

COUNCIL MINUTES

June 5, 2017

The regular Council Meeting was held on Monday, June 5, 2017 at 7:00 PM in the Euclid Municipal Center Council Chamber. President Monroe presided.

Members Present: Caviness, Scarniench, Jarosz, Mancuso, Delaney, Langman, Gorshe, Monroe.

Councilwoman Caviness moved to excuse Councilwoman Hill.

Seconded by Councilman Jarosz. All in favor. Yeas: Unanimous.

Others Present: Mayor Holzheimer Gail, Assistant Fire Chief Anderson, Police Chief Meyer, Planning and Development Director Holody, Law Director Sweeney, Service Director Knecht, Administrative Director Linker, Finance Director Smith, Assistant to the Mayor Kristal Grida, Recreation Director Stephens, Acting Clerk of Council Lovett.

COMMUNICATIONS

No communications.

COUNCIL MINUTES

No council minutes.

President Monroe - Good evening ladies and gentlemen. I'd like to call the Euclid City Council meeting to order for Monday, June 5th and if you could all rise and join me in the Pledge of Allegiance.

Thank you Madame Clerk, can you please call the role.

At this time are there any communications Madame Clerk?

Not at this time.

President Monroe - Councilwoman Scarniench, are in there any Council Minutes?

Councilwoman Scarniench - Thank you Mr. Chairman, move to accept the Council Minutes from April 17, 2017.

President Monroe –

So moved by Councilwoman Scarniench; Seconded by Councilwoman Mancuso

All in favor

Yeas: Unanimous

Thank you.

Next item on the agenda is administration reports and communications.....

ADMINISTRATION REPORTS & COMMUNICATIONS

Mayor.....

Mayor Holzheimer Gail - Good evening Mr. Chairman and members of Council and those joining us in the audience, it's good to have so many people with us tonight. As we do every year, we have annual awards for our Police Department, so I think we will begin with those right away and then I do have some brief announcements but I will turn it over to Chief Meyer to begin the awards.

Chief Meyer – Thank you Mayor, Members of Council, members of the audience, Lieut. Tim Verh will be handling the awards ceremony portion and will begin momentarily here, a little issue, we were supposed to get, we were promised that some of the plaques would be here today and we did not get them today, thought they would be here on Friday when promised today so we don't have them. So we do have some of the awards though.

Mayor Holzheimer Gail - Lieut. Verh, you will need to use one of the microphones, so everyone can hear you.

Lieut. Verh - Testing.

Mayor Holzheimer Gail - There you go.

Lieut. Verh - At this point in time I like to call Ms. Tiffany Smith.

Mayor Holzheimer Gail - If your daughter, is your daughter with you? She can come up.

Lieut. Verh - Ms. Smith, I apologize we do have a plaque for you, it will be here this week and we will deliver it to you. On July 8, 2016 Ms. Smith observed a male in severe distress, unconscious, not breathing. Ms. Smith began CPR and was able to get the male breathing again until Euclid EMS personnel arrived on scene and took over. The male was suffering from opioid overdose ultimately survived because of Ms. Smith's quick actions. Thank you Ms. Smith.

Chief Meyer - Excuse me, Ms. Smith, and I'm gonna stand up. I have some additional words I was the patrol captain at the time, I got it here, and I was the first officer to arrive on scene without Narcan but this individual is in full arrest, full arrest, not breathing was purple through the whole torso up and Ms. Smith was feverishly working mouth-to-mouth resuscitation and was able to bring this individual back from the brink of death prior to Narcan being administered. It was in a filthy dirty parking lot of a gas station, it was extremely hot that day and through her efforts and she was very emotional she was actually able to save a man's life. So thank you. Your nurse the way I see it.

Lieut. Verh - Next I'd like call Mr. Joseph New. Mr. New like to apologize we do have a plaque for you and we will be delivering it here to you shortly. On September 16, 2016 officers were in foot pursuit of an auto theft suspect through Briardale Golf Course. Where Mr. New was playing golf. Mr. New saw the officers pursuing the suspect and chase the male tackling him and holding him until police could catch up and take custody of the male. Thank you so much for all of your assistance Mr. New, and a promise you they are really nice plaques, they really are. I should deliver those.

Lieut. Verh - I'd like to call Officers Alcantara, Sgt. Beese, Officers Catalani, Ellis, Chambers, Schwedt, Frato, Reed, Matthews, Foran and Ferritto. On January 29, 2017, Officers Matthews, Foran and Ferritto responded to reports of two different robberies involving the same suspects. Officer Matthews located the vehicle taken at gunpoint in a vehicle pursuit was initiated. The suspect's abandon the vehicle and after protracted foot pursuit one of the four armed robbery suspects was taken into custody. These officers are commended for their actions. While I have Officer Foran up here, he is also the officer who is receiving the OVI award. He was the Tops for the Euclid Police Department in OVI arrests in 2016 with 43 arrests, but more importantly he was number three in Cuyahoga County. Detective Alcantara, unfortunately can't be here with us today. On May 5 the 2016 Detective Alcantara, off-duty responded to a report with a male with a gun involved in an altercation. Detective Alcantara chased the male through a wooded area

and was able to take the male into custody and recovered a loaded handgun. Alcantara, Officer Alcantara is receiving the exceptional service award this is his third awards of that nature. Next is Sgt. Beese and Officer Catalani on September 10, 2016 police responded to a felonious assault and the kidnapping of a three-year-old child while police were initiating an Amber alert. Sgt. Beese in Officer Catalani located the suspect in Cleveland and after a struggle took the male in the custody and recovered the child unharmed. This is the second time that Officer, excuse me Sgt. Beese has won this award. Next officers Chambers and Schwedt on December 5, 2016 officers responding to an armed robbery of the business. Officers located the suspect vehicle very quickly and took three suspects in the custody and, and recovered two loaded handguns. Officers Chambers and Ellis could not be with here with us tonight but Officer Schwedt is. Next is Officer Frato, I have it here someplace, I really do. Officer Frato is actually receiving two exceptional service awards tonight. Officer Frato was also involved in a, in six illegal handguns being recovered in the month of December alone and since that time Officer Frato recovered an additional 12 loaded handguns. He is doing an absolutely fantastic job and he's commended for his actions.

Next is Officer Reed these are three separate incidents that Officer Reeds being honored for tonight. In one incident Officer Reed suffered severe physical harm and actually ended up spending about six months off work as result. In the other two incidents he recovered loaded handguns and illegal narcotics during the course of arrest and on all three of these incidents were involving firearms by the way. Officer Frantz, Officer Frantz was injured in the line of duty back in June 18 of 2016. He sustained serious physical harm while affecting the rest of the drunken combative suspect. Officer Frantz is still been unable to return to full duty to this day. He is being awarded the injury on duty award. Thank you gentlemen.

President Monroe - Excuse me sir, you're out of order. Sir, you're out of order. Officers, can you please remove the resident. Thank you. Ladies and gentlemen, we have business on the agenda this evening. If you continue to clap you'll be removed from the room, thank you. Excuse me, excuse me. We are in a meeting you will be removed from the room, there is an opportunity to address City Council. It's called Committee of the Whole and it is the 15th item on our agenda. So if you would like City Council to know your opinion or your concerns you can wait until that time. You can come up to the podium and state your name, your address and you'll have five minutes just like everyone else does to address any item that you feel affects the City of Euclid. So with that, and ask Lieut. to continue on with the remaining awards and again if any member of the audience disrupts this meeting they will be removed from the chambers. Thank you.

Lieut. Verh - At this time I'd like to call forth officers Eddington, Ferrito and Krocak. These officers will be receiving the meritorious service award. On nine separate occasions during the year of 2016 Officer Eddington saved the lives of persons overdosing on opioids by administering a life-saving drug called Narcan. No other officer has issued, used this drug go to this degree and save this number of lives. Officer Eddington you are commended for your actions.

Chief Meyer - Excuse me Lieut. That was on nine separate occasions.

Lieut. Verh - I'm sorry on nine separate occasions. On July 29, 2016 Officers Ferrito and Detective Krocak responded to a report of a baby not breathing, unresponsive, in cardiac arrest. The quick response in life-saving efforts by these officers were able to dislodge a foreign object in the infant's airway which ultimately saved the child's life. Officer Ferrito is being awarded the meritorious service, Detective Krocak could not be with us tonight. I'm going to keep Officer Ferrito up here for a minute, I like to call Officer Doyle. Officer Doyle is being awarded the auto theft award. Officer Doyle led the Police Department with three stolen auto recoveries with arrests in 2017 this is the second time that Officer Doyle has received this award in his 25 career year career with the Euclid Police Department. Officer Ferrito at this point in time and like you to call your family up here.

My wife, Katie and my mom and dad.

I would like to introduce Officer Ferrito, he is the 2016 Officer of the Year for the Euclid Police Department. Officer Ferrito is one of our field training officers who consistently performs the

top of the patrol division. He takes an enthusiastic approach to his work and has developed an outstanding skill set in criminal patrol. Officer Ferrito recovered eight loaded handguns, many of which were accompanied by narcotic seizures, often very dangerous felons in 2016. Officer Ferrito is an aggressive police officer whose work ethic, due diligence and determination provides a safer environment for the citizens of Euclid. Officers Ferrito's upbeat positive personality contributes to the positive morale of his fellow officers and it is a real pleasure to work with him.

This is my wife Katie, my mother Randy and my father Allen.

I am Scott Meyer, the Chief of Police of the Euclid Police Department. I'm very proud of this officer and all of the officers who every day risk their lives for the citizens of the city. Every day they show up to work, ready to work. We have an uptick in violent crime, in guns and violence and drugs and these officers will continue to address those issues. Not only will they address those issues, they will continue to positively engage the public, day in and day out. This is their city, this is their Police Department, they work for the residents of this city and they take that they take that to a level that most people wouldn't understand. I couldn't be more proud of this group of officers I couldn't be more proud to be the Chief of Euclid Police Department. Thank you.

The next I'd like to call is John Buling. John is being honored as employee of the year for the City of Euclid Police Department. Many of you may not know John, but John is retired Euclid Police Officer and he actually came out of retirement to help the department out by running the property and evidence room, and I can't begin to express to you, the magnitude of the responsibility that John is undertook by doing so. The security of evidence is critical to securing criminal convictions and John is excelled at this task. He is made or Euclid police evidence room and up to date functional depository by upgrading the electronic infrastructure. Today what I would like to give John the credit he deserves by honoring him as the Euclid Police Department Employee of the Year. John, it is also my pleasure to work with you for the last 27 years here. And with that and like to conclude the awards presentations. Thank you so very much for all of your attention.

Mayor Holzheimer Gail - Thank you Lieut. Verh, thank you Chief Meyer, thank you to the officers and their families and the residents who are here. We certainly appreciate all your hard work and effort on behalf of our community and helping to keep us safe. I have a few other announcements in and some Directors have announcements. I will start with a thank you to the Joint Veterans Council specifically Andy Kiral, Richard Pecnik and of course Chuck Hill, as well as all the volunteers, marchers, participants and audience who sat and enjoyed the parade for our wonderful the 87th annual Memorial day parade. That really was a wonderful tribute to those who have served our country, those who paid the ultimate price, but also a wonderful celebration of our community. I also would like to thank Sherry Zagorc and the people who put together the East 200 Street Stroll. It was a wonderful event this past Saturday. Thank you to Council and a number of city staff for participating and being there to greet our residents and participate in making that a wonderful event. A couple of announcements of events coming up that I hope you will all join us for. Our Annual Wind Festival which will be Saturday, June 17 from 3 to 8 PM at Simms Park it includes as always music on the beach, food, crafts and activities, wind themed activities. We will have helicopter rides, hot air balloon, Lolly the Trolley will be providing tours for around the community to the wind turbines and other Euclid landmarks. We will have zip lines, inflatables and would invite everyone to join us to celebrate this wonderful event. We will also be holding the concerts in the park again this year. On Thursdays, July 13, July 27, August 10, August 24 from 6 to 9 at Simms Park again, you will have the opportunity to hear a band, live band and have food trucks and opportunity to purchase drinks. Our planning is also underway for the second annual art walk. That will be later in September but I wanted to remind folks now because we will have our photo contest as well, so as you're enjoying some of these events and activities around the community remember to take those photos. Fire Chief Haddock I believe has an announcement.

Chief Haddock - Thank you Mayor, members to counsel, and those watching. Just as a reminder that were completing our hydrant maintenance program so we'll be flushing hydrants and we

will be posting signs in the areas that were doing. Should you happen to experience discolored water, run your cold water until it clears. Thank you.

Director Holody - Thank you Mayor, Mr. Chairman and members of Council. The City of Euclid has partnered with Erie Shore Activists to host an Erie Shore Social this Thursday, June 8 from 5:30 to 7:30 PM at Henn Mansion. In addition to fabulous appetizers, beverages and door prizes. Attendees can hear from Euclid Mayor Gail and also Community Projects Manager Allison Lukacsy-Love on the status of our exciting lakefront project. Admission is \$20 for non-Euclid residents and \$15 Euclid residents more information is available by calling 216-544-0031. Thank you.

Director Stevens - Thank you Mayor, Mr. Chair to Council, those the audience. I have several announcements coming from the recreation department, just want to make sure people are aware that our little dancers, new program for ages 3 to 5 begins June 19 through June 29 and that takes place Shore Cultural Center and the center gym from 5:30 until 6:30. Also the regular dance class next session will begin July 10th for ages 6 to 9 we have the rhythm steps and stretch class and then for ages 8 through 12, we offer a ballet class. Also today was the first day for the pools for the swimming pools to open, just want make sure residents are aware that lap swim at Memorial Pool takes place from 6 AM until 8 AM; open swim from 1 until 5 and also 6 to 8. We also offer adult lap swim during the evening hours. I am also still taking registration for Panther Hoops. It is almost filled at this point, but we are still looking for participants in the 11 to 12 age group and 13 the 15 age group and I am looking for about four or five more coaches, so for any people that would be interested in volunteering please contact the recreation department. We are still taking registration for our summer soccer programmer. Our soccer program is offered to ages 3 to 12. That begins the first week of July. Just want make sure residents are aware that tennis lessons for youth and adult have been canceled. So they advertise lessons that you see in the recreation guide, we are not offering tennis this summer. We are still taking registration for tackle football. Tackle football encompasses ages 6 through 11 and also cheerleading. Also we have a couple special events, we have our Youth Olympics which takes place June 24th from 10 AM until 1 PM right here at Memorial Park. This is a free program but preregistration is required at the recreation window here in City Hall, and that will be followed up by a touch a truck is from 11 AM until 1 PM which is also another free event and then lastly just want make sure the residences are aware there are next late registration is next Monday, June 12th. We will have registration until 6 PM. If you have any questions about any of our recreation programs please call 289-8114 option #8 or you can access the City of Euclid website, click on the recreation link, most of information regarding the various programs that we offer are listed there. Thank you.

Mayor Holzheimer Gail - Thank you and I know Chief Meyer was going to announce a couple of our community policing unit events coming up. So I will go ahead and do that for him. The police meet regularly with community groups throughout the community they will be meeting at the Euclid Senior Center for "Cop a Question" on June 8th. They will be meeting with Ward 5 at the Ward 5, Ward Meeting coming up on June 10th. They put on and sponsored the Junior Police Academy which offers our young people the opportunity to learn about policing here in Euclid that's June 12 through June 16th. They will be offering the Police Athletic League Soccer Camp from June 19 to June 23rd, as well as "Coffee with a Cop" coming up at Adam's restaurant on June 29 and Safety Town which is for the Preschoolers getting ready for Kindergarten in July. So if you would like any information about any of those programs, please see our website or give us a call here at City Hall at 289-2700. Mr. Chairman that completes Administration reports this evening. Thank you.

President Monroe - Thank you Mayor, We'll hold the door open for Chief Meyer.

REPORTS AND COMMITTEE MEETING MINUTES

Councilwoman Scarniench.....

Councilwoman Scarniench - Thank you, Mr. Chairman moved to accept the counsel on the Board of Control minutes from May 8, May 15, and May 22, 2017 and the Finance Report from April 2017

So moved by Councilwoman Scarniench; seconded by Councilman Delaney

All in favor.

Yeas: Unanimous

President Monroe - I go back to Chief Meyer.

Mayor Holzheimer Gail - I did the community policing one was or anything other than that... they are worth repeating if you'd like.

Chief Meyer - I'm sorry Mayor, members of Council, members the audience. I do have, all these will be held at the Senior Center on June 5th we have the AARP crime prevention presentation. On June 8th we have "Cop A Question" also at the same location and then on the 10th we have a Ward 5 Community Meeting. Additionally, I wanted to let everyone know that the Junior Police Academy will begin June 12th and the Euclid Pal Soccer Camp begins June 19th. I'll have some other additional of announcements for upcoming events at the at the Council meeting on the 19th but, I also want to let everybody know too that the Euclid Citizens Police Academy, they are beginning to take or will be starting to take applications that will be held September 6 thru November 8 and you can check our website for additional information Thank you.

President Monroe - Thank you Chief that concludes Administration reports. We've already heard the Reports and Committee Minutes. At this time will undertake the Committee of the Whole for the Legislative Matters Only. So this is the opportunity for members of the audience to address specific items that are on the agenda. So if you would like to address, 1 of the 11 items on the agenda you need to state your name, to state your address, state the item number that you are referring to, an state your position regarding that specific item on the agenda. If you fail to do so, you will be called out of order and asked to be sit down, to sit down and again there is an opportunity after the legislative portion of the evenings for residents to address more broad range of issues at the Committee of the Whole Public portion. With that Mr. Litwinowicz, only items on this evening's agenda and if they're not, bang the gavel, okay

Mr. Litwinowicz - Mr. Litwinowicz, Euclid Ohio if you want my address, there's been too many break-ins.

President Monroe - State your address please.

Mr. Litwinowicz - We can continue I doubt it because I stated my address and businesses are being broken into

President Monroe – Okay, Mr. Litwinowicz.....

Mr. Litwinowicz - 21970 Morris Ave.

President Monroe – Item on the agenda that you're addressing.

Mr. Litwinowicz - Stop speaking, I am able to speak right now. Thank you.

President Monroe – Okay, no we're done. Chief.....Thank you.

Thank you Mr. Litwinowicz. Anyone else would like to address any item on the agenda this evening come to the podium. Mr. Litwinowicz I'm going to ask you to leave the room. You're disrupting the meeting. Any other members the audience would like to address any specific item on the agenda this evening? Seeing none. I'll close the Committee of the Whole Legislative Matters Only.

At this time Madame Clerk I'd ask that you call the first matter or proposed legislation this evening. Thank you.

1.) (059-17) Rezoning of Land Bank parcel

An ordinance to amend Section 1 of Ordinance No. 2812, as amended, and the map and map designations, which map and map designations, as amended, form a part of Ordinance No. 2812, as relates to and designates U2 and U4 use districts relative to said property. (Sponsored by Planning and Zoning Commission) (Sent to Council with Recommendation for Passage)

President Monroe - Thank you Madame Clerk.

At this time I'd entertain a motion for passage this evening to be open the discussion of the proposed ordinance.

So moved by Councilman Jarosz; seconded by Councilwoman Scarniench

All in favor.

Yeas: Unanimous

This was a rezoning request Director.....

Director Holody - Thank you Mr. Chairman. Council will recall that the legislation has been approved to sell this parcel to Mr. Bill Azman owner of the nearby_Azman meets property at the time that counsel is reviewing the sales legislation there was a recommendation that this property be rezoned. So that's what this legislation will do. It will rezone this parcel from the U2 residential district to the U4 retail district. The parcels on either side of this property on East 200th Street are both already zoned retail so this will bring the lot into conformity with its surrounding properties. This item was reviewed and recommended for approval by the Planning and Zoning Commission and we would recommend to passage this evening. I'll be happy to answer any questions you may have.

President Monroe - Thank you Director. This is the third reading, I believe we've had our public hearing and colleagues any questions, comments or concerns? Councilman Jarosz, this is your Ward?

Councilman Jarosz - Yes, I will comment, just because it is in Ward 4, this is consistent with what we've discussed. This is the third reading. I just think, my motion to close the debate and move on. Thank you.

President Monroe – Thank you. Any other comments. Councilman Delaney....

Councilman Delaney - Thank you. At the time it was introduced there may be some future plans for the parcels are changes to that?

Director Holody - Mr. Chairman to the Councilman. There have not been any plans that have been decided on although, this will open the opportunity for Mr. Osman to expand his business and that we are hopeful that when the time is right for him to do so he will come back to us and will bring those plans promptly to counsel.

President Monroe - Any other comments questions or concerns? Seeing none. I'd entertain a motion to close the debate this evening.

So moved by Councilman Gorshe; seconded by Councilman Langman.

All in favor.

At this time I'd entertain a motion on the proposed ordinance on the merits of the proposed ordinance

So moved by Councilman Jarosz; seconded by Councilwoman Scarniench

Madame Clerk can you please call the roll?

Yes: Scarniench, Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Monroe

Ordinance Passes.

Madame Clerk, can you please call next item on the agenda?

2.) Ordinance 079-17) Dangerous and Potentially Dangerous Dogs

An ordinance repealing Section 505.37 “Dangerous and Potentially Dangerous Dogs” of Chapter 505 “Animals” of the General Offenses Code to remove breed specific legislation from the Codified Ordinances of the City of Euclid and to enact Sections 505.39 through 505.50 to comport with Ohio Revised Code in the declaration of nuisance, dangerous and vicious dogs. (Sponsored by Councilperson Mancuso)

President Monroe - I believe this is the first reading of this proposed ordinance although, there has been some discussion at the Public Safety Committee regarding the proposed. The concept of the proposed legislation.

So at this time I'd entertain a motion for passage to begin the discussion this evening.

So moved by Councilwoman Mancuso; seconded by Councilman Jarosz.

All in favor.

Yeas: Unanimous

Director.....

Director Sweeney - Thank you Mr. Chairman. As you stated we did have a Safety Committee meeting, it was on May 23rd and we discussed removing Pitbull as a specific dangerous dog from our current code and instead changing it to comport with Ohio revised code since the state legislature approximately two years ago removed Pitbull as inherently dangerous dog and it is based on the dogs conduct and not the breed of the particular dog. At that meeting we also had two persons from on the animal shelter from Cuyahoga County, Deborah Conway and Mindy Titichoni,. I hope I pronounce that right. Deborah and Mindy are both here today if any of the councilmembers who were not at the safety committee meeting and would like to ask any questions of them I had asked council to suspend the rules to hear from these two ladies. Basically that the gist of what they discussed and what we found in our research is even if a pit bull is determined to be dangerous just based on the breed there are experts in different animal persons who can't even determine if the Pitbull is truly a Pitbull and so the better course of action is to treat the dogs and label the dogs as dangerous based on behavior and not because of breed. And again I'm happy to answer any questions or, or Deborah Mindy if you care to hear from them.

Thank you Director. At this time colleagues, any comments, questions or concerns?
Councilwoman Mancuso, the Chair of this Public Safety Committee.

Councilwoman Mancuso – Thank you Mr. Chair. I would ask that we suspend the rules so that my colleagues can ask questions of our two experts from the county. This is the first reading and I know where Law Director has spent a lot of time redoing this very long piece of legislation, so I would like us to suspend the rules and ask questions of our two experts

President Monroe - So moved by Councilwoman Scarniench; seconded by Councilwoman Caviness.

All in favor.

Yeas: Unanimous

So the rules have been suspended, if anyone has any questions this evening. I think it would be probably prudent to do a first reading this evening at least. Do a second reading on the June 19th regular scheduled City Council meeting and then decide if it's necessary to go back to Safety, if there are any questions or concerns. Thank you.

Ladies, just wait there for a minute. My colleagues have any questions? Councilman Jarosz
Thank you.

Councilman Jarosz - I don't think any specific questions for the folks at the podium, but when I watch the Safety Committee meeting, it was definitely interesting. I think what I think we need to get on the record and be clear about actually be little further before we passed such an ordinance is that we are only doing this because it is deemed by the Law Director to be in compliance with State Code. Is that kind of the reason?

Director Sweeney - Not in compliance with the State Code.

Councilman Jarosz - We are not in compliance with State Code and we are not taking this moving the BLS in order to be in compliance.

Director Sweeney - Mr. Chairman to the Councilman and all of Council. Between the state changing their code, to remove the breed-specific designation and there was a case followed the City of Reynoldsburg. The City of Reynoldsburg's code, was deemed unconstitutional because it did also have breed-specific language in their code and the court specifically stated, if I can get that handy, basically stated that any city code that is in contradiction with the state code is improper. Based on the forgoing to refine that revised code chapter 955 and general law an ordinance at issue in this case the Reynoldsburg conflict with state law and exceed Appellee's Authority under the home rule amendment.

Councilman Jarosz - Thank you, I am a dog lover myself, I've had dogs my whole life. I have three right now and they range from 100 pound Doberman to a 15 pound Fox Terrier. Now if you asked me which dog was more likely to take a nip at somebody, I would say Fox Terrier. If you asked me which dog was dangerous, more dangerous it would be completely foolish of me to not say my hundred pound Doberman. Why? Because he genetically designed to be more dangerous. He has very specific traits, that have been bred over hundred hundreds of generations to perform certain tasks under certain heirs I think we be very clear that we when we make comments, like all dogs have teeth and all dogs can bite or I know what dog and it's very sweet. These are anecdotal these are not statistics, these are not facts, and I like to read a couple statistics and if they would care to comment there and welcome to, but I'm very concerned that what we have on our Ordinance is something that's preemptive. We are saying hey we deem these certain types of dogs, you could deem mine the same way. I willing to accept that and say this type of dog a certain level of characteristics which we think are dangerous. Or at the very least, potentially dangerous so therefore we want to take specific measures to ensure that a breed that is inherently a minimum, potentially more dangerous, we treat them a little bit different than a Shiatzu. So here's just a couple things and this is these are no pieces from surgery, annals, these are things from pediatric studies and I just need to get them on the record. Cause if we are doing this to simply to clean up some language these very well-kept real life consequences. I just want us to be aware that. Our data was consistent these are synopsis our data was consistent with others, in that an operative intervention is more time, was three times more likely source with the Pitbull than any other breed. Clinical Pediatrics are data revealed a Pitbull breeds or 2 1/2 more times as likely to bite multiple anatomical locations. Most alarming of these observations and attacks came from unfamiliar dogs that Pitbull were responsible for 60% of all attacks and 63% of all ocular injuries and you can really go on and on and on to where the conclusion was simply stating that attacks by Pitbull's are associate with higher morbidity rates, higher hospital charges, a higher risk of death attacked by any other breeds. Stricter regulation of pit bulls may substantially reduce the US mortality rates related to dog bites. I think what our residents need to hear, because as we had these police awards we saw the crimes a significant issue. And safety is a significant concern among our resident. We are now removing something potentially that was at least a preemptive measure to help ensure some sort of safety and I think if we're going to do it just to clean up some language, I'd like to hear from the Administration what their plan, what their process, what they're willing to do. Because everything that we're changing is once something goes bad then will do it this way. What I think residents need here is what is the city of Euclid doing to ensure that things don't go bad. Thank you.

President Monroe - I don't know if you want to an address that tonight or gather some additional information for the June 19th meeting?

Director Sweeney – Mr. Chair to the Councilman. I did put packets together for those who were on Safety Committee of the animals. The dogs that Ms. Mills declared dangerous and I think there is maybe 30 something I don't have exact numbers and I'm happy to scan a copy of the packet for you so you can review it tomorrow. She declared Pitbull puppies dangerous that were 6 to 8 weeks old and in other she had to declare them dangerous just because they were Pitts or she thought they were Pitts or they may have looked like Pitts and there is nothing dangerous about these brand-new puppies. So somebody still had to go get their dog Microchipped and get think it's \$1 million worth of insurance, and get the 6 foot fence, and get the muzzle, and always taken care of by a person over 18, on a leash in their own yard, and things like that so, not only do I feel legally we have to change this, practically it wasn't working here either, and I don't know if our experts have anything to to add to what I'm saying.

Councilman Jarosz - Excuse me, it's to that point just so you're saying in the City of Euclid the current Ordinance is that, if you have a Pitbull it is declared a dangerous dog.

Director Sweeney - Correct.

Councilman Jarosz - So the City of Euclid only has 30 Pitbull's in it?

Director Sweeney - That we know of. That's also part of the problem.

Councilman Jarosz - I think that's part of, it's all part of what are we doing this. If it's just to be on the books and we're not going to do anything. Then say we just don't have the manpower and the staff to do it so were just getting off the books, because I've read you're the ordinance here. It seems like the police chiefs the one in charge of all this stuff and that seems like an incredibly awful burden to lay upon him.

Director Sweeney – Or, or designee.

Councilman Jarosz – Again, look I think in the end we have to do this because it's State Code but I just have real concerns that we're gonna have a real bad story eventually. I just want that expressed.

Miss Ann Mills - To the Director just to you, that you would reference the notes that we reviewed on the Safety Committee meeting. The dangerous dogs you currently have here in Euclid. Of the 41 that have been deemed dangerous since 2014 only of those were three Pitbulls that bit. The rest were deemed specifically on breed however, on top of those you did have approximately seven that bit that were not Pit since 2014 here in Euclid. Just to give you those numbers.

President Monroe - Thank you Councilman Langman.....

Thank you Mr. Chairman - You know I really wasn't going to speak about this tonight but since I was on counsel when this was drafted. I the opportunity to speak with our former assistant law director at jurors who helped draft of the ordinance then. First of all, the animal control officer is not compelled to declare any Pit dangerous. The ordinance reads at their supposed to evaluate and if they have difficulty identifying the type of dog, they can even bring in a veterinarian. So this is not simply hey, we're gonna paint everything with a broad brush, because the ordinance was crafted with challenges in mind. So I know we have to change it, but it was not designed where the animal control officer must take any action. They're supposed to use their best judgment based on practical facts of each individual case. I know we only have information 2014 but this law was passed in 2006 I can tell you I had a bunch of calls when we first passed it. to evaluate some of these animals, they were not all puppies, okay. So we have to change the law but what we were doing now and then, I think was a very practical compromise. So were embarking on an experiment and I hope the experiment goes well because there are too many instances of documented in the media where these animals have hurt people. So we say that oh well it hasn't really done anything we don't really know that. We don't know how many times at what we did under this current law prevented something from happening. And you cannot know that. So we are experimenting well have to see how it goes and only hope for the best. Thank you Mr. Chairman.

President Monroe – Councilwoman Scarniench and then we'll go back to Councilman Mancuso, Councilwoman Caviness.....

Councilwoman Scarniench – Thank you Mr. Chairman. I appreciate all the work is been done on this by Director Kelley in and Ann Mills and the ladies from the county. We've talked about this for, for many years. I worked closely with Ann and we've had many discussions on this, this ruling and, and we wanted to change this for a long time and I'm glad we've been able to do that, and anyone who was at the Safety Committee meeting heard me talk about my little Sheltie that attacked my husband. It so to me, this all goes to you as the owner are responsible for your animal, and you need to take care of it no matter what size it is. You need to be responsible for it. So I am looking forward to see how this works but I'm in total support of it.

We will go to Councilwoman Caviness and then to Councilwoman Mancuso.....

Councilwoman Caviness – Thank you Mr. Chair - I am also in supportive of this and I know that the Centers for Disease Control decided that they would not even consider BSL because they call it Breedism. I know that there are so many isms out here, but they say that it carries a whole host of negative consequences. I'm in a read some. They said that the dogs go into hiding, rather than give up their beloved pets, most owners will decide not to socialize their dogs. Not to allow them outside because they're afraid that they will be identified as dangerous and they may not be. There not given micro-chipping, they're not given proper veterinary, veterinary care are not spayed or neutered there a lot of concerns about that if we do this. Good owners and dogs are punished. We should really look at how we are educating our owners of our pets.

President Monroe - No, excuse me Chief.... Thank you ladies and gentlemen, ladies and gentlemen. We are conducting business and if you can't follow the rules of this forum, you will be asked to leave. Are we clear on that? You will be given, just like every other citizen is, the right to address this body at the appropriate time. If you can't follow the rules I'm going to ask you to leave. I am trying to do my job and my job is to keep order, okay and we cannot have people standing up and giving outbursts in the middle of the discussion on something totally unrelated to what I believe you are here to speak about. Thank you, you will excused from the chamber, thank you. Chief, thank you. Please you can leave, thank you. You're done. Again, I'm going to say it one more time. Thank you. You can leave. If this group once the clap I will ask all of you to leave at the next outbursts. Do you understand me? It's not fair. We are all busy professionals. We are trying to do your job, we understand, you have something to say. Wait until you're given the opportunity, then you can address. Thank you. Thank you, I believe we were in the middle of Councilwoman Caviness and then we will go to Councilwoman Mancuso, thank you.

Councilwoman Caviness - BSL imparts a false sense of security. That the breed-specific laws have a tendency to compromise rather than enhance public safety. When limited animal control resources are used to regulate or ban certain breed of dog without regard to behavior the focus is then shifted from the routine of effective enforcement of laws and focus pacifically on that breed of dog, and we know whether we say it or not or whether we agree or not dogs all dogs do have teeth. All dogs have the ability to bit. They may not be as severe as with the little 15 pound as opposed to a pit but it is. And that, we have to encourage with education, responsible ownership of our residents in Euclid and I think that that is where we should have a focus. And I don't know whether or not this is appropriate at this time, but I thought about it because the Mayor has a Community Relations Task Force and I think that with this particular issue, I think that could be one of the issues that they look at. One of the first things that they look at. When it comes to community involvement holding a meeting for the community to discuss what they think would be wise and also how to educate our community on responsible ownership. I know a lot of times we have a lot of dogs running loose, untethered. They maybe even walking with their owners but they are not on a leash. So we need to really educate our owners. Thank you Mr. Chair and I don't know if that something that the Mayor would like to answer to now but I think...

Mayor Holzheimer Gail - Mr. Chairman, Councilwoman Caviness. Absolutely that's something we could bring to the Community Relations Task Force. We are just getting that up and running. So certainly, we could see if that something may have an interest in.

Councilwoman Mancuso - Thank you, Mr. Chair. I'll make this short and sweet. The idea behind changing this ordinance and obviously the biggest reason is we have to comply with state law. A verdict in a lawsuit they lost we don't need that type happening here, however the changes that we're making in here other than taking out the breed-specific language besides that every complaint that we yet we still have a committed animal officer who's going to answer that complaint. So we still have the ability to send her out to do the education, with any homeowner. So that anyone who complains she still going to go out now armed with the education that she gave to the Pitbull owners before. Now everybody will get it. So we're by commitment and I trust when she says to me this is what we're going to do. We will continue to see every complaint. That she is now to start doing the education for all the people who have puppies, that somebody is afraid of, for whatever their reason. So while, I would like this to go to a second reading and do nothing with it tonight and I thank our ladies for being here. I'm sure you could have done our Ying to our Yang up here. Thank you. I do believe what we have put into this ordinance the changes that were made, applied to the owners of the animal and their behavior. Dogs may be predisposed. They may not be predisposed. We all have antidotal you're talking to an ER nurse who saw Pitbull accidents, saw them the injuries. I am telling you it is more about the behavior of the owner than anything else and that is what has gotten people into trouble in the past. So I want my colleagues to read through this very carefully, and I think you will find that we are doing more to protect people preemptively and along the way. If you have an animal in Euclid, this is how you are to behave and with that I will ask to close the debate.

President Monroe - Thank you.

So moved by Councilwoman Mancuso;

Close the debate this evening and send this along to a second reading in their June 19 regularly scheduled meeting.

So moved by Councilwoman Mancuso; seconded by Councilman Jarosz

Can you please call the roll?

Yes Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench, Monroe

Second Reading.

Madame Clerk, Can you read into the record the third item on the agenda?

3.) Ordinance (022-17) Western Reserve Land Conservancy conservation

An ordinance authorizing the Mayor of the City of Euclid to enter into a Memorandum of Understanding with the Western Reserve Land Conservancy to undertake a cooperative effort to acquire in fee simple or through conservation easement various wooded parcels of land as identified through target area maps attached at a cost not to exceed ten thousand dollars (\$10,000.00).

President Monroe - Thank you Madame Clerk.

At this time, I'd entertain make motion for passage to begin the discussion of this proposed ordinance this evening.

So moved by Councilman Jarosz; seconded by Councilman Langman

All in favor.

Thank you, Director or Commissioner Beno.....

Director Holody - Thank you, Mr. Chairman. We have an opportunity to partner with the Western Reserve Land Conservancy to bring their considerable expertise and experience here the City of Euclid. The purpose of that is to assist us in acquiring a Woodland Parcels located here in the City for the purposes of land Conservancy. There's significant benefits to maintaining green space with our community. We're consistently hearing that, as part of her master planning. We also know that there are environmental and storm water benefits. So we think

that this is a tremendous opportunity. The Land Conservancy has demonstrated their ability to do this in other communities including a Maple Heights, Solon and most recently, Willoughby Hills. We appreciated the opportunity to present at the Executive and Finance Committee meeting and appreciate the recommendation from that committee to move forward this piece of legislation. Zoning Commissioner, Paul Beno is here as well. He oversees our Land Bank Program and has been the point person in putting this together and he and I'd be happy to answer any questions that you may have.

President Monroe - Thank you Director. So this is the third reading of this proposed ordinance this was as Director Holody mentioned sent to Executive and Finance Committee in the was recommendation for passage. Is there any further discussion this evening? I believe the request that the Executive and Finance Committee was to develop a list of the proposed parcels that would be in order of priority that was circulated. I don't think there's any additional questions, comments or concerns or maybe there is. Councilwoman Scarniench.....

Councilwoman Scarniench - Thank you Mr. Chairman. I will be voting no on this. I understand the work that's gone into it. I appreciate the work that's gone into it, but I had hoped that we would've had our meeting to discuss the capital budget first. There are many things that need be done in this city and I've spoken to Director Knecht about one, in particular that I've been trying to get resolved for the last five years. I have a gentleman that everything falls off his walls because of the way the street is paved, and it has not been fixed. And he was told last year that we would be, that would be the first thing that would be taken care of this year and I had to call them up and tell him there's no money. I can't do it and I hung up the phone and I cried as I was so upset. I can't justify \$10,000 for this. This is no hurry. This is not like there something out there that anyone else is looking at. At some point in the future, when we have the money I would I could say that I would vote for it, but at this time I will be voting no.

President Monroe - Thank you, so noted Councilwoman Mancuso and then Councilman Langman.....

Councilwoman Mancuso - For the, for the audience that may be watching, can you clarify where the \$10,000 is coming from?

Director Holody - Mr. Chairman to the Councilman. The \$10,000 is coming from the endowment fund. Those funds were placed into the endowment fund through the sale of city land bank property. Also in some ways we are taking the proceeds from the sale of our own city property and reinvesting it through the purchase of a green space for a City holdings.

Councilwoman Mancuso - Thank you.

Councilman Langman – Thank you Mr. Chair. I would urge passage tonight. It's always easy to defer out to the future. You know, it's always someday, we have the money and so forth. You can't depend on that. I think this is a worthwhile program and I think we should get started now. Thank you.

President Monroe - Thank you. I support this legislation. I think we will be able to leverage this \$10,000 into a significant acquisition of a number of acres.

So at this time, I'd entertain a motion to close the debate this evening.

So moved by Councilwoman Scarniench; seconded by Councilman Delaney:

All in favor.

Yeas: Unanimous

At this time and entertain a motion for passage.

So moved by Councilman Langman; seconded by Councilman Delaney

Madame Clerk, Can you please call the roll?

Yeas: Mancuso, Delaney, Langman, Jarosz, Monroe

Abstain: Gorshe

No: Scarniench

Ordinance Passes

At this time I'd entertain a motion to excuse Councilwoman Caviness from the vote.

So moved by Councilman Jarosz; seconded by Councilwoman Mancuso

All in favor

Thank you.

4.) Ordinance (064-17) Euclid Square Mall Rezoning

An ordinance to amend Section 1 of Ordinance No. 2812, as amended, and the map and map designations, which map and map designations, as amended, form a part of Ordinance No. 2812, as relates to and designates U4 and U6 use districts relative to said property.

President Monroe - Thank you Madame Clerk.

At this time I'd entertain a motion for passage to begin the discussion this evening with our second reading this proposed rezoning request.

So moved by Councilwoman Gorshe; seconded by Councilwoman Mancuso

All in favor.

Yes: Unanimous

Director Holody - Thank you Mr. Chairman and members of Council. As you are aware, we are actively working with the developer that is interested and working towards the purchase of Euclid Sq., Mall. A key piece of their due diligence is to ensure that they can receive the proper zoning to conductor our proposed use of the project. So we appreciate your support and assistance with that, with regard to this piece of legislation. This does have to be a second reading tonight so that the public hearing can be held on June 19. I'll be happy to answer any questions that you may have I'll just conclude by saying were actively working very closely with this developer and to their due diligence continues to head in a very positive directions so we're feeling optimistic about this opportunity.

Thank you Director. Any comments, questions or concerns? Seeing none at this time, I'd entertain a motion to close the debate debate this evening for the second reading of this proposed rezoning and schedule it for a hearing at the next regularly scheduled council meeting on June 19.

So moved by Councilwoman Scarniench; seconded by Councilwoman Caviness

Madame Clerk, can you please call the roll?

Delaney, Langman, Gorshe, Caviness, Scarniench, Jarosz, Mancuso, Monroe

Thank you. .At this time, Madame Clerk, Can you please read into the record item number five?

5.) Ordinance (075-17) Easement for Euclid City Schools to use Memorial Park area

An emergency ordinance authorizing the Mayor of the City of Euclid to execute all documents necessary to grant a ninety-nine (99) year easement to Euclid City Schools for a portion of Memorial Park for the construction and use of new baseball and softball fields as described in the legal description and easement attached hereto as Exhibit A

President Monroe - Thank you Madame Clerk.

At this time, I'd entertain a motion for passage to begin the discussion this evening.

So moved by Councilman Langman; seconded by Councilman Delaney

All in favor.

Yeas: Unanimous

I just to do a quick recap of how this came about and we are we are at this evening. So at the end of discussion sometime late in the late winter, the school district had proposed certain improvements mainly based on its property located behind the library. As Councilman Langman pointed out, a couple of those proposed improvements would have encroached into the city own property. At that time I believed the school district look to the couple different options for reconfiguring the fields in such a way to both reduce the encroachment but also to maximize the layout of those proposed fields. About two months ago or maybe a little bit longer a proposed land swap was, was proposed by the school district to City Council. There was an Executive and Finance Committee meeting to discuss the concept of that proposed land swap. At this time, I think the majority of my colleagues with were not comfortable with the proposed land to be swapped which was the Old Ben Franklin School and also my colleague Councilwoman Mancuso had indicated that there might be more of a desire to instead of us swapping actual fee title to part portions of Memorial Park to rather grant a 99 year easement for a think it's about 20' x 1100 square foot rectangle which would allow for the fields to be aligned in their most advantageous direction and then after that Executive and Finance Committee meeting I believe the Law Director had received a draft of the proposed easement. She had a couple of comments that were addressed by the school district's attorney and so that's how we end up here, this evening. So with that being said I'll open up discussion. I see Superintendent Smialek is here, Mr. Higley is here. If there's any questions on the school board side it can be just the first reading of everyone's most comfortable or we can have it go for at least another reading but at this time Councilman Langman.....

Councilman Langman – Thank you Mr. Chairman. First time, I'd like make a motion to suspend the rules so that Superintendent Smialek can come up and speak.

So moved by Councilman Langman; seconded by Councilwoman Mancuso

All in favor.

Yeas: Unanimous

Councilman Langman - I say that Mr. Chairman because some of the public that watch our meetings regularly their last encounter with this as you indicated back in February, when we are debating what the schools called plan A. We turned that down. We had plan C and plan L, and then in the papers and on the school website there was another version of it was plan W that's all kind of changed. I think if the Superintendent wants to spend some time, he can kind of explain in his own words what happened in late February and what we're looking at tonight.

President Monroe - Fair enough, thank you.

Superintendent Smialek - Thank you Council President Monroe. After we passed plan W, the School Board, School Officials discussed the fact the Plan W is acceptable. That it met many of our objectives but at the same time it wasn't the best of the best and the best of the best, the best plan for the city the best plan for schools included a segment of Memorial Park that indeed belonged to the city and so we began to engage individual councilmembers in some instances. A couple councilmembers at a time to, to look at a potential land swap as Council President Monroe explained. We explained the current plan that you have in front of you but that would be possible with the easement that you're going to consider this evening and then ultimately again as Council President Monroe indicated, an executive session discussed the advantages again to the schools into the residence. We are trying to create the best possible plan for both entities. We want the maximum amount of usage on our athletic facilities and we also want something that's aesthetically pleasing to our residents. Something that allows for some space between the fields, something allows for the walking trails that we've proposed and that we've discussed and so the plan that is in front of you but does require the easement is the best possible plan it is an improvement over plan W, as we had proposed in the winter. We're very grateful for the collaborative nature of the talks that we had with Council and with all Councilmembers. We're very grateful for your consideration of our requests. We know that there have been many

plans and that this is been a continual evolution but we believe that with this easement we can put forth the best possible plan for all entities. Thank you.

President Monroe - Thank you, any other questions, comments or concerns? Councilwoman Scarniench.....

Councilwoman Scarniench - Thank you Mr. Chairman. I would recommend that we vote for this tonight I don't see any purpose in going three readings there even the two readings I think we've gone over it enough and heard it and I know the School Board is working already on the changes. So I think we should vote for it tonight. Thank you.

Councilman Langman.....

Councilman Langman - Thank you Mr. Chairman. I agree. We should vote for this tonight was kind of a convoluted process that in a way we had to turn down what was originally proposed and kind of start cleaning know that there were a couple different versions and I'm happy that the School Board and School Administration was open to kind of playing around with the layouts of the field. I know that a resident came up with Plan D, and Plan L was out there, Plan C and so forth. All it was designed to see how best we can fit those puzzle pieces so that everybody's concerns can be addressed. I think we finally got there, took a little longer, than I'm sure everybody wanted to. I think this is probably the best we can come up with for the community. Thank you.

President Monroe - Thank you, any other comments, questions, concerns? Seeing none. At this time, I'd entertain a motion to close the debate this evening

So moved by Councilman Jarosz; seconded by Councilwoman Scarniench

All in favor.

Yeas: Unanimous

At this time I'd entertain a motion to suspend the roles to waive the second and third reading of this proposed ordinance.

So moved by Councilwoman; seconded by Councilman Langman

Madame Clerk, can you please call the role as to the proposed suspension of the rules?

Langman, Gorshe, Caviness, Scarniench, Jarosz, Mancuso, Delaney, Monroe

At this time I'd entertain a motion on the proposed merits of authorizing the Mayor to enter into this proposed easement.

So moved by Councilwoman Scarniench; seconded by Councilwoman Mancuso

Madame Clerk, can you please call the role?

Gorshe, Caviness, Scarniench, Jarosz, Mancuso, Delaney, Langman, Monroe

Ordinance Passes.

Thank you Madame Clerk.

At this time Madame Clerk, can you please call item number six on the agenda?

6.) Ordinance (076-17) Sale of 21350 Crystal Ave., Permanent Parcel No. 642-19-0191

An emergency ordinance authorizing the sale of Permanent Parcel No. 642-19-091, 21350 Crystal Avenue for the amount of \$3,275.00 to Frank Dinardo, Dinardo Builders, LLC.

President Monroe - Thank you Madame Clerk.

At this time, I'd entertain a motion for passage to begin the discussion of the proposed ordinances this evening.

So moved by Councilwoman Caviness; Seconded by Councilman Jarosz.

All in favor.

Yeas: Unanimous

Thank you Director.....

Director Holody - Thank you Mr. Chairman, members of Council. The City of Euclid received this property in May 2014 at no cost through the tax foreclosure process. As Council is aware we issued a public request for proposals for individuals interested in purchasing and rehabbing this property. We received two proposals and first an analysis was conducted by a member of my staff and I it was recommended that Mr. Dinardo's proposal, was the best proposal that was again reviewed by the NSP Sales Committee which consists of the Mayor, Law Director and myself. Mr. Dinardo's proposals to purchase this property. He will undertake a comprehensive renovation, address all point-of-sale violations. He's offered \$3,275 to the city. He has indicated that he will sell the property upon completion of the renovation. I'll also note that on the legislation directs the proceeds from this sale to be used to support the Community Improvement Corporation. To fund its annual operating and other economic development activities. The sale of this property will not only return this house to productive use it will also save the city of Euclid further maintenance and carrying costs and demolition costs if that's what thought we inevitably would have to do. So we are recommending approval of this, this evening and I'll be happy to answer any questions you may have.

Thank you. Director at this time I'd open the discussion Councilman Jarosz.....

Councilman Jarosz - Thank you, this sounds great. Just one quick question when a property goes into a tax foreclosure and we assumed title. Are those back taxes need to be paid by the new owner or are those forgiven, how does that work?

Director Holody - Mr. Chairman to the Councilman. The property transfers to us with all of the taxes being eliminated so we do receive title to these properties free and clear.

Councilman Jarosz – Okay, thank you.

President Monroe - Councilwoman Mancuso.....

Councilwoman Mancuso - Thank you Mr. Chair. This is about both this purchase and the next sale sorry. Do we ever look at if people who are purchasing this property, own other properties in the city, are the taxes on all their other properties current, if they are rentals, there rental registration is current or they are registered and that they have no violations in any of their other properties. Is that done before we say you can have this?

Director Holody - Mr. Chairman to the Councilwoman. Yes, it is done. In addition, well in both of these cases these property owners are in good standing with the housing department. We did check their references and their background and found no issues. In addition, they are required to sign an affidavit that indicates that they have no outstanding taxes, in case there is in fact anything out there that we weren't unable to uncover. But in both these cases, these buyers are checked out. They have good track records and reputations from what you are able to uncover.

Councilwoman Mancuso - Thank you.

President Monroe - Councilman Langman.....

Councilman Langman – Thank you Mr. Chairman. In our legislative fact sheet. Director Holody was indicated that this property is not a good fit for the NSP funded rehab and resale. And it also says I don't require significant investment and significant rehab. Can you clarified then why shouldn't we just demolish it, if it doesn't fit that particular program which is designed to do a lot of this rehab work?

President Monroe - Director.....

Director Holody - Mr. Chairman to the Councilman. I think the reason we should not demolish the properties because we have an opportunity, to not only raise revenue through the sale of it, but also see it return to productive use. This is a two family house currently, it's on a street that

is currently surrounded by two family properties. So we didn't feel that it would be a good fit for here for the NSP rehab program, which is a program that requires the property to be sold to a owner occupant. There is a possibility that Mr. Dinardo was able to do that, but it's also possible that the property remains an non-owner occupied. However, we still feel like that is superior to a demolition in that taxes will continue to be paid on the property and I will continue see investment in the property.

Councilman Langman - I would suggest in the future Mr. Chairman that this sort of flesh out the fact sheet that we have a little more analysis. We understand you feel that it would be good and so forth, but that's the subject. I mean, and we've had these debates before but little more analysis on why it's good to preserve duplexes were there are tons of them all over the city and why we don't would be helpful?

Mayor Holzheimer Gail - Thank Mr. Chairman, if I could add. As I shared with council in my update on Friday with Councilwoman Gorshe's involvement, we are recently awarded a grant from the Cleveland Foundation to work with five first ring suburbs Euclid, South Euclid, Maple Heights, Garfield Heights and Maple Heights, Garfield Heights, Warrensville Heights, Euclid and South Euclid with Western Reserve Land Conservancy in part to do housing audit housing inventory. Part of that, part of the new program and what the foundation is funding is a company called Dynamo Metrics. That's exactly what it will provide is it will be able to look at the data, go backwards, go forwards to what does a rehab mean to the surrounding neighborhood. What does a vacant parcel mean in the surrounding neighborhood in terms of home values? So that we can use that tool and how do we spend our dollars the wisest and how do we get the biggest bang for the buck. So I know that doesn't help today but it is an exciting project that were looking forward to moving forward with so.

President Monroe - Thank you Mayor and Mr. Chairman.

President Monroe - Thank you any other, Councilman Delaney.....

Councilman Delaney – Just a quick question. Is the NSP committee a requirement of getting the federal money and what are the stipulations around it?

Director Holody - Mr. Chairman to the Councilman. The NSP committee is an internal policy that was created in order to facilitate the sale of the NSP properties. We received the NSP funding through what was a formula grant at the time so as far as I understand not a federal requirement but a internal policy that we've developed and put in place.

Councilman Delaney - So it's an in-house committee and did you have any bylaws to this committee or any rules? But it's just to facilitate the sale? Would what other things does this committee do?

Director Holody - Mr. Chairman to the Councilman. That's the function of the committee is to review proposed sales through the NSP program. It's designed to evaluate proposals that are being made for NSP properties and approve any sales. It seemed to be a good venue to that this particular sale prior to it prior to coming to Council.

Councilman Delaney – So there's nothing official, it's just you have a meeting on it, basically.

Director Holody - All of the deliberations are conducted in writing and are made part of the folder and the file for each property that's sold so that we can document that the sale went through the proper processes.

Councilman Delaney - So you keep minutes from your meeting that you have. Okay, that's good to know. Thank you.

President Monroe - Any other questions, comments, concerns?

Seeing none. I'd entertain a motion to close debate this evening.

So moved by Councilwoman Mancuso; second by Councilman Jarosz.

All in favor.

Yeas: Unanimous

At this time I'd entertain a motion to suspend the second and third readings of this proposed ordinance.

So moved by Councilman Jarosz; second by Councilwoman Scarniench

Madame Clerk, can you please call the roll as to the proposed suspension of the rules.

Yeas: Caviness, Scarniench, Jarosz, Mancuso, Delaney, Langman, Gorshe, Monroe.

At this time I'd entertain a motion to approve the proposed ordinance on its merits.

So moved by Councilwoman Scarniench; seconded by Councilman Jarosz

Madame Clerk, can you please call the roll?

Scarniench, Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Monroe.

Ordinance Passes.

Thank you. Madame Clerk, can you please call the seventh item on the agenda?

7.) Ordinance (077-17) Sale of Parcel #642-15-008, 21971 Priday Avenue.

An emergency ordinance authorizing the sale of Permanent Parcel No. 642-15-008, 21971 Priday Avenue for the amount of \$1,000.00 to Adrian T. Thompson

President Monroe - Thank you.

At this time I'd entertain a motion for passage to begin the discussion this evening.

So moved by Councilman Gorshe; seconded by Councilwoman Caviness.

All in favor.

Yes: Unanimous

Director.....

Director Holody - Mr. Chairman this property was transferred to us again at no cost in June 2015. Mr. Thompson was the only responded to our request for proposals but we have found his proposal to be attractive nonetheless. The sales price for this is \$1000. Mr. Thompson is a Euclid resident. He has indicated that following the rehab, his son will occupy this property. He will be required to correct all point-of-sale violations and we are recommending approval of this piece of legislation this evening. I'll be happy to answer any questions that you have.

President Monroe - Thank you, Director.

Colleagues, any comments, questions or concerns? Councilwoman Gorshe.....

Councilwoman Gorshe - Thank you Mr. Chair and thank you Director Holody. We've had a lot of back and forth on this and as such about a month or so ago calling me to let me know about this. I did visit the property, I can't believe we're even getting a \$1000 for it but I'll take it. I think that this is what we call a cute little cottage. I think it has some opportunity. I would love to see where it goes from here, because I looked in windows and I see where it's at and I'd like to see the finished product. So if we can maybe be invited to see these properties and we can do that would be great. Having something in such disrepair even previous to June 20 15th in the neighbors are probably ecstatic about it. Also I'm overly excited about the housing inventory is certainly long wait but well worth it we were looking for an angel and we found that we didn't have to come out of our own money for that so looking forward to working really hard on that enrolling our sleeves up on that. So I would ask for the support in the approval and passage of this ordinance. Thank you.

President Monroe – Thank you Councilwoman. Any other comments, questions or concerns? Seeing none. At this time I'd entertain a motion, I'm sorry it entertain a motion to close the debate this evening.

So moved by Councilwoman Gorshe; seconded by Councilman Jarosz

All in favor.

At this time I'd entertain a motion to suspend the second and third readings of this proposed ordinance.

So moved by Councilwoman Gorshe; seconded by Councilman Langman.

Madame Clerk, can you please call the roll?

Yeas: Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench, Monroe

At this time entertain a motion on the proposed merits of the ordinance.

So moved by Councilwoman Gorshe; seconded by Councilman Delaney

Madame Clerk, can you please call the roll?

Yeas: Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench, Jarosz, Monroe

Ordinance Passes

Thank you. Madame Clerk, can you please read the eighth item on the agenda?

8.) Ordinance (072-17) Technical Assistance with Cuyahoga Soil and Water Conservation District

An ordinance authorizing the Mayor of the City of Euclid to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District to provide technical assistance in implementing soil and water conservation measures for the City of Euclid and other such advisory services as needed and agreed.

President Monroe - Thank you. Madame Clerk, at this time I'd entertain a motion for passage to begin discussion of the proposed ordinance this evening.

So moved by Councilman Langman; seconded by Councilwoman Scarniench.

All in favor.

Yeas: Unanimous

Thank you, Mayor/Director.....

Director Knecht - Thank you Mr. Chairman. This memorandum of understanding between the City and Cuyahoga Soil Water District is providing technical assistance in implementing the soil water conservation measures. This will include a review of the storm water pollution prevention plans for proposed development, redevelopment and infrastructure renovation projects. Field review and site inspections of the sites as well as reports are included. Other technical advice on planning issues includes technical assistance on local legislation, protection of sensitive areas, general evaluations of sensitive areas, such as creeks, floodplains, soils, slopes, wetlands, watersheds, woodlands or other unique areas that are planned for development. Recommendations for streambank and wetlands restoration, slope erosion control, small drainage systems and wildlife habitat and enhancements. This agreements is for 12 months. It's not to exceed \$13,000. We have been using Cuyahoga soil and water for several years now, being able to use them is a regional effort with other communities which helps keep our costs down and having this expertise be able to help the city on these measures. I'd be happy to answer any questions.

President Monroe - Thank you Director. Colleagues, any questions, comments or concerns?
Councilman Langman.....

Councilman Langman – Thank you Mr. Chairman. Director Knecht, will this be and as needed basis or will they come in and do sort of an overall evaluation of what we need to be looking out for or what we're deficient in?

Director Knecht - Chairman to the Councilman. This is on an as needed basis as projects or questions come up and we need things answered that they specialize in.

Councilman Langman - So for example we're gonna rebuild East 222 will we bring them in? What, what would their role be in a project like that?

Director Knecht - Chairman to the Councilman. Yes they will take a look at the plans to make sure that everything we're doing on that project is handling the environment properly.

Councilman Langman - But they're not specifically charged with the designing green infrastructure improvements like we had Ch2m Hill do or some of our CSO's, is that correct?

Chairman of the Council - No, they do not do any design they review the plans are submitted to them.

Councilman Langman - Okay, thank you.

President Monroe - Any other comments questions or concerns? Seeing none.

I'd entertain a motion to close the debate this evening

So moved by Councilwoman Scarniench; seconded by Councilwoman Caviness

All in favor.

Yeas: Unanimous

At this time I'd entertain a motion to suspend the second and third readings of this proposed ordinance

So moved by Councilwoman Mancuso second by Councilman Delaney

Madame Clerk, can you please call the roll as to the proposed suspension of the rules?

Delaney, Langman, Gorshe, Caviness, Scarniench, Jarosz, Mancuso, Monroe

At this time I'd entertain a motion for the merits of the proposed ordinance

So moved by Councilwoman Mancuso; second by Councilman Langman

Madame Clerk, can you please call the roll?

Langman, Gorshe, Caviness, Scarniench, Jarosz, Mancuso, Delaney, Monroe

Ordinance Passes

Thank you Madame Clerk, can you please call into the record the ninth item on the proposed, on the agenda.

9.) Resolution (074-17) Termination of the Salt Brine on Streets

A resolution advising the Ohio Department of Natural Resources about the termination of the City of Euclid's use of salt brine on streets maintained by the City.

President Monroe - Thank you.

At this time, I'd entertain a motion for passage to begin the discussion of the proposed resolution this evening.

So moved by Councilman Langman; seconded by Councilman Jarosz

All in favor.

Yeas: Unanimous

President Monroe - Director.....

Director Knecht - Thank you Mr. Chairman. The use of salt brine was approved previously for use on streets in the City of Euclid. Ohio Department of natural resources requires a yearly

report for the amount of salt brine that is used. In the last several years, we have not been using salt brine, as we had switched over to the clear lane salt which stuck to the roadways longer. Salt brine itself is we were experiencing was expensive to apply, it was very hard on the equipment and in the end, a lot of it ended up running off into the storm sewers, which from our outfall testing showed by elevated numbers at the outfalls. I would ask at this time that we pass this legislation to end the use of it on the city streets and I could report that to ODNR then. So we could from this point forward not be required to send in a manual form on it. I'd be happy to answer any questions.

President Monroe - Thank you. Colleagues any questions, comments or concerns?
Councilwoman Caviness.....

Councilwoman Caviness - Thank you Mr. Chair. To Director Knecht, can you just answer a few questions about the financial impact in the legislation fact sheet it states that the use of salt brine requires specialized equipment that was expensive have we seen a savings since we have click changed over to clear, the clear lane salt?

Director Knecht - Mr. Chairman to the Councilwoman. Yes, we've seen an overall reduction in the cost. The salt brine equipment, as I said was very expensive to maintain. In an eight hour shift of applying the salt brine there were many times that mechanics would have to change out either tubing or nozzles on all the units that were out on the road, which delayed those trucks going back out for the next shift. So we have seen an overall reduction in cost by being able to use the clear lane salt over the salt brine.

Councilwoman Caviness - We've been using the clear lane for the last couple of years.

Director Knecht - Chairman to the Councilwoman. Yes, exclusively.

President Monroe - Any other comments, questions or concerns? Seeing none.

I'd entertain a motion to close the debate this evening.

So moved by Councilwoman Mancuso; second by Councilman Jarosz.

All in favor.

Yeas: Unanimous

At this time, I'd entertain a motion for passage the proposed resolution.

So moved by Councilwoman Scarniench; seconded by Councilman Jarosz

Madame Clerk, can you please call the roll?

Yeas: Gorshe, Caviness, Scarniench, Jarosz, Mancuso, Delaney, Langman, Monroe

Resolution Passes.

Thank you, Madame Clerk, can you please call on the 10th item into the agenda?

10.) Memorial Park Community Garden relocation

An ordinance authorizing the Mayor of the City of Euclid to enter into an Addendum to the Lease Agreement that is currently in place with the Memorial Park Community Garden (MPCG) to move their allotted garden space.

President Monroe - Thank you, Madame Clerk.

At this time I'd entertain a motion for passage to begin the discussion this evening.

So moved by Councilwoman Scarniench; seconded by Councilwoman Councilman Jarosz

All in favor.

Yeas: Unanimous

Mayor.....

Mayor Holzheimer Gail - Thank you Mr. Chairman, Members of Council. This as you know the Memorial Park Community Garden has been in existence for several years. They began in on land behind adjacent to the jail, and then were moved over to land just I guess it's, west of the tennis courts, next to the tennis courts. This winter I believe it was the Memorial members of the Memorial Park community garden came to us and requested that they would move into the unused volleyball courts, sand volleyball courts. As you know which is just adjacent to that. From we had several conversations with them and decided that it did make sense. The volleyball courts as you know have not been used for many years. Several years ago there were several attempts to try different programming to see if there was interest in sand volleyball courts. The sand volleyball courts still exist at Briar Dale. There are two courts over there that are available for both youth and adults. So the sand volleyball courts in Memorial Park sat unused and I think to everyone's eyes were unsightly. The Memorial Park Community Garden it's an advantage to them because it's fenced in. They won't have people walking through and bothering or taking their products. It also helps us clean up that area and I think if we are able to move forward with the tennis courts. It would then also allow space for the equipment to to redo the tennis courts. So I apologize that Council was not part of those earlier conversations, that we are bringing this forward to you at the request of the Memorial Park Community Garden. I do believe there are members in the audience who can speak to their needs and their interest in being in the sand volleyball court, the former sand volleyball court area instead and will be happy to answer questions but the lease, the only change to the lease would be the movement from their current location to the inside of the sand volleyball courts the old sand volleyball, the unused volleyball court. So I don't know if you wanted to address the addendum in any way or lease questions or we will be happy to answer questions.

President Monroe - Thank you Mayor. Any comments, questions and concerns? We'll start with Councilman Delaney, then Councilwoman Gorshe. Councilman Delaney.....

Councilman Delaney – Thank you Mr. Chairman. It's interesting how, first Mayor I'll accept your apology. I consider the legislation at this point, kind of patronizing because the Community Garden moving forward with deliberate speed. They did have established themselves on the other side of the street and with plans that were being proposed the jail might expand, so they were asked to move on the other side of the street. There was public meetings. I was on the rec commission, the community garden leadership brought that forward we met on it. We discussed it, vetted it out all those questions were asked and answered the soil is completely in-appropriate. It's fill, a lot of clay and rock. There is a lot heavy traffic over there because of the close proximity of the condos there. We asked those questions about people picking their produce. We gave them open opportunity to take a clean slate and ask about everything. The use of public land is something we have to take very seriously, no matter how small, no matter what location. I don't think it's been taken very seriously over there from the comments I've heard about just the investment of what those sand volleyball courts are. When we make our decisions we spend that money just as Councilwoman Scarniench brought up about the capital, the capital pot being empty the residents of this town invested in that infrastructure for sand volleyball. It's up to you to carry that off. Make sure their programming goes on there. Yes, we did build courts, sand courts by sticks in order to avail that that the atmosphere to the 20+-year-olds that found it more fun to go play sand volleyball recreate an old directory however the sport has grown exponentially as you know. The Ohio High School Athletic Association has a men's varsity volleyball playing this board is not going to shrink it's going to continue to gro. We should be aggressively marketing and pursuing all of the areas that the residents have facilitated us to be able to take this in. Some of the comments, if you go back and look at those rec commission meeting comments on we said, it's probably less than ideal place. It is a very heavily trafficked area, it is a very active part of the park. There are so many programs going on there. We have actually zoned agricultural space at St. Roberts we have many, many, many feral lots around this town. There's virtually, you know as far as picking anywhere for community garden there are so many other places that would probably be ideal. I just think that when we consider our process and how, why we come here the first and third Monday of every month, and we pass law and we change the law and we accommodated the law for that community garden. And then to go sit down have a meeting and expediently say oh it sounds like a good idea. Consider the legislation

we had today about Memorial Park and how much we scrutinized the school project. How much did we make sure that there is a great compromise there. I have heard from many, many people about how happy they are that we preserve that wooded area and that we decided to keep those trees and the schools are going to be able to deliver a product their quite proud of. And that came through having all bodies of government involved and we went through that process. This might be a smaller parcel, you know what it's important because it's a gateway to the park. So many people go there and this is the first thing they see. Now, you talk about aesthetics and you talk about it not being used. We should've used it. The parks department should've cleaned it up. Right now it's about 2 feet of compacted sand. The sand didn't go anywhere. It could be used again. It doesn't need to be reinvested. Those fences are not for fencing in produce. Those fences are for kids that hit and dig volleyball, so it doesn't fly all over and it wasn't cheap. These are the things that concern me about these arbitrary decisions they come up. No one has brought it from counsel. I've said over the years, other councilmembers have said it over the years. Try to reestablish that it shouldn't be hard. It's about reaching out. It's about marketing, it's not about waiting for the phone to ring and if you go out there and you find these groups and bring them to the city were all better for it. So I'm gonna vote no, because I'm gonna vote no, because I believe in the process we have. I believe in the way that we make laws and we have to go through that before we change how were going to take care of the public's assets. Thank you.

Councilwoman Gorshe.....

Councilwoman Gorshe – Thank you Mr. Chair. Director Stevens... about a year ago I believe, I asked some statistics on the sand volleyball club court that is located in Briardale and I didn't bring it with me tonight. Do you recall how many teams were there coed, men's, women's? Can you give us a little overview on that?

Director Stevens - Mr. Chair to the Councilwoman. Offhand, I don't know the exact numbers but I can provide a somewhat of a timeline. There's been a lot of effort made into marketing sand volleyball offering different levels from youth to adult. And it became apparent throughout number of years that instituting sand volleyball courts in Briardale made sense and it wasn't just for the purpose of adult volleyball. But for anyone that was interested. In fact we've had adult and teenage volleyball and preteen volleyball at Briar Dale. But 2010 on the Euclid High School volleyball coach was running an indoor camp. A very successful camp. So we decided to try to determine how we can set up a youth sand volleyball program since the high school camp was already in place addressing a middle schoolers and high school age kids. And we went back and forth and eventually in 2012 we, the recreation department, we initiated instructional coed sand volleyball at the courts right here in Memorial Park, in May 2012 participation levels were extremely low but we went forward hoping that eventually, it would catch on. 2013 we tried to expand to a 4 x 4 sand volleyball program. Two years in a row we do this with the participants varying in ages 8 to 14, unfortunately we couldn't get enough kids in any of those age groups to create a way even buy trying to bundle the age groups together. We reached out to various recreation departments throughout the east side to determine if anyone would be interested in collaborating with us. There just wasn't any interest. 2014 we offered free youth sand volleyball clinic for ages 8 thru 14. We offered referee volleyball, referee training, we are also offered to youth sand volleyball league from June 14 through July 19 for 14 youth and 12 youth for \$100.00 per team and didn't get enough registrants to make that successful. Then in 2015 the high school coach reached out to recreation department to see if they could utilize the sand volleyball courts that Briar Dale and I believe they tried former a league with Garfield Heights and Bedford but it didn't last beyond the summer 2015. Mainly because of a lack of interest. And then I believe the high school, currently went back to a indoor program I know the high school coach is very successful in reaching out and making a program work with in the elementary schools as well I believe that they seem to be very successful but only from an indoor perspective. So we tried extremely hard to market sand volleyball to the youth participants it's even been difficult to our adult participants. But I will say we revived the adult sand volleyball program by moving into Briar Dale because the adults prefer to eat and have a few drinks after games or between games and things to seem to work over there.

Councilwoman Gorshe - Thank you. I have a couple more questions if I may. Does the sports plan with that new proprietor there, is there sand volleyball offered at that facility?

Director Stevens – Yes, at the Neo Sports Plant, Roger Smith provides four indoor sand volleyball courts. May also offer about 6 courts of indoor volleyball on the basketball/volleyball courts.

Councilwoman Gorshe - They also no longer drive precinct and they do serve beverages there as well correct?

Director Stevens - That is correct.

Councilwoman Gorshe - I remember a few years ago you brought a young lady in who had an interest in starting tennis here, and I think that was just a couple years ago maybe more than that. Where's the desire for tennis? How is that increased or decreased? What's the appetite?

Director Stevens- Mr. Chair to the Councilwoman. Tennis, is I think there's a desire. There's been a desire by outside groups to really make this work here in the City of Euclid but unfortunately our tennis courts are not playable.

Councilwoman Gorshe - Everyone's talking about pickle ball. Some of my friends who vacation in Florida, at their summer home, talk about it and I don't understand a lot about it but there's a desire here... is the buzz goes on. That's all I know about the sports and thank you for refreshing our memories on that. When this lease was crafted several years ago, for four years in a five-year lease or three years in a five-year lease, I remember there was a different management or board at that time and I believe that the turnover in members or other board. Some of them started with that lease are no longer here, I remember myself and Councilman Langman were called because they were very upset that they were being asked to leave the area by the police station and moved as it was the beginning of their growing season. So we disrupted that, at the time. So we moved him over there we administered with then Mayor Sevinick this lease and I'm I'm not so sure but it is kind of an eyesore especially having that wonderful basketball courts across the way that Tom and I watched some pickup games are. Some really good ball going on there. I believe that the community garden has their produce in raised beds is that correct? So they are not using the sand? I think it's all for now I just want to clarify some of that and then maybe someone could talk about why they wanted to move other than inside and you know how this kind of came to be. Just kind of getting some history so we can go forward. Thank you very much.

President Monroe - Any other comments, questions or concerns? Councilman Langman then Councilwoman Caviness.

Councilman Langman – Thank you Mr. Chairman. I would suggest that whichever's more expedient from a legal standpoint we make this a first reading and then we can discuss and perhaps Councilman Delaney's committee for formally send the piece to his committee for discussion. I happen to agree with some of my colleagues comments about the process it wasn't a very good. This was kind of sprung on us and also give the opportunity for the community garden group to actually, I don't want to spend all night going over something that we should've had clear heads up on. So I think it committee discussion is warranted for this matter that way we can discuss it in depth and make sure that the process going toward for whatever else you consider is a little smoother. So for Law Director Sweeney... can we make this a first reading and discuss in committee or we have to formally send it there?

Director Sweeney – No, we sure can, we can but if we're going to refer to committee then I would refer to committee and maybe have a meeting fairly quickly.

President Monroe – Well, the Parks and Rec Committee, I believe has scheduled a meeting on June 12th at 630 in this chamber. So if there's appetite that might be a good meeting put that on the agenda as well. Before we do that Councilwoman Caviness has a comment, but you want to finish up.

Councilman Langman - I was just gonna say Mr. Chairman, and I don't want to step on my Colleagues time but I will make a motion to send this piece to Councilman Delaney's parks and rec committee for discussion next Monday

Thank you Councilwoman Caviness.....

Councilwoman Caviness - And I will second that then. I'll second that motion because my comment was the fact that I would like to have more discussion. I would like to hear from the community garden participants to find out why they would like to move, what were some of the reasons, if they were violated in an area where they were, etc.?

So motion made and seconded

Madame Clerk, can you please call the roll to close the debate this evening and refer this to the Parks and Recreation committee for hearing on June 12 at 6:30 PM.

Yeas: Caviness, Scarniench, Mancuso, Delaney, Langman, Gorshe, Monroe.

No: Jarosz

Sent to Parks and Recreation Committee.

Thank you, Madame Clerk, can you please read the 11th item on the agenda?

11.) Ordinance (080-17) Lakeshore Boulevard Pedestrian Crossing

An ordinance authorizing the Mayor of the City of Euclid or her designee to enter into agreement with GPD Group, 5595 Transportation Blvd., Suite 100, Cleveland, Ohio 44125, for design engineering and project management for the Lakeshore Boulevard Pedestrian Crossing project in the amount of \$21,500.00.

President Monroe - Thank you, Madame Clerk.

At this time item entertain a motion to begin the debate this evening. This is a first reading of this proportion ordinance and I see Councilman Langman is smiling and he's going to move to begin the debate.

So moved by Councilman Langman; seconded by Councilwoman Mancuso.

All in favor.

Yeas: Unanimous

Mayor/ Director.....

Director Knecht - Thank you Chairman, as you said this is Councilman Langman's, one of his strong points that he's been trying to get this to move forward for some period of time. We applied for a Safer Routes to School Grant last year. During that process, ODOT had taken a look at this crossing we had asked, we had propose during that application to put a hawk signal at that location. ODOT had come back and told us that a hawk signal was not the right type of signal for a 5 Lane Hwy. and a mid-block crossing. At that point they offered to send this to their safety department in Columbus which took a look at this and came back with the recommendation of doing two separate crosswalks, near the bus stops by 242 and Lakeshore Boulevard. Along with those crosswalks would be medians were there would be a pedestrian refuge area, so they could stop halfway across. So they would not have to cross five lanes of traffic at one stop, as well as rapid fire beacons to alert drivers that there is pedestrian crossings as well as signage. I would be happy to answer any questions.

President Monroe - Thank you Director. Councilman Langman.....

Councilman Langman - Thank you Mr. Chairman. Director Knecht, mentioned I've been trying to get something done there for years and years when it was War II and was split between a seven and five colleagues who worked five or try to get something done. So is this cheaper than putting in a traffic signal? Which everybody wanted to see over all these years?

Director Knecht - Chairman of the Councilman that intersection does not warrant a traffic signal ODOT had taken a look at that, and it is in their eyes it was not a warranted intersection for a signal. That's why they came back with this recommendation for the crosswalks.

Councilman Langman - Just as some background as Mr. Chairman and for the folks watching, and the audience. This is how our government works sometimes, slow and convoluted and it

doesn't necessary make sense all the time. When I first was elected, just before then, they had taken out traffic signals, at I think this narrative is actually wrong at 244, 246 and 255 because those signals were not warranted. Because they removed those signals the folks that live in the apartment high rises, were expected to go down either 238 or 250 to cross the street. Well that's just not rational. If I live in what was Americana, or Horizon House or Harbor Crest, Waters Edge and I need to pick up something, I'm going across the street right there. So we've been trying to since that time to come up with a solution to make that crossing safer. My preferred alternative was traffic signal and back then in those early days we thought hey, we're gonna have a marina and we're gonna need a traffic signal there. Well were not quite there yet, so it's been a struggle to get this done, and in fact we passed out petitions onto 242. If folks wanted something done, we passed that along to the State. Lakeshore Boulevard is a State Route, so ODOT has some control over what happens there. We had meetings with ODOT officials and our then State Senator, Nina Turner our then State Representative, Ken Yuko, represents from ODOT, this was 2011 and here it is 2017 and they finally come through. Should not have taken that long by any stretch of the imagination, but I can't tell you how pleased I am able see this progress finally happened because it has been a very long time and unfortunately we had, had pedestrian fatalities in that general area for people trying to cross and not being able to make it thru. So happy that we could do this. Mr. Chairman I recommend that we waive the three readings. I'd like the passes tonight so that we can execute the contract. Get GDP in here to engineer that improvement as soon as possible and I think that was it. Yes that was.

Okay Councilman Langman, thank you Councilman Delaney.....

Councilman Delaney - I've been here since 2001 when Councilman Langman had been asking for that crosswalk and if you're happy, I'm gonna can say congratulations. He's gone through about 15 Service Directors, three different Mayors, and hundred Councilmembers. It's finally here today. I know it's kind of mundane and it's not very dramatic but he really has had that of the front burner for 15 years, thank you.

President Monroe – Any other comments, I just have a couple Director. These raised, will these islands, these refugee islands be raised medians and if so how much are they can be raised from the pavement and will they be paved or bricked or what?

Director Knecht – Chairman. Yes they will be raised. They will be 8 inch raised. They will be made of concrete.

President Monroe - 8 inch raised, did you say?

Director Knecht - 8 inch raised, the reason for that is a raised median tends to calm traffic. When people see a reason for raised median they do tend to drive a little bit slower and take notice instead of speeding through an area where it's a wide open roadway. That is one of the issues that we do have in that area, is there is a lot of distractions as you drive through there. Between businesses as well as the high-rises, residence and it can be a very distracting area for drivers to go through is there is so many things going on through that stretch and something that you hopefully in the future is, is a we work on the lakefront there will be more things going on in that area and this should help take that traffic and slow down through there a little bit people to pay attention of the pedestrians in that area.

President Monroe - Police and fire, any concerns? As I know the safety vehicles use the turn lane occasionally, does this concern either of you?

Chief Meyer - Council President to the Council and members of the public. No, it isn't and obviously with the with the traffic control devices as far as the lights that obviously as the Councilman knows, that's the, the State mandates where we can and cannot put those. They made us remove, those lights we had some years ago, but I would like to see something like this so that we can get folks safely across the street.

President Monroe - Thank you and then Mayor, this these funds are coming from the general fund reserves?

Mayor Holzheimer Gail - I did want to just make sure Council was aware of that this money is coming from the general fund it was not budgeted so it will require a budget amendment when

we bundle budget amendments we did feel it was important and Councilman Langman and Councilwoman Mancuso agreed. Hopefully we won't as we typically do, do not spend everything we plan for but this will most likely require a budget amendment at a future date. And I do want to just acknowledge Director Knecht, so for many years we have been working towards this he continues to find solutions to many problems every day and so I do want to acknowledge his hard work and his partnership with ODOT that helped to make this happen.

President Monroe - Thank you and I just was looking at our packet the budget receipts are coming in pretty well so we should be within 1 to 2% of estimated revenue which would support this proposed expenditure. Any other further discussion?

Seeing none. I'd entertain a motion to close the debate this evening.

So moved by Councilwoman Scarniench; seconded by Councilwoman Mancuso.

All in favor.

Yeas: Unanimous

At this time I'd entertain a motion to suspend the second and third readings of this proposed ordinance.

So moved by Councilman Darrell Langman; seconded by Councilwoman Mancuso.

Please call the roll.

Yeas: Scarniench, Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Monroe

At this time, I'd entertain a motion on the merits of the proposed ordinance.

So moved by Councilman Langman; seconded by Councilwoman Mancuso.

Madame Clerk, can you please call the roll

Yeas: Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench, Monroe

Ordinance Passes.

Thank you Madame Clerk.

Okay and that concludes the legislative portion of the evening. This brings us to the committee of the whole the public portion. I'm going to read portions of the Euclid Codified Ordinance, Section 121.18. Says counsel shall go into the committee a poll at the regular meetings pursuant to the order of business for the purpose of encouraging public participation in addressing Council in the ministrations, advocacy by members of the public for political candidate is prohibited but advocacy by members of the public for or against a political issue is permitted. The public shall speak to legislation on the agenda and to the good of the city but no person shall speak for more than five minutes on either matter. Person speaking shall remain polite and courteous and at all times respecting the office being addressed in the decorum of the meeting, vulgar or foul language in public remarks tending to embarrass or humiliate or are which are personal in nature are at all times out of order. So that's where we start, we have couple rules this evening. So the first is, you need to come to the podium, make sure the little green light is lit, state your name, your address, and limit your comments to five minutes. Thank you.

COMMITTEE OF THE WHOLE THE PUBLIC PORTION

Christopher Michael - Christopher Michael Litwinowicz, 21970 Morris Ave., Euclid, OH 44123 While Distribution LLC, 21970 Morris Ave., Euclid, OH 44123. To the Chair, to this Council, to this newly Mayor elected, you need to hire a Sgt. at arms. We have a police officer, fits the description that's standing in the back. I remember years ago it was always right there. Second issue, Police Chief, need your presents to accept this, this is a referendum petition or the city auditor is fine. This right here is a referendum petition on what is public knowledge of the ordinance, it's on their. Right now gives us 30 days, you guys just did a second reading on number four. So now is not to be on in two weeks. We have 30 days to fill a petition if we don't fill that I can come back on and we got 30 more days to refer. Game on, okay. For the understanding to all the residents, to all the administration, to the current President of City Council and Council. State of Ohio 1851 rights to assemble; anybody that comes in this building has the right to assemble. Today at my house, I watched and heard an outburst, after outburst, after outburst. No disrespect to the Superintendent. He is well respected but Mr. Langman, the next time that you oust and give somebody the opportunity to speak I would have did the same thing for that resident and gave him one minute to speak that if he wasn't quite enough, then go out. There's a lot of tension Mayor and police and the violence ended around the death of an individual. You as the Mayor is the Chief Executive of that and I urge you the next time someone outburst that you use your power and elect to let them speak. No disrespect. These citizens have rights these people are residence in this chamber, watching on TV, on government access has rights. A referendum petition 2812 for Euclid Square Mall, rezoning. My question is on your agenda today there was also a 2812 is that all the entire Euclid Square Mall that already has a so and tomorrow I need to refer that ordinance too. We will be talking. Mr. Director economic director how we still looked at the possibility of somebody putting \$250,000 a 2375 15% is 10% are put up 15% you put up is is the funding as right now and you can use the time after my time to comment do we have to talk about the ability of \$1 million so that to me as it is \$25 million SBA loan and if not him and asked to proceed in a civil lawsuit because the opportunities have not been given properly. We'll talk about that later. On Police Chief city City Council, City President, Mayor routine police in each ward left I mean I understand you know we got to use some of that. If a cop car and coming down my street three times a day. Something wrong, and also as standing here as a business owner, I accept I love Euclid Police Department while to stop at the businesses as they known, and do your paperwork there at night. There was no reason for what happened last night during no reason for what was going on with the target of Sunoco gas stations and me coming to this microphone trying to get consideration from ever one of you all. Number five as far as the city should pass, pass an ordinance that would build it went when you did the Memorial Park you said 5,000,000 - 15 years so much as stand up here in two weeks allocate \$5 million so Council and also we need some minor police force so when there is an incident they can step down for 30 days.

President Monroe - Thank you next resident.

Ms. Joselyn Smith – My name is Joselyn Smith, address 5500 Public Square, Cleveland, OH 44113 I want to talk about the use on the police department policy 16 – 001 – 419 the use of force and firearms. Section 2, section F says: the use of force resulted in the death of any person the commanding officer shall assign the officer duties other than a field assignment as required procedures number 880 employee assistance pending review by the chief of police. My question is has that review been conducted if so, when? If also, has a psychological evaluation been done on the officer? Luke Stewart was shot 5 times to the chest, once to neck and once to the right wrist. That should be traumatic for anyone, even a police officer. Today, Kelley Sweeney was the first person from Euclid to ever even acknowledge Luke's death and say sorry for your loss. So, thank you. I'm not surprised by some of the things that the Chief of Police got up and said today, but I'm disappointed. As a business owner in Euclid I'm afraid. The community should be afraid. Somebody in City Council should be required to make sure that Officer Rhodes is okay, because he's back on the force. Patrolling with a gun, after taking somebody's life. You

guys are all elected officials somebody elected to put you in this position. Someone took the time out to support you guys. The family of Luke Stewart is looking for your support. We're asking for your answers to the questions, Chief do you have an answer?

Chief Meyer - The loss of any life is tragic, it's devastating and it sad. This is my first opportunity to say to you and the family that I do send... you don't know what's in my heart so can snicker and you can have that type of thing. I send my condolences for the sad events that took place, additionally on that morning I immediately we contacted Ohio BCS their independent agency independent from this Police Department I have no control over them and they have no control over me they are investigating this stuff. The Medical Examiner's Office is also involved I don't have any control and don't have any control over the Medical Examiner's Office. I understand the frustration and I understand you wanting answers. We to do and we will wait for that process to happen when they release that report they will. The prosecutor's office, Cuyahoga County's prosecutor's office then has their rules which they recently changed so I guess that the case will most likely be reviewed by a prosecutor from our, sorry by an attorney from the State Attorney Generals office. We will wait for that outcome of that, of that review and the release of this investigation and we will accept that investigation whatever the outcome of that investigation is.

Joselyn Smith - My question though Chief is in regards to Euclid, which Euclid Police Department is where you're the Chief of. You were supposed to conduct a review, did you conduct that review?

Chief Meyer - Mr. Rhodes, Officer Rhodes was not off for three days he was off for 11 days. It was, he was not on duty from March 14 and was not back on duty until March 25. Yes, I can't get into the particulars are HIPAA laws and rules that protect all of this. He did speak with a mental health professional on all of us were in agreement that the process must work its way through and will get those answers that were going to get and will abide by those. You know contrary to popular belief the last time the Euclid Police Department was involved in an incident like this was 1993. I didn't work here at the time this isn't something that happens on a regular basis. It's devastating and I understand that it's devastating for the family, it's difficult for everybody involved. All I can ask is that you allow the process to work its way through, again I send with all my heart and I'm, I'm looking at you human being to human being, not police you this is not against them, this, this isn't this isn't a competition. I don't, I respect everybody's first amendment right to be here, I will defend that right also. My 22 years with the Euclid Police Department I've tried my best every day. I'm not perfect, nobody's perfect but I, I send my condolences, I understand, I sympathize with the family whether you believe that or not. That's that you belief you don't know what's in my heart. I don't judge anybody here and what's in their heart and that's all I can say. I you and the process has to work its way through on I don't know what else.

Joselyn Smith - Would you consider reviewing the policy of reinstating someone back to work even 14 days after taking someone's life. I don't know what the grieving process looks like Chief. But I do know that when you shoot someone that many times, I'm a CCW carrier, if I ever had to take someone's life to protect myself I would be traumatized. I definitely can understand returning Officer Rhodes back to work, but maybe desk duty, maybe this policy needs to be reevaluated.

President Monroe - Thank you ma'am we appreciate your comments I believe the Chief has answered the question at this time to the best of his ability. In light of the pending investigation, so thank you. Thank you.

Mr. Litwinowicz, please do not disrupt the meeting, thank you or you'll be asked to leave, okay thank you. Sir your name and your address.....

Mr. Christopher McNeil - Thank you my name is Christopher McNeil, my address is 614 West Superior Ave., Cleveland, OH. Council Persons, Directors, Chief Meyer and Chief Haddock. Thank you for allowing me to speak. I'm glad that I the opportunity to address you Chief Meyer. All want to make it clear that I have no axe to grind against law enforcement in general before I was an attorney, I was a soldier, served the Third Armor Cavalry Regiment based out of Fort Hood with many, many women far braver than I am. A remember our status of force agreement

in our unit SOP was that we were not to fire unless we were fired upon. I find it incredibly ironic and heartbreaking that are brave men and women in uniform serving overseas in combat zones for greater deference dignity and respect for human life than many of our police departments provide for our own citizens of the United States of America. I'm not here to say that all cops are bad. I watched in applauding several of your officers receive honors for the meritorious service in valor. Saving lives, confronting crimes of violence requires a lot of bravery does not too many of us who are willing to run towards danger and sacrifice our own safety when others are running away when the need arises. Nevertheless Officer Rhodes did not receive any honors tonight but I did see him stand on stage in his dress uniform with a smug grin on his face, next to your other officers. There is no uniform that you can never put on which entitles you to valor and honor valor and honor are earned through bravery. And through Officer Rhodes recent conduct he's shown himself to be reckless and someone of unreasonable judgment when the call of duty arises. I encourage you all Chief Meyer to understand that bad police officers impugn the integrity of the badge for all police officers. Their disservice into disrespect to those police officers who do their job with honor with integrity with courage and with bravery they do not gone down unarmed citizens. They do not violate their own training in SOP's. They exercise restraint and demonstrate dignity for the respective human lives. I had some prepare remarks that I was going to give here but instead I would like to spend the balance of my time asking and encouraging you all to search your soul, imagine that it was your child imagine that it was your father imagine that it was your brother who lost their life in that way. This country fought a rebellion over taxes over far less than what the status is for many of our American citizens most notably are African-American and disabled citizens. When we say that black lives matter is not to the exclusion of anybody but rather it is the understanding that all lives cannot matter until black lives matter. We want nothing more than the same things that you want safety, life, liberty and the pursuit of happiness and a due process requirements that our Constitution demands. I've taken two oaths now to defend the Constitution as I'm sure you have as well and all I ask is that as you go home tonight you search your soul and you think about that oath that you've taken to protect and serve you do the right thing and make the right decision and get Officer Matthew Rhodes off the streets today, thank you.

President Monroe - Thank you sir any other comments?

Ms. Cassandra McDonald - My name is Cassandra McDonald and my address is 55 Public Sq., Cleveland, OH. First and foremost, I would like to thank the Councilmembers and the Chief Meyer and chief of police for allowing me to speak today and I also want to reiterate that again this is not something that were saying to put down law enforcement because you know it may sound cliché but law enforcement officials run in my family and including a US marshal, so we understand the gravity of the job but what we are here today to say is that we don't understand why Mr. Stewart ended up dead during an encounter with Euclid police. I'm here in support of the family as we are demanding that the Mayor and members of Euclid City Council exercise their power and they are authority to launch an extensive investigative review of the elements and acts that led to the officer's decision to shoot and kill. We as individuals both collectively and was at the whole body are intelligent enough to know that 11 days is not sufficient when it concerns an investigation into possible egregious and wonton behavior by police officials. The City of Euclid had created an effective community policing program which he spoke of today however due to both the actions and/or inactions of these two police officers I want you all to know that their actions have definitely given your hard work a black eye in the community and has exacerbated an already fragile perception of police in this community. With all do respect you should also know that in officers commendations as well as their certifications of outstanding past performances does not exempt them from error or moral culpability. Moral culpability does not escape the badge it is not far-fetched to be conceived nor is it the least bit unwarranted for this family and the community to believe that reckless and/or negligent behavior by the officers exist. We are calling for an investigation. Regardless of how many elections coming go through this process understand that we will be visible and we will be taking notes of those who understand that Black Life does matter and I say this unapologetically. Likewise if any of you think that this statement excludes any other race then you are presumptively just as guilty as the officers who took Mr. Stewart's life. Furthermore, it would explain the very reason that we are here today. Civil Rights for me is not exclusive of any color in encompasses all of us

if it had been any other person I will still be standing here right now doing the same thing whether black, nonblack, whatever the case may be. A life is a life and ask you to please review your ordinances, promote and prompt an investigation of the investigation and please consider how this family feels with the loss of a loved one just like it is in the badge and you defend your patrol officers, we defend this family and when it comes to the disrespect. What we know is and I hope this is not to be true that there is offensiveness in us coming to you in saying that we have a concern by no means are we trying to be disrespectful but we do have a valid concern and I'm hoping Chief that you please, please look into this and members of City Council please review your ordinances. I ran for State Representative in this City, I got to know a lot of the police officers and engage with them on a regular basis and are very concerned and disheartened that we are here today with this issue, thank you.

President Monroe - Thank you, next speaker. See no other speakers, I'd close the Public...Sir. State your name and address.....

Mr. Ben Bowman – Hi. My name is Ben Bowman my address is 11530 Madison Rd. in Huntsburg. I'm here because I got an email about this shooting and I looked it up, and this happened in March, and I looked it up and there's, there's just nothing. I don't know how you know can expect a family or community to sit with that and you here in this room weren't there but it's starting to reflect on you. It's easy to react with defensiveness you know and enforce the rules of order but sometimes need a community of individual's pain and need takes precedent and I didn't see a lot of grace or compassion for that from, from this body. As the people in a position of power you know you just it's really appalling and disappointing and you know you got people coming from, from all over the place now because of what you're not doing. It doesn't you know where, where is like the, the report to the Cleveland or the Euclid City Council expresses condolences where is like there's just nothing there's no I'm being far less eloquent than the people who preceded me but am I just also didn't think that this topic should be laid to rest after so few comments that really deserves more time, it deserves more attention to give it that.

Ms. April Stoltz - Good evening my name is April Stoltz and the 1224 Edwards Ave. and from Lakewood Ohio. I'm here with the whole number of people who feel very concerned about this. I mean I have to same horrified frankly the epidemic of young black un-armed men being shot and killed in this country and I'm here to support the Stewart family and I just think the only lasting want to say because so many people have said what's really important but when my brother asked you to think about if it were your son my wondering to follow up on that is, if it were your son do you think you'd be waiting two and a half months to get the answers to why because you do have power and I don't think he would be waiting 2 1/2 months I think you would know. I think you would have the connections in the people in your life to get answers and to get them soon and we all deserve that. This family deserves that and so I think everybody hears asking you to search your soul and ask yourself why you ran for office what were the differences you thought you could make with the power that you get to be in City Council or to be Mayor? Because this is your moment, this is your moment. This family deserves to know. Thank you.

Mr. Tim Collingwood - Hi my name is Tim Collingwood I live at 1259 Cranford Ave., Lakewood. I have relatives who live in this city and my grandparents made it their home for 22 years. My grandpa Cook was a cop on the Cleveland Police Department and he actually helped integrate these E. 185th St. and is much as I love my grandfather and as much as I try to love everyone it's really not about why I am here and that sense. I am here to stand in solidarity with the Stewart family who live on West 185th between Cleveland and Euclid and I'm not saying that I live in a perfect city between Lakewood and Cleveland there's a lot of cop presents. All I ask, all I consider is, is that accountability that's why I say Black Lives Matter because there is a historical neglect of accountability to Americans of color who live in this city, who live in all our cities and it's a little bit upsetting to see and hear words that maybe you think are innocent but carry a lot of harm with them and it's great that the last incident happened in 1993 but to quote my sister April this is happening now, the there is it is possible that good and bad apples grow on a tree but if the if the roots are rotten where how can how can they feed more people who just want good apples, how can they how can they feed anybody when they been regulated to only

one group of people rather than all people. So my biggest question to you is how can you make sure that this year is the last year in which of your term that you have to deal with this in your city because it is reflecting on you poorly and for someone who comes here from time to time to visit my family I would love it if they lived on a completely safe street where there was an increased cop presence just because while South Street is not reflecting my skin color. Thank you very much for your time.

Next speaker or we'll close the Committee of the Whole.....

Bea Beacham - Hello, thank you for allowing me to speak my name is Bea Beacham and I am a resident of Euclid Ohio 25 E. 217th St. I also lost a son but not under the circumstances and I don't believe in the word closure personally but I was fortunate enough not thru the Euclid Police Department to the coroner's office to their bereavement counselor which was a wonderful program that Cuyahoga County had and no longer has to be able to get some help to be able to get some answers and I think that's the most important part after I was informed of my son death. I had a police officer from Euclid come to my door and asked me if I was the mother of Jeff Beacham and I said yes and he was standing outside the door. At this time I had been waiting and waiting for my son I was frantic and I you can tell right now. I'm reliving this whole situation and the way he told me about my son's death, standing outside the door, was just so heartless and so abrupt and after a long time I asked and I called Police Department if I could meet with the Chief at the time. My occupation at the time, was talking to families after a death occurred and that was a difficult thing for me to do but I think I developed skills to do that. The Chief of Police at that time was very gracious and that with me and I explained to him just certain ways that maybe an officer could explain this to a family to come into the house maybe sit down with someone and not just tell someone at the door stoop and I notice is a different situation but I heard your apology today to that family and what I'm asking you is when you do get some information maybe you could call that family in or make a visit to their home to give them information because that's all the family wants a mother and sister or brother because to live up two and a half months without any information is very, very painful so I know I shared my experience but I do feel very strongly for the Luke family. I've been resident in here of Euclid, I grew up went to the schools and Doctor Holzheimer delivered my son whom I lost and I feel very strongly about this and I just wanted to say that. Thank you very much.

President Monroe - Anyone else?

Mr. Noel Mark and Jamie Mancuso - I hope you don't mind that both of us speak the same time my name is Noel Mark I live at 3175 Lynn Cliff Dr., Gainesville, GA and Jamie Mancuso so I live at 6342 Trail, Veronica Georgia. So it is apparent that we are not from here. Yes we are from Georgia and we don't need to know you or your family or this community to be necessarily appalled by the action as well as follow-up and now as we go home. This is all we know of from your community, this is all we have heard from your community, this is being shown to the community we are not hearing about the volleyball courts we are not hearing about what you're doing to help your citizens we are only hearing about what is being released in these actions that are coming out so this is what other people are saying and we understand that your 8 inch medians are important to understand everything talked about is important but if it was your child I think your child would have a little bit more importance then a Pitbull or when swimming pools open and so we speak just as the family does from another state all the way down to the other side of the country that this is important and what we say is that at the beginning when on this whole thing started that you stated that the session was for the public to express their opinion the report back to the family is not an opinion safety of this community as well as many other communities is not an opinion this young man's life is not an opinion and life and love in general are an opinion so we just in the short time asked just as many others have that you go home is not a new search your souls tonight and do the right thing. We're in high school I'm leaving to go to college and he's gonna be a senior next year and if this is important to us as the young generation of this country, should be just as important to you so we ask you to search your souls and do the right thing from us to you. Thank you.

Mr. Rob Loftus – Hi, my name is Rob Loftus I live at 533 Hermiston Bay Village and I'll be very quick because I have to go I am here in solidarity with the Stewart family and I would just like to reiterate the fundamental point I believe that they were here to make which is that they want

answers from you people There not interested on in the external invest investigations I think what matters for you is what you what answers you can provide to the family I this is a public body what's important is what the will be official actions of the body not what is in your heart but what you do so please, please, let, let the family have the information the understanding that they need thank you

Mr. Mario Darby - Hello my name is Mario Darby, I live at 5583 Deerwood Ave., Maple Heights. I am 21, Luke was my older cousin and I explained the story to a lot of people and they always ask, the first question is how does the man get in the car? Like I've never heard of that. In any of these stories so was his come from them like men I don't know they won't tell us anything I can't on the way to tell you were just as these losses is anybody else and it becomes torture to sit around and see the killer ride around the neighborhood smiling and living his life on a daily basis. And we have yet to be spoken to so what we don't know what's going on so I hear you say you never had opportunity to speak to us, be we've lived in the community forever like my family stays over and they've been over there there's been plenty opportunity were you guys can ride by and harass why not ride by and say hey how are you doing sorry for your loss we are aware of what's going on It leaves a bad look as the youth, me being a young man I don't see the police and ever feel comforted on what ever see the police and feel safe and I don't feel that they're going to protect me so my cousin situations it's like I can do much that he felt the same way and soon to be unarmed and treated the way he was treated we all can sit here and act like you don't know what's going on but why pretend like we know what this is so like I said before it reflects on who you guys are please make the community know that you are not what being painted of you likes that this is not who we think you are because it doesn't look good and we don't feel safe like I mentioned and it is torture to see Officer Rhodes in here smile and look each one of us in the face and be all we got a deal with that got a go home and cry again like we've been doing and get no results on this is hope this is an and like that. Thank you

Arianna Whitesmith - Good evening my name is Arianna Whitesmith, my address is 55 Public Square. Luke Stewart is my cousin and I didn't come up with a speech or write anything. So I'm speaking from the heart. And I want you to know, that we are all human and a badge does not give you a pass for murder and murder is murder. And with us living here, this is no difference rather this was a murder on the street without a blue uniform. This is the same thing this is a human who murdered another human. We found out about the death of Luke on the news not because someone reached out to us and tried to talk to us. We were basically dragged before we could find out any information and still to this day, this happened on March 13th, we have gotten nothing, no progress and I say this to you because you have power to make a difference and to not use that power and to allow this family to sit here and deal with this to even stand here today and have this conversation is difficult and disappointing. To vote for you guys to have this power and put effort into making this community better and it not get better is disappointing to spend more time to discuss dogs and pools. I feel like this issue deserves just as much time and effort I feel like this issue is just the highest that one is not more because we sat here during this entire Council meeting to discuss these dogs, and these pools and you made that progress but when it comes to discussing this and I'm just getting blank stares. I'm getting there's nothing we can do, I'm getting I'm sending my condolences with smirks on faces. To sit here and look Officer Rhodes in the face and he still wears that badge is enough and I just hope that you guys look into your hearts tonight and consider that this family is no different from any other family just like you have a family and now I would want you to think about how you would react to this. No four year old or five year old to see his father death on the news. We had the news playing not because we knew that was going to happen. But that's how we found out and were finding out more information from the Media. Not because like you reached, nobody. And we have so many questions and yet were getting answers that are just dragging out but there's no solution there's no moves being made if you'll can made progress about these dogs, you'll can make progress about this issue. I'm 18 years old and speak for the youth, I speak for my family and I want to know the pain and the hurt we are feeling that we are still feeling that we just want to have closure. We want to know these answers. We want to understand why he got in the car? We want to understand why it took five bullets? We want to know, we need these answers because we can't move past this like it's just something. We can't move past this and not think about this and to live here and have a possibility of running into this officer on the

street like. I wan't ya'll to think about that. I want ya'll to consider that, that we are humans and that we just need these answers because this is not fair and is not right and we hurting and we are just asking that you please put some time into this look into it investigated it because we deserve this for the way that we have been treated for the way Luke was treated, we deserve this.

President Monroe - Thank you, anyone else..... Seeing none at this time. I will close the Committee of the Whole. Councilwoman Gorshe.....

Councilwoman Gorshe - Well, Wow. I would like to express my condolences and I've heard everything that you said and I hope that you get the closure that you deserve. We just celebrated Memorial Day and we did have a nice Veteran celebration and the stroll was awesome and with that I will bid you good night.

Councilwoman Caviness.....

Councilwoman Caviness – Thank you Mr. Chair - I do have to address what was said. Jocelyn that was there the day that Luke was shot. I was there with your family. I express my condolences because I cared because I have two sons who are African-Americans that I had to raise knowing that you know that the possibility of them being profiled great and one was at one time in the city when we first moved here and so he did exactly what I told him to do and he walked away unscathed nothing happened but I have two grandsons who are six months old and I know now you know they were my daughters-in-law just happened not long before then and I thought about that in my heart went out to you to your family and I met Luke's mom that day and I was there at your family gathering the night of the funeral the night before the funeral and I've spoken with your lawyer and we've done some things with Sarah and you know that we care you know that we care but as I was told I have to stand back because BCI has it, because our Chief Meyer was astute enough to call them in immediately to take it away from our hands Euclid out of Euclid's hands into an investigation that has nothing to do with Euclid and we know it has taken a long time since a long time and I understand pretty soon you're going to get an answer from the autopsy reports but it does hurt I'm sure because I know that being black in America is hard whether we are light-skinned dark skin because we have that battle among ourselves but being black in America is very difficult and always say that is difficult because slavery was instituted here and it's very hard to move from that to where we are now and can we move from that even whether educated weather were not seen a different way so we have to do we have to fight through those battles every day this one is a difficult one I know for you and I applaud you as a spokesperson for the family who has been to all of the the press conferences all of the the this out on the street you know just just making sure that no one forgets Luke no one forgets who he was because he wasn't someone who we I guess the picture was painted that he was a criminal and he wasn't he was a human being we know though that and I battle all the time with this because safety is one of the issues that we deal with on a daily basis and all of our wards and the one thing that always tell the residence of my ward is, is that if you say something suspicious make a call when unfortunately on that day when Luke was lying down, you know I know his girlfriend as well and that's another issue on the side. But when he was there waiting in his car falling asleep waiting to go into that house someone made a call about a suspicious vehicle which we tell them to do all the time and unfortunately when and I don't know what the police Officer, Officer Meyer and chief Meyer would say but when an officer goes toward a vehicle that is marked or deemed suspicious I don't know if that's a different approach than if there's just someone sleeping. it could have been my, my assumption I shouldn't go this far but it could've been that especially if he was asleep maybe there was an suspicion that he had OD I don't know. maybe that's just me talking off the top of my head but the point is is that I reached out because I cared because I'm African-American because I know how difficult it is because I know how hard it must be to lose a loved one like this and to hear about it on the news you know the condolences are there and I'm praying all the time that you will get an answer BCI is of one who would give us the answer when it comes to looking at Officer Rhodes. I'm not sure where we can go with that and that's something that we need to talk about and it comes from and I'm sorry it comes from your discussion but we will discuss that later. Thank you.

President Monroe - Thank you Councilwoman. Councilwoman Scarniench.....

Councilwoman Scarniench - Thank you Mr. Chairman, I have a much things I've decided I'll just let them go until next time. My sympathies to the family also. Councilwoman Stephana Caviness said everything exactly the way it should be I know it's hard to deal with this but the Chief going out and getting the independent company that the people that can find out the truth for you. when that comes back then we will be able to make judgments that have to be made no matter how easy or how hard they are I assure you they will be made in in you can be confident in that I will pray for Luke all the time I will pray for you. Thank you.

Councilman Jarosz.....

Councilman Jarosz – Thank you Mr. Chair. Thank you for the people who came out. These are difficult conversations the realities of family's advocates for their loved one is a very admiral thing. And it's always on goods not the word to put family and names with faces and deeds and actions I think it can only help a community together on for those talking about curbs and dogs and hope you realize that we have no plans to discuss this today we have city Council agenda we need every two weeks to discuss ordinances so forth for the city and we are prepared to speak at things that are on our agenda so while we appreciate you all coming here to express your concerns hope you do realize that was our job today was ahead of the issues that were before us and that is not in any way to minimize anybody's pain and anybody's suffering and anybody's loss, but I also thank is Stephana said on one of the things that I committed to when I first heard of this was to let the facts play themselves out that initially to the credit of our Police Department the very first thing they did was bring in independent investigators will come to us with an independent conclusion of what their findings are and then from that I expect fully that our Mayor, our Council, our residents, our Administration are seen as a whole will do what the right thing is at that time but I do not think it is all while I could I can't even say been in your situation but what is not helpful my as we work through this is to start labeling people murderers and killers before we kind of know the facts I can understand the need to want to do that but you know one of the first things I did I counsel was to do a ride along with police officers and I have continuously impressed by the job and the work they do in very difficult circumstances with that.

Councilwoman Mancuso

Councilwoman Mancuso - Thank you Mr. Chair I concur with my colleagues and I will succeed my time to my fellow Councilman. Thank you.

Councilman Delaney.....

Councilman Delaney - So I don't forget there is a recognition recommending meeting called for Monday the 12th will discuss the trees to be planted in the parks. Tennis courts and now that we saw the community garden now that, that's out the way I, I would like to share for the record for the family there's nothing any of us can say that would that would change that horrible, horrible time they have and I'll have to how have to try and heal always appear we asked for these jobs and their very, very public our name and face everywhere we go people know who we are. This is the most difficult thing when the young person loses their life away too soon my first term on Council a little girl drowned in a pool. I never looked at a public pool without thinking one of them the one it does happen it does stay with you and I think by everyone coming here tonight they did the right thing there, there are doing right by Luke's memory and by hope they keep coming back thank you Mr. Chairman.

Mr. Langman – Of course, I'll express my deepest sympathies to the family sometimes reported difficult circumstances and that the city Council we are regular jobs and so forth and sometimes were just not aware that's why we say that you the public our eyes and ears. To keep us focused on things are important I was in a mention of prayer was brought up by one of young ladies on how we talked about dogs and curbs and so forth. But mentioned briefly there is a fatality at 242 several years ago I had a telephone call from the family I pledged them to work hard to resolve hazard at the intersection and with the help of administration we were able to do that that's why your mission may not be important to the public that's viewing or doesn't know for their family I would be calling them the next couple days saying that we're finally get that result because they really wanted to see that point is that it's taken so long for the process to work and I know it's extremely frustrating I think every one of us is pledged to see that the results are shared with the family is as quickly as possible. The only thing that Council can do is ask administration

whether in fact our policies were followed as far as notifications and you regarding the officer where on leave properly because I first found out about it on the news The other thing I would ask, and this has come off since the death of Detective Sgt. Blakely I know is it's controversial has to be asked do we need from time to time an outside entity to look at all of the police department's procedures did that once before and after the death of the Officer, Officer Blakely and I think it's a worthwhile exercise not necessary to criticize but the evaluate are we doing the best we can as far as our organization our procedures things change in policing all time you want to try to be on top of the very latest in police procedures and technology etc. that's probably the extent of what the city Council can do in these matters is to make sure that the Police follow the very best procedures possible we can't have an independent investigation because we have no staff have no expertise so were kinda stuck in a situation right now is not satisfactory to anybody. so we hope we get closure for the family as soon as possible but I'm sure every member of counsel's pledge to make sure officers of the very best training very best equipment are the very best possible Thank you Mr. Chairman.

President Monroe - Thank you. Just one date that needs to be scheduled. Executive and Finance Committee on the capital budget, I'll confirm with Mayor Gail and Director Smith get some dates the two dates that I had were not available. So we'll go back to the well and pick it couple new dates and get back to my colleagues with those.

So with that I entertain a motion to adjourn so moved all in favor thank you

ADJOURNMENT

Attest:

Clerk of Council

President of Council