there. Just listen to him, he's the Ambassador for Euclid, very deserving of his job.

The Telich family, my deepest sympathies. John Telich, Jr. I've known for many years, his family, Mr. Telich was everywhere. He was part of EDCOR forever, probably believe he is one of the founding members. What he has done with the Veterans is just amazing.

Tom McNamara the same thing. Not only was he involved with Council but he's Mr. Baseball #2, CABA, way back when. I can't tell you how many years ago that was. He and Ed Carpenter bringing kids from all over this country to play softball in our Continental Baseball Tournaments that were here. I can remember washing uniforms back in those days. We volunteered to do that.

Also to State Representative Kenny Yuko, this is the end for him. He's had eight marvelous years and he will be missed. He was always here whenever we needed him. Maybe for the first meeting in January we could have a Resolution for him and hopefully maybe he can come.

Congratulations to our new police officer. I want to thank the Museum for inviting me to their Holiday party. It was a lot of fun and saw a lot of people that I haven't talked to in awhile. To them I want to say thank you. With that, Merry Christmas to everybody and everybody please have a healthy and happy New Year.

Councilwoman Jones – I'm going to start off with wishing everybody a Happy Holiday. Just in case I run out of time, I want to make sure I get that in. Hope everybody has a Happy Holiday, Merry Christmas, whatever celebration that you do participate in, please have a good time and remember the reason why we are celebrating. This is the time of year where it is supposed to be festive and good times, even though this is a sad time for a lot of people. Especially with the events that have been going on in our nation, this is an even more difficult time to get through.

Please remember to do that random act of kindness for someone throughout the holiday season.

Director Bock can you review the trash and recycle pick up for the holiday season when I'm finished? I would like to say my condolences to the Sims family Kim and Lanese Sims on the passing of their father.

Director Pietravoia, can you just give an update since this is your last official meeting as Director, on the mural for Shore Cultural Centre? Can you also give an update on the Euclid Ave. project as well?

I just want to make a comment on the Dog Park and I think this is the closest that we have come to actually getting the dog park in. As long as I've been on Council, this is the closest we've been and now we'll put it back into committee so I hope it doesn't stay there too long. I do understand that there are some who have questions that need to be answered. In my opinion and I've seen some of the people who have been on the dog park committee over the past few years that they keep asking, when is it coming, is it coming. If something is actually started which is where we are now, the volunteers will help to come put it together. It is just that we need to make that commitment of actually doing first. I look forward to having a committee meeting in January to discuss that a little farther.

I'll start with Director Bock, if you could answer the question about the trash and recycling pick up for the holiday.

Director Bock – We will be delayed one day. Monday's collection will be as scheduled. Tuesday, with the holiday we will not be collecting garbage and recycling. From that point on, during the week, we'll be delayed one day with Friday collection being collected on Saturday to complete the week. That will hold true for both weeks.

Director Pietravoia – As we reported a couple of meetings ago when we had the representative from TREMCO here, the mural has been officially donated to the City and we have accepted it through that legislation that evening. Jim Sonnhalter will be taking the lead on that project in organizing both the folks at Shore, TREMCO and other individuals that will need to be involved in determining how to install. The plans are to reinstall the mural in the auditorium at Shore. He will be taking the lead on that project and working on that in the first quarter of 2013.

With Euclid Avenue we had a very productive meeting last week with basically the transportation committee of the planning study. That included the representatives from NOACA, RTA, our internal folks, Service Director Bock and the Chiefs, a number of other representatives that were looking specifically at the transportation proposals along that corridor. Very productive, got a lot of good feedback from those individuals. That will set the stage for a community meeting to be held shortly after the first of the year. The plans were to try to regroup the full steering committee and then the community meeting sometime in January after the full steering committee meeting meets. That's the game plan at this point. Jim Sonnhalter is continuing to manage that project and he'll be the main contact that.

Councilman Lynch – First on the dog park, I just want to say that my disposition since this is a process that has been going on for so long and has failed to see the results come to fruition, is that my disposition is to have a degree of legislative difference to the fact that there has been an ad hoc committee that has discussed this quite a bit. I look forward to the Community Programs committee where we can identify if there are any other major issues and questions and the rest of Council can feel comfortable moving forward. It is my hope that we do see results and we see them quickly.

I also wanted to say thank you to Director Pietravoia for your help in helping me get through the learning curve that a number of new council members have gone through. I have much appreciated your insight and professionalism and you've always been a fast help with questions. I look forward to working with you specifically on E. 185 St. development along with our new Director Jonathan Holody into the new year.

Congratulations to Judge McCormack. I feel a unique relationship to Judge McCormack because I was saying for a few months that I heard I was the youngest elected council person in the City of Euclid, but it turns out that Tim McCormack beat me by a year. I was 26 when I was elected and I think Judge McCormack was 25. I knew I had my father beat by a year, so that was clear. He's really been in everything that he has done politically and now Judge, has really served with honor and integrity and he's a great person to keep carrying the flag for Euclid and now as a Judge.

Finally I wanted to also share my prayers and condolences to everyone who was affected by the tragedy of this last week. Going to be visiting and spending time with my wife and our one year old son over the holidays. Now for me as a parent, I can only, in having a child, I can only begin to imagine what it feels like to lose a child. It is has affected us and touched us all tremendously in a very difficult but in a very beneficial way the response that everyone has really come together. One of the most beneficial insights if you can call it that is really the recognition that all of life has unlimited value. We have so many biases and prejudices towards all sorts of people for all sorts of reasons, but when something happens to a child it really helps us re-evaluate that those biases, to whatever degree we can step back from them, and really start caring about all children and all people and all human beings is really important. With that, I'm looking forward to the discussion our country is going to have about issues of violence. As the country has really come together, it is really exciting to see the framework of our nation in that we're going to have a discussion about the 2nd Amendment and really what that means. We're using the 1st Amendment to figure that out. The first amendment of our Free Speech and Free Expression and practice of religion is really what all of us in our own unique and different ways are going to be pulling on when we figure out what our values are. We took a moment for prayer before our Council meeting today and the nation has really come together. All our different unique backgrounds, outlooks and faiths and have done that because regardless of a person's belief system, a time of reflection is when we really look at what our highest values are and how do those things help us overcome our biases in a way that we really start caring for everybody. I think it is an important task that I look forward to us addressing in a meaningful way. Merry Christmas, Happy Holidays, Happy New Year to everyone.

Councilman McLaughlin – Well said Councilman. Director Pietravoia, boy did I have a stinger for you tonight. I really wanted to make your last council meeting memorable but I bit my tongue and I said no, I'm going to need this guy in the next few weeks to secure that bridge. I don't want to upset him and I'm hoping you have full support from the Mayor and Mr. Holody that you can devote the first couple of weeks in the new year to this project because it is very important and timely that we secure that bridge very early. With that, Merry Christmas everybody, Happy Holidays.

Councilman O'Hare – Well said, you bit your tongue and then you couldn't talk anymore so that's okay. Best wishes, Director Pietravoia and best wishes Director Holody. It is going to be fun and interesting and productive and I look forward to that. Along those lines, we are having a Housing & Building neighborhood meeting on January 9th. It is the meeting we pushed back because of the budget meetings.

We'll talk about Cleveland Restoration Society membership, participation, urban agriculture and some open discussion as well.

Tonight seemed to be an evening for a lot of reflection for very good reasons. Also to talk about long time residents, people who have been around. I want to take just a moment to explain what happened on 12-12-12 besides being the last of those kind of fun, consecutive dates for another 100 years or something like that. It was the 92nd birthday of Mary Schneider, she's a resident of Gateway and has been a Euclid resident for 15-20 years. But she was also my long term neighbor on Huntmere Avenue in Cleveland. The Schneider family, the O'Hare family, it is one of those unique things. They were next door neighbors, we shared a driveway for well over 40 years and that doesn't happen too much any more. Again, Happy Birthday and congratulation to Mary Schneider.

Finally as I really wanted to put on the tie tonight with the Christmas trees and yes it has the cheesy little jingle bells. I didn't wear it because as I started to put it on, I started to think later on going to a Council Meeting, everything that is going on, I just couldn't do it with good reason. So a plain purple tie wasn't even thinking about that and what it relates to. We're here and we all want to do something and we can think and pray and we can pass a resolution and it is all very good, but it just makes us realize how hopeless we are. We can talk about this second amendment and we can talk about other things. Someone said to me early today, just can't understand why a civilian needs a gun that fires 180 rounds a minute. That's three high caliber bullets per second. We can weigh in on a number of different things, but that's one of the issues. People can perpetuate evil violence but it is weapons like that which magnify it and accelerate it to a great degree. That's at least a starting point. You mentioned Councilwoman Jones about moving things forward whether it is a dog park or other things. Yes, sometimes we do need to start with a single step. So this is maybe a single step is addressing this issue. With that, kind of ironically I will say Merry Christmas and happy rest of the holiday season to everyone else.

Councilman Langman – Yesterday I was down at Cleveland Brown Stadium and the Browns put on another rather sorry performance in the second half and lost, but our Euclid Youth Football kids and coaches put on a very nice show at half-time. I'll let Mac Stephens elaborate a little bit because the kids did a great job and it was great exposure.

Mgr. Stephens – Thank you very much. The kids had a phenomenal time. In fact from what I understand even got somewhat of a standing ovation in light of the poor game they had to witness. Ultimately, our kids realized that they were ultimately rewarded for how they represent the City of Euclid. The Cleveland Browns organization, Matt Yunker in particular, could have selected any team in northeast Ohio, but he chose Euclid Junior Panthers. I'm very proud to recognize those guys and they just continue to represent our city in ways that many people don't understand. Thank you.

Councilman Langman – They scored more touchdowns in the end zone than the Browns did. The kids did a great job and I couldn't help think that those kids were not much older than the children that were killed on Friday. It really made people in the stands pause and think because there was a moment of silence there. In this holiday season or at any time and I think we forget this, is that you should take the time to tell the people that you love that you do love them because you don't know for sure how long they're going to be around. Your family, your friends, you should tell them how much they mean to you because life is precious and sometimes it can be snuffed out very quickly. With that, I'll wish everybody a safe and Merry Christmas and a Happy New Year.

ADJOURNMENT

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

Attest:

Clerk of Council

President of Council