

COUNCIL MINUTES JULY 17, 2017

The regular Council Meeting was held on Monday, July 17, 2017 at 7:00 p.m. in the Euclid Municipal Center Council Chamber. President Monroe presided.

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

All present.

Others Present: Mayor Holzheimer Gail, Fire Chief Haddock, 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

Liquor Corporate Stock Transfer for Euclid Paninis Inc., 937 East 22nd Street & Patio.

COUNCIL MINUTES

None

ADMINISTRATION REPORTS & COMMUNICATIONS

President Monroe - Good evening ladies and gentlemen, I'd like to call the Euclid City Council meeting to order for Monday, July 17. Would you please stand and join me in the Pledge of Allegiance?

Thank you Madame Acting Clerk can you please call the roll.

Role Call: Caviness, Scarniench, Hill, Jarosz, Mancuso, Delaney, Langman, Gorshe, Monroe

Thank you this time acting clerk are there any communications?

Acting Clerk - Yes, there is a liquor corporate stock transfer for Euclid Paninis Inc., 937 East 22nd Street & Patio.

President Monroe - Thank you so this is a stock transfer and the question is A) do we want a hearing and b) do we want it here in our jurisdiction? Director Sweeney, we need you have any concerns about the proposed stock transfer?

Director Sweeney - Thank you Mr. chair, no I do not have any concerns it's just a stock transfer no true change of ownership I don't think there should be any issues with this.

President Monroe - Thank you, Councilwoman Scarniench?

Councilwoman Scarniench - I have no objection to the to the transfer

President Monroe - Okay seeing none. I think the way we have to set it up is a motion for a hearing if you want to vote no that'll mean that you are not asking for hearing. So at this time I'd entertain a motion to request a hearing

So moved by Councilwoman Scarniench. Seconded by Councilman Caviness.

President Monroe: Madame Acting Clerk, would you please call the roll.

Role Call: No's: Scarniench, Hill, Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Monroe

President Monroe - Thank you, at this time are there any Council amendments? Seeing none. Thank you at this time will hear from the administration regarding reports and communications Mayor.

Mayor Holzheimer Gail – Thank you Mr. Chairman. Good evening, good evening everyone in the audience. We will start this evening, we have a the great honor to swear in four new police officers. So I will ask to Chief Meyer and Captain Savage, would you like to come up as well? No. Just in the audience and our new officers George Harper, Michael Roan, Hunter Kovach and John Selig to come forward and your families may join you if you'd like.

President Monroe - There is plenty of room here so come on up here. You can fill in this whole area. Come on up folks, you can fill in on this side as well. Thank you.

Mayor Holzheimer Gail - All right, I will start with John Selig. John if you would raise your right hand and repeat after me. I John David Selig do solemnly swear, that I will protect and defend, the Constitution of the United States, the Constitution and laws of the state of Ohio the ordinances and charter, of the city of Euclid and the regulations and provisions of the Euclid Police Department. I will faithfully discharge the duties of a police officer, for the City of Euclid so help me God. Congratulations and welcome aboard.

Chief Meyer – Thank you Mayor. Congratulations John. Officer now Euclid Police Officer, John Selig, will from this day forward be badge 17. A little bit of his background he was number one overall on our Civil Service Exam. He comes to us with a police experience from the Northeast Ohio Sewer District Police Department. He had also worked part-time with a Highland Hills Police Department. He has certifications that include, incident command, hazmat radar and advanced impaired driving enforcement and were very excited and very happy to have him. Welcome aboard.

Mayor Holzheimer Gail – Raise your right hand and repeat after me. This is George Harper. I, George Clinton Harper, do solemnly swear, that I will protect and defend, the Constitution of the United States, the Constitution or laws, of the state of Ohio, the ordinances and charter of the city of Euclid, and the regulations and provisions of the Euclid Police Department and that I will faithfully discharge the duties of a police officer for the city of Euclid so help me God. Congratulations welcome

Chief Meyer - Thank you Mayor, congratulations George you are now badge 23 and a officer Harper brings also police experience he comes to us from the Notre Dame College Police Department he previously worked for the East Cleveland Police Department he has a bachelor's degree in criminal justice from Columbia Southern University and his certifications include a police mountain bike, alcohol detection and prosecution, he is an ASP instructor which is the ASP batton, he is also an active shooter instructor and a welcome aboard and really excited to have you.

Mayor Holzheimer Gail – Hunter Lewis Kovach, welcome. Raise your right hand and repeat after me. I Hunter Lewis Kovach do solemnly swear that I will protect and defend the Constitution of the United States, the Constitution and laws of the state of Ohio the ordinances and charter of the city of Euclid the regulations and provisions of Euclid Police Department and that I will faithfully discharge the duties of police officer for the City of Euclid so help me God. Congratulations welcome aboard officer Kovach.

Chief Meyer – Welcome aboard Hunter, Officer Kovach is now badge 25 He brings also a previous police experience he served several years with the Cleveland Police Department where he had been recently promoted to a specialized unit before of course coming to us. We're very fortunate to have him. His certifications include crisis intervention, law enforcement bicycle and mountain bike certification he's radar certified and recertified in a traffic management -incident management. So were very excited and the welcome aboard.

Mayor Holzheimer Gail – Michael, Please raise your right hand. I, Michael James Roulan, do solemnly swear that I will protect and defend the Constitution of the United States, the Constitution and laws of the State of Ohio, ordinances and charter of the City of Euclid and the regulations and provisions of the Euclid Police Department and that I will faithfully discharge

the duties of police officer for the City of Euclid so help me God. Congratulations welcome Officer Roulan.

Chief Meyer - Thank you Mayor. Michael, Officer Roulan and will be now badge 42 and he also brings a background a police experience use with the MetroHealth Systems Police Department he has a bachelor's degree in business from John Carroll University and he has certifications that include alcohol detection and prosecution, radar and he is also certified in the in the ASP. We are very excited to have him. Feel very fortunate and welcome aboard.

Chief Meyer - We are really excited this group is I think a superstar group. They went through a long process of written exam, they could tell you too that they've gone through a pretty rigorous background psychological all kinds of testing and they all came out on top and we're really excited to welcome to our family and we want them to come to your city serve our residents make a different. Make a difference proactively address our crime control issues while at the same time positively engaging our residents in building relationships and building a better community. We have a great city and now we have new family members to our, our great Police Department really excited. So thanks.

President Monroe - To those new police officers welcome and to your families you are certainly welcome to stay for the rest of the meeting but we would certainly understand that if you had other things to attend to. Thank you.

Mayor Holzheimer Gail – And thank you, what a wonderful show of support from the family, we know this is a job that certainly we appreciate the support of the community and the family members at impacts us all, so thank you very much. We're very happy to welcome them.

I have a few other announcements and then there will be some others. A lot of thank you's I'm gonna run through them fairly quickly. What a wonderful pond and garden tour this past weekend and I want to thank the Shade Tree Commission for putting that together. Mr. Mansi invited me to his vacant lot that he bought through the Land Bank and has a new bocce ball court on it and had a nice neighborhood picnic, yesterday so I was able to throw out one of the inaugural bocce balls. Thank you to the library for the fireside chat the Fourth of July neighborhood picnic send parades what a wonderful show of support from the neighbors. American Legion fundraiser rising Star Camp Café Safety Town and more, but I what I really appreciated was the opportunity to get out in your residences here are some of the things they're proud of here some of the things they're concerned about and you know look forward to the rest of the summer some of the events that are taking place so just couple of those thank you's. Coming up as you unfortunately we had to cancel our concert in the park last week due to the weather but we do have three more coming up so please mark your calendars for July 27th, August 10 and August 24 from 6 to 9 at Simms Park. We will be having our concerts in the park. There will be music, food trucks, beverages for sale. Please come enjoy meet your neighbors watch the sunset and will hopefully join us. Briardale Greens will be celebrating their 40th anniversary and on August 12 there will be some specials and some commemoration events for that, for that occasion would invite folks to either visit Briardale Greens or the city of Euclid website to find out a little bit more about that. And lastly, we had our third public hearing for our master plan last week. I want to thank the residents who came and shared their opinion it's not too late to share your opinion as well. There is a survey that's available based on the information that was presented. You did not have to attend either that public meeting or the previous to still provide your input, so we would encourage you to go to our city's website you can click on the link and the link will be open until July 23rd. So if you have some questions and have difficulty finding that, please call my office and we will help you but it's on City of Euclid.com website there is a link to the survey so we look forward to your opinions for that. Director Stevens believe has an announcement.

Director Stevens – Thank Mayor, Mr. Chair, Council and those in the audience that may be watching. I just want to make the residence aware that we are still taking registration for our cheerleading program there are about 10 to 12 spots still available for those young ladies that are interested in cheerleading, also with our tackle football program we have a tackle football for ages 11U, 9U and 7U there is still about 25 or 30 spots remaining for that program. Practices have already begun but if you're interested in registering. Please call the Recreation Department at 289-8114 option eight and you can also register on line and visit the City of Euclid website click on the recreation link and you can find directions on how to register online. Thank you.

Mayor Holzheimer Gail – Thank you, Chief Haddock.

Chief Haddock – Thank you Mayor, Mr. Chair, members of Council, and those watching. Just a couple quick announcements that the fire department has wrapped up its hydrant maintenance program and appreciate everybody's cooperation during this time because we have over 2100 fire hydrants in the city and it takes a little while to get that stuff done. So thank you for your cooperation with that. We will be hosting in conjunction with the Lincoln Electric and the American Red Cross a fire safety walk which will be held at station three's territory. We're expected, we're targeting over 500 homes in that area. Those specific streets at once they are decided on will I be notified via hand flyer and the blackboard connect as well, and we're gonna get volunteers, over 55 volunteers from Lincoln Electric. We'll have volunteers from the Red Cross and then some of the fire department as well and will be installing and smoke detectors in each house that wants one. And finally, Assistant Chief Will Anderson graduated from the Ohio Fire Executor Program this past June. This intense two and a half year executive development program impacts the participants in five domains. Now an acquisition self-awareness building, perspective change, skill development and behavior change. There's also an applied research paper that's involved with this, and I think his was over 70 pages. So it's a pretty intense program and he becomes the third Euclid Fire Department Officer to achieve this. Thank you.

Mayor Holzheimer Gail – Congratulations to Assistant Chief Anderson. Chief Meyer.

Chief Meyer - Thank you Mayor, Council President, members of Council, members of the audience. A couple of announcements today we started our second police athletic league soccer camp and that goes through the week. On July 26th at the Euclid Villa Millville Apartments, they will have a, we will be putting on (sorry) a senior safety meeting and those who want to attend and have questions about safety are certainly encouraged to. All of these things you can visit our website to get the time to specific locations. Additionally I were very excited we had a huge turnout last year on August 1st, that's a Tuesday international night out against crime and that'll be held at East 276 Street and Sydney at the park. The apartment complex along with our community policing unit will be providing hotdogs, chips, pop, water, they'll have music of all kinds of things. It was a great turnout last year we encourage everybody to attend. It was really a positive event. Additionally, on August 3 we have a program that we're gonna try to kick off this title is from our community policing unit but it's cool off with some cool cops and that will be at the Lakeshore coffeehouse. They will be offering \$.50 ice cream cones, members are community policing in a patrol division will also be there and it's located to 22032 Lakeshore Blvd. again it's August 3rd, 6:30 to 8:00 PM and last, August 10th Cop a question which will be at the Senior Center and that will be from 1215 - 12:45 PM is when the Police Department will be presenting their again, you can check our, our website for any of these for the specifics of any of these events and that should conclude it. Thank you.

Mayor Holzheimer Gail – Thank you Chief, Director Knecht.

Director Knecht - Thank you Mayor, Chairman, Council and those watching I like to announce that on the Saturday, August 5th we will have the community shred day that'll take place at 25500 Lakeland Blvd., that's the John A. Piscitello Service Center. This shred event we ask you to limit it to three boxes of material per person we also ask that you do not include any trash or other items other than paper products in these boxes and please help keep the line moving by having your stuff ready as you approached the truck. Thank you.

Mayor Holzheimer Gail – Thank you Mr. Chairman. That completes administration comments this evening.

President Monroe - Thank you Mayor. At this time are there any reports and committee minutes Councilman's Scarniench.

Councilwoman Scarniench - Thank you Mr. Chairman moved to receive the Board of Control minutes from June 12th, June 19th and June 26, 2017.

President Monroe - Thank you, so moved by Councilwoman Scarniench. Seconded by Councilwoman Hill. All in favor. Yeas: Unanimous Thank you.

I at this time we will undertake the Committee of the Whole for Legislative matters only. If members of the audience would like to address City Council regarding specific items that are on the agenda this evening so one of the 16 proposed ordinances or resolutions that's on our docket this evening. You can approach the podium, state your name, your address and please limit your comments to five minutes. Thank you. Sir.

Mr. Christopher Michael Litwinowicz – Christopher Michael, Wild Distribution LLC to 21970 Morris Ave., Christopher Michael Litwinowicz, CEO resident. Passing this along. This for everybody's concern I see on the agenda we still have the Ordinance Rezoning Euclid Sq. Mall. I urge this Council to continue which is a stay and don't even discuss it, just push it forward because that's not happening inside these charts are graphics that you can go online to Euclid website and it is concerning your master plan of 1984, 1960, 2016 every 30 years right, it's the same stuff. What I've done is drawn a concept on business who I'm involved with. How can I benefit the City Euclid by telling y'all and asking y'all to work with me? Retail on these charts in the 80s with higher, the industry at the bottom one. The industry is the bottom. Again retail, you're cutting out the sales tax. That's what runs a lot of your county improvements on your roads, Council. Yes, I do have benefit of this property if I go through and purchase it. There is already a purchase agreement. There's a two and a half-million dollar from Sony BMG that's been cashed. So at the same time I don't know what, whoever frauded y'all, but that's an argument right. So at this same time will have this discussion in August with I hope it is the owner the middle parcel. And the City needs to bring me forward for still Wild Distribution so let me stay on topic of the mall as far as the third reading for the Moore Memorial Park, counsel you know you've already amended, yes am asking for major corporations to come here people looking at this. It says help me. It's an idea. I want a hotel there. We don't have a hotel in Euclid. Okay that's retail. You know about Sony BMG and what is the business proposal if these companies would come here? Like Apple music, what if there was a international hub here? It is in the Midwest, North Coast that you know, these companies are worldwide and if you got something to offer. Let's offer you know, my offer was 1.85% for the entire city a young man who was Mayor told me if you do a full on you doing for all. So what is, what is the proposal that you're willing to give up for company to come here? What for, for what you're trying to do and by the way Council, I'm getting all the records and it looks like the City Euclid force this owner, owner out, this year. Which are fire reports in which your lawsuit, that was filed by your lost law director there is Appellate Division there's all types of stuff so please watch legally. Please watch legally, because now it's a third party. I believe I'm a third party, but at the same time I just want to congratulate the amendment to the clerk and can continue on this process, you know. I see 222nd is getting surveyed. This is off the topic, can they do 200th Street? And again I'm going to end my comments just like that. Just pass that all along to the mayor and I got copies so y'all can keep that. And that's really your copy Jonathan, Mr. Holody. Next Monday we need to go to the economic development so this parcel right here that you're talking about we need to go down to Sunny Simon in let me introduce my business and you represent your portion. Cause the City doesn't have the 15% right now, without any judgment just money if I could put up, thank you.

Ms. April Youngblood - Good evening, my name is April Youngblood, I live at 160 264th Street. What I like to talk about is on the docket number six about Southpointe and the rat problem were having. I live on the backside of North Pointe. I have pictures in my phone if you'd like to see it. 67 rats in my backyard. I'm asking you to please, push up the inspection supposed to be for August, for August. These are my other neighbors that live on the same block, we have children, we have animals. The rats are about this big with tails about this long. I'm asking you, would you please move it up for the inspection. Trash from the, I went over there myself to be nosy, trash from the ground to the 10th floor like nobody, I don't know, they're not emptying the trash. You have people back there just the other day, God Bless Euclid Police Officers snapped two people jumping over the fence where they had to call heroin, we are having a problem in that area and we need y'all to please help us and protect us. Protect the children from these rats that are running and everything that is going on. I'm not going to take up too much of your time but if you would please vote to inspect them a little faster than August. We'd highly appreciate it.

President Monroe - Thank you ma'am, next resident.

Ms. Kimberly Kinsella - My name is Kimberly Kinsella I'm also here for number six. I am asking the board to please up the inspection of the building. I lived at North Pointe for over 10

years and I love where I live. I've seen a lot of people in a lot of situations and in the last year and a half our residences have been asked to endure a lot. We've had quite a few property managers. In the spring, I think it was 2015, we had a problem with our boiler went out and we had to use water from the other building to bring to our building. It took, it could take you half an hour 45 minutes to get hot water and it took about two months to have the boiler fixed. We had a power outage this past spring which is nobody's fault that's just nature that just happens but we are also asked just you know it happens and we understand that we're very resilient people. Last November we noticed that the garbage chutes got jammed, trash was backing up and we were left to leaving the garbage in the garbage chute rooms for the maintenance men to pick up and we understood and we we listen and they said were working on it to get it fixed and they were able to fix it about February. This past April the trash chutes got jammed again and as far as I know they still don't work. They have maintenance men come, and remove the trash I guess twice a week, twice a day, but with all that trash building up you can imagine the smell and the bugs and they have to use elevators obviously to take these things down. And the smell in the elevators is, can be really bad, so I lived here long time I don't understand how some people live the way they do. Some people don't care but I'll tell you a lot of us do care about where we live and how we live and were just asking you to come early and look at our building and just give us a look I think we deserve because I think we've endured a lot and were just asking for some help. Thank you.

President Monroe - Thank you ma'am next resident.

Mr. Frank Minturn - Frank Minturn and I live at the 141 E. 264 Street and I'm three houses from the lake but I have the good fortune to live in the shadow of North Point Apartments also and in addition to the problems that obviously we have with the rats and the garbage and the other things that fly around there are a number of other things that go on over at North Point that the Council, the City... I don't know who on a regular basis we have to call the police department and they come like the cavalry every time and for that we absolutely love them but some something needs to be done ideally for me it condemned the building and you'd knock it down. On a regular basis vulgarities are yelled out to me or my wife for other folks on the street. They have, I don't know if they're throwing them or launching them with a rubber band or what they're doing, but full beer cans, come off the building from high levels. Bottles come flying into our street. We've got a beautiful street and we've got great residence on our street and in on a very regular basis to be subjected to that kind of thing coming from that building is, is just not acceptable. Earlier last week I called the police like the spotted two fellows coming from the North Point Apartments that the kick down our fence again and for the last two years I've had contact with North Pointe Apartment both the management folks and I guess the corporate people will blame oh, you know were changing management but I've also talked to a lady that was a vice president at their corporate office. I don't know who that was, they promised repeatedly that they'd repair the fence that had been kicked on by the residences. So we had stepped it up as best we could, but to our small lake lot beach club doesn't have a lot of funds to repair fences that are kicked down regularly by the residence and I saw two fella's come down and kick the fence down onto our beach lot and a, so I called the police they were pretty rough looking fellas, no shirts on tattooed up, pants down below their butt you know great folks for the neighborhood. And the police came and caught him and they were heroin addicts and had ditched their bags and needles and the like on our street so some more great things coming out of North Pointe. On a regular basis we smelled the garbage we've got a beautiful lot that we really enjoy the lake. We should not have to smell the garbage. We shouldn't have to endure the rats. On occasion and this is not often but on occasion the mold smell when the wind is blowing from the west will get to us so there's got to be a whale of a mold problem in that building that says something that you'd otta take a look at I don't know what the city can do, I just hope you can do something more than simply move up an inspection date and a demand that these, I'm I've got to say a slumlord, I don't know the people but I know that what I've experienced the for the last couple of years and this is way beyond hay we're changing management companies or we don't have enough dumpsters or whatever excuse is, is given. It's way beyond that. So my hope is that you'll look at and consider condemning the building and having it knockdown we don't need to do in Euclid we absolutely don't so that's just it for me. I've probably taken my five minutes and Thank you.

President Monroe - Thank you sir, next resident.

Mr. Christopher Tomarias - Evening, Christopher Tomarias speaking on resolution number four. I am here today with Mr. Carl Waller, I am the owner of 20 or part owner of 23910 Lakeshore Blvd. attempting to sell the parcel to Mr. Waller who is going to open up a Domino's pizza. I thank you for allowing me to come back after going through the zoning committee, and after last month's meeting. I've been in constant communication with Mr. Waller he has inform you that he's going to bring between 20 and 30 jobs to the City of Euclid. We have had over the years both an occupier who lives close by an occupier who lived at a distance. The one that lived at a distance left us with a grand tax bill which we had a bailout. He left in pretty much the middle of the night, left the building in disrepair we feel confident, we feel good in the transfer of this property, potential transfers property to an owner operator who's going to take care of it, who is a local resident, who is going to employ local workers. I do not want to take up too much time as I know Mr. Waller has a few things to say to the committee and the Council however, I do really hope that you guys give consideration that allows the pickup window so that we can have a new vibrant place to eat and a place to commune in the city. Thank you.

Mr. Waller - I think after Chris will have much to say, so again just really appreciate your time today and, and want to reiterate that we are a owner occupant. We own multiple across several different counties and we hope to continue our growth in this county and you know again to reiterate 20 to 30 jobs is what our average store right now has and were looking to have that here and maybe grow beyond that. So again thank you for your time today. That's all I have.

President Monroe - Thank you sir next resident

Ms. Denise Dunningham - Hello my name is Denise Dunningham Griffin and I'm a resident at North Pointe. I have several complaints but I'm going to get to the main ones about the rats. I am notified the leasing office, I let them know that I've been seeing rats in our main laundry room. The trash has been backed up again they fix it, in might last for two weeks and then it will get backed up. It's a very bad smell when you come by the lobby, inside the elevators, is an awful smell there. Complaining to them is not doing any good. I have been there for almost 2 years and never seen place that horrible in my whole life, since I've been in Ohio and I wish you would do something about it because no matter what we do and call we're not getting the satisfaction. Thank you.

President Monroe - Thank you ma'am next resident

Ms. Christina McCann - I'm also here to speak on North Pointe. My daughter moved in there, this last February. She has since been bitten and bitten and bitten and bitten by bedbugs and they would not do anything about it. They would tell her they would treated it. She would go and she would try to have it treated and again the same thing. So every time she called, they said they would treat, they didn't treated it or they treated it ineffectively. They told her they would heat treat it, then they told her that the bedbugs didn't exist again. So over and over and over again since and she had abandoned her lease because she just kept getting bit by them. And they wouldn't do anything to help, so that's what I have to say I spoke with Mr. Langman here, and he has an email from my daughter's. Thank you.

President Monroe – Thank you. Ms. Landgraph.

Ms. Stephanie Landgraph - Good Evening Council and Mr. President. My name is Stephanie Landgraph it's 37265 Euclid Ave., Willoughby, OH. I'm here in support of number two on your agenda that's resolution 100-17, I represent the property owner Larry Seymour who resides at 24380 Mavec Ave. The resolution before you tonight is to lift a restriction on the deed that was conveyed from the land bank to two property owners with a vacant property in between. It was conveyed on the condition that it be split and consolidated with those two properties within six months of transfer. Acting in good faith my client did attempt to get the surveyor to come out he was unable to locate the pins, as hindsight is 20/20 both property owners probably would have done this differently. The adjoining property owners at 24360 now have no desire to consolidate our split and have agreed to transfer the property in its entirety over to my clients, who have been maintaining and paying the taxes on it. So I first I thank Counsel for getting this on the agenda so quickly, as well as the Law Director who was instrumental in helping us work through this. Thank you very much.

President Monroe - Thank you, next resident

Mr. Victor Goodmann - 20201 Glenrush Lane. Quickly number 4 I don't see any reason why this shouldn't pass, if Guy's pizza can have a drive thru, why shouldn't Domino's? We passed the area the other day and it certainly is adequate to have a drive in there so, I hope that's not a problem. Secondly I like talk about number 10 in the respect that yes I think City Council should have the final say on day cares because we're doing with young kids and we want to make sure there are protected but I do want to spend a few moments on number 6. My wife and I were watching television when the report came on channel 5. No one, regardless of economic condition should be forced to live in a slum. Euclid is not a Third World city. Everyone should have the right of protection especially from rats and when I saw, Mr. Cook lifting up parts of earth and rats running out. It scares me, I mean imagine what he could do to a child. Not only should that building be thoroughly inspected but so should all the rest of the high-rises without delay because I'm going to talk about one other thing. We keep on talking about lakefront development you can't have rats garbage and people living in swallar, I realized that this could mean the displacement of hundreds of people, but for their safety and the safety of this community this counsel and an administration must act where not a third world city.

President Monroe next resident,

Mr. Tom Cook - This is just a sample of what I saw at North Pointe. I'm here to speak about North Pointe. My name is Tom Cook at 25641 Edgecliff Dr. Good evening everyone. I'm here to talk about rats specifically North Pointe Apartment rats. I think I first became aware of this problem last Tuesday evening when my wife Leslie was riding her bike down Lakeshore Boulevard and rolled into the North Pointe complex only to immediately encounter a dumpster area that was overflowing with garbage that she described to be as a swarm of rats. I road there myself and verified what she saw there were in fact what I could immediately see approximately 20 rats crawling within the garbage and under the dumpsters. I didn't stay around long, I didn't want to considering what I saw on the stench of rotting garbage that was filling the air. What I did do is talk to several residents of North Pointe Apartments included Councilman Darrell Langman and found out to my surprise the rat infestation issue has been going on for at least two years. Two years of living with rats. The diseases that they carry and of all the disgusting environment that comes with rat infestation was just plain crazy not to mention detrimental to one's health. What I do know is this, there is not a single person sitting in front of me or North Pointe building owner who would live with their families under these conditions and tolerate them for any length of time. It is morally and ethically wrong to expect human beings in this day and age in this country to live under these conditions. These conditions would not be tolerated and are not tolerated in any other lakefront community. Lakefront living does not bread in an environment that is conducive the rat infestation. This is a pure fallacy. If it did no one would want to live on the lakefront, quite the opposite is true, everyone wants to live on the lakefront. Children families and homeowners South of North Pointe are directly affected by potential rat curing diseases that could affect many in the St. Robert St. William Parrish area falling property prices are pretty much a given. Who would want to buy a home in close proximity to constant and I mean constant, to your constant rat infestation. Children ride their bikes. Mothers with their babies in carriages and the elderly are most vulnerable residents along with others pass within 10 feet of this rat infested garbage dump every day. Just to think of this is sickening. To date the residence of North Pointe and the surrounding community have had to put up with rat infestation for two years. How, how did yearly or how did yearly inspections of this property miss the obvious or did they? Actions always speak louder than words. To date since the inception of the rat problem all we have been getting from North Pointe ownership is lip service the owner has been stonewalling you have been playing this administration for a bunch of fools. Mayor Holzheimer-Gail I fully agree with you, I also prefer to work together in partnership for solutions however, it's not working. Two years later in a serious health problem has not been resolved. It's time to try something different. 8 PM the North Pointe owners do not respect this city if it did we would not be here today discussing this issue. The problem would've been resolved years ago. This City Euclid does not respect itself, how can you let APM walk all over you as if you didn't even exist. The playing you for fools. They would never do this to cities. This would never happen in another city. The solution is simple, clean the place up keep it that way, and I guarantee you, you will not have a rat problem. No one else on the lakefront seems to have this problem. Mayor Holzheimer-Gail Euclid is clearly suffering from a lack of staffing to adequately address the housing issues, either existing staffing is not being utilized properly, the department is not adequately staffed or a little bit of both. What is crystal clear is Euclid's long history of being a city of superior services has faltered in a big way leaf pickup and snow

removal this past fall and winter was nothing short of the worst I've ever seen in my lifetime here in Euclid and now this. Mayor you are the leader of this city, you are the one in charge. Do whatever you do whatever you need to do to bring the city back to what it wasn't what I know it can be. Restructure Apartments higher the number of people you need and get the equipment you need to get back on track. I know you're going to have to raise taxes, that's a given. So be it. You have no choice at this point you have what you have to do, we have to get on with it, it is what it is. Thank you for your time.

President Monroe – Seeing no other residents that want to address the Committee of the Whole, we will close that section of the evening and move on to the Legislative portion of the evening.

Councilman Langman - Mr. Chairman, just one point there are two things I believe we have representatives from the management company I don't know if they want to speak.

President Monroe - We will not address that now we will address that in the order number six I believe on the agenda.

Councilman Langman - okay well they are not familiar with our process so, I believe that one of them wanted to speak during this portion of the meeting but it's entirely up to you.

President Monroe - see none

Mr. Ken Lapine - Thank you for allowing me to address counsel. I'm Ken Lapine represent the owner of North Pointe. We are well aware of these issues and have been working diligently to address them and we have changed our management company as of the middle of May and they have been charged with addressing all of the issues that have been mention this evening. With respect to pest control we've enhanced the pest control strategy starting in June. We have new exterminators. They come every week and will continue to do so until this problem is under control. We are committed to doing that. We're dealing with trash disposal issue. Under a new agreement with waste management we are leasing 20 new trash containers, replacing and doubling the number of dumpsters that are now in place. The new secure trash containers which we expect to arrive August 1st will help deal with the rodents, because it will denied them access to the trash. Trash is picked up six times a week including twice a day if needed and we are working on the trash chutes. It's a problem because residence throw things down the trash shuts that are too big to pass through them, which causes the trash chutes to jam and we are working constantly to remove these jams and hopefully inform our residence that there is a certain limitation on the size of trash should be put in the trash bins and oversized trash should be left in the compactor room. Fairly simple solution, with respect to the common areas we have a new cleaning contractor been on the job since June 20 in their their full time to keep the common areas clean and we are refining the schedule and the approach and we are confident this will make a marked improvement. Work requests were well aware of the buildup and backlog of work requests. We've reorganize the maintenance staff and room the scheduling is now been streamlined and we hope to make the great inroads in the backlog of work orders were very sensitive to the fact that everybody's work orders the most important one that they have, and unfortunately we have a lot of residence and have a lot of work requests and were trying to handle them as expeditiously as possible. We have a large investment in this property were not slum landlords this is not our business. We need we have a large investment we want to protect it we want to improve on it and we want to be good citizens of the City of Euclid and while I'm not addressing the issue of inspection were not adverse to an inspection so long as it's done orderly and in a manner that doesn't disrupt the hard work were undertaking now to address these problems and I have people here from the management company would be more than willing to answer any questions you have at the appropriate time. Thank you very much.

President Monroe - Thank you any other person's to address committee of the whole. Seeing none, I'll close that portion of the evening move forward with the legislative portion of the evening.

LEGISLATION

Madame Acting Clerk - Can you please read into the record the first proposed resolution

1) **Resolution 79-2017 (096-17) A Resolution appointing Barbara Allen as Clerk of Council**

A resolution appointing Barbara Allen as Clerk of Council. (Sponsored by Council President John Monroe)

President Monroe - So moved by Council President Monroe, seconded by all of city Council so moved Madame Acting Clerk can you please call the role.

Role Call: Hill, Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench, Monroe

Resolution Passes.

President Monroe - Welcome Aboard. Thank you. Madame Acting Clerk could you please call the Second agenda item in the record.

2) **Resolution 80-2017 (100 – 17) A Resolution enabling the release of certain deed restrictions**

A resolution enabling the release of certain deed restrictions recited in Cuyahoga County Fiscal Office Recorded Document, as recorded in AFN No. 201305090500, to allow for the transfer of property located at permanent parcel number 643-29-059, vacant land on Mavec Avenue, Euclid, Cuyahoga County, Ohio. (Sponsored by Mayor Holzheimer Gail)

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

So moved by Councilman Jarosz, seconded by Councilwoman Mancuso.
All in Favor, Yeas: Unanimous

Director Sweeney - Mayor/Director. Thank you Mr. Chair. Liz Landgraf sufficiently covered what I would discuss here but basically Mr. Seymour is going to buy out the half interest of the Washington's so we just asked counsel to remove that deed restrictions so that transfer you can take place.

President Monroe - Thank you Director. Colleagues, any further questions comments or concerns? Seeing none, I'd entertain a motion for passage or a motion to close the debate.

So moved by Councilman Jarosz, seconded by Councilman Mancuso.
All in favor. Yeas: Unanimous

At this time, might entertain a motion on the merits of the proposed resolution.

So moved by Councilman Delaney seconded by Councilman Langman

Madame Acting Clerk can you please call the role.

Roll Call: Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench, Hill, Monroe

Resolution passes.

Thank you ma'am clerk can you please call the third item into the agenda.

3) **Ordinance 81-2017 (93-17) An emergency ordinance authorizing the sale of Permanent Parcel Numbers 650-36-014 & 015**

An emergency ordinance authorizing the sale of Permanent Parcel Numbers 650-36-014 & 015, 24631 Hawthorne Drive, from the Euclid Land Bank, to Charles and Nina Cofield for the amount of One Dollar (\$1.00) as authorized by Ordinance Nos. 98-2010 and 101-2011.

President Monroe - Thank you at this time I'd entertain a motion for passage to begin the discussion this evening.

So moved by Councilman Delaney, seconded by Councilman Hill.

All in favor, Yeas: Unanimous

Director Holody - That you Mr. Chairman. Mr. & Mrs. Cofield have lived here in Euclid for 28 years. They would like to build a new house and we're thrilled with the like to do that here in the City of Euclid. This proposed sale, will sell two land bank locks that are adjacent to each other to Cofield's for them to construct a 2100 ft. home. It is a ranch style home with a three car attached garage. The proposal was reviewed by the Planning and Zoning Commission and recommended for approval at its meeting on June 13th. The Cofield's are here in the audience this evening and they would be happy to answer any questions on this matter as would I. We are recommending approval of the sale this evening so that they can proceed through the design and then into the construction phase of their project. Thank you.

Thank you Director, colleagues any comments questions or concerns?

Councilwoman Hill – Thank you Mr. Chair. This is in my ward so I'm very excited that Cofield's would like to stay in the City to build a house they obviously have the opportunity and the choice to build that anywhere and yet they are choosing Euclid. I did go out and speak with the residents living on both side of this vacant lot and they are both in support of the Cofield's coming in and purchasing that land. Looking forward to having new neighbors there. So I hope that my colleagues join me in support of passage for this.

President Monroe - Thank you, councilwoman, any other comments questions or concerns? Seeing none at this time, I would entertain a motion to close the debate this evening.

So moved by Councilman Hill seconded 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 Hill seconded by Councilwoman Scarniench

Madame Acting Clerk can you please call the role, as to the proposed waiver of the second and third readings of this ordinance.

Roll Call: Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench, Hill, Jarosz, Monroe

At this time might entertain a motion for approval of the proposed ordinance.

So moved by Councilwoman Hill, seconded by Councilwoman Scarniench

Roll Call: Delaney, Langman, Gorshe, Caviness, Scarniench, Hill, Jarosz, Mancuso, Monroe

Ordinance Passes

Thank you

Madame Clerk can you please call the fourth item into the record.

4) Resolution 82-2017 (88-17) A resolution enabling the release of certain restrictions

A resolution enabling the release of certain restrictions recited in Cuyahoga County Recorder's Instrument No. 116745 as recorded in Volume 8848 and Page 488 of Cuyahoga County Records, to allow for a drive-thru window at the retail space located at permanent parcel number 644-20-005, 23910 Lakeshore Boulevard, Euclid, Cuyahoga County, Ohio.

President Monroe - Thank you, Madame Clerk.

At this time might entertain a motion for passage to begin the debate this evening of this proposed resolution

So moved by Councilwoman Hill, seconded by Councilman Mancuso.

All in favor, Yeas: Unanimous

Director...

Director Sweeney - Thank you Mr. Chair. This has been before counsel or one of the safety Committees. So you've heard from this business owner and owner of the property a couple times. I sent counsel an email on July 11 outlining the points. I asked you to consider before today just briefly to touch upon some of those points on the proposed pedestrian crosswalk islands are coming very soon. It does look like they will hit the part of the West End of the driveway. A car could turn left out of the Happy's Pizza/Domino's location but Dominoes did agree to make that a right turn only out of the exit drive. It's not a true change of use of the building as its going from one pizza shop to another pizza shop and as Mr. Goodman said we do have a Guys Pizza on 222 it does have a drive-through window and not a drive-through window a pick-up window, so that is essentially what would be here. The owner of that Dominoes did state that the transaction will be very brief at the window maybe 30 seconds to run that credit card or take cash and put the pizza out the window. So we do not anticipate a big backup or any backup onto Lakeshore Boulevard. Admittedly there is a jaywalking issue there but that should not be a reason not to let this business in. It is technically a crime to jaywalk and this business should not be penalized on because there potentially could be a jaywalking issue there that will be rectified shortly with those pedestrian medians and safe harbor places. You know, basically this business has been closed for a couple years we would like to see it occupied with another business and this is a national chain that does very well. It's gonna help our tax base potentially 30 new jobs here and brings another place for our folks to eat it's over in that neighborhood, and there are places that lacking a place at the right and I or Director Holody or the property owners are happy to answer any of the questions you might have.

President Monroe - Thank you Director.

Councilman Langman.... Comments, questions, concerns.

Councilman Langman - Thank you Mr. Chairman. To Chief Meyer and then to Director Knecht, do you have any issues with the traffic situation with the proposed pedestrian island in the right turn only?

Director Knecht - Chairman to the Councilman, no I do not.

Councilman Langman - Thank you.

Chief Meyer - Chairman to the Councilman, no I do not.

Councilman Langman – Thank you both

Thank you Mr. Chairman.

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

So moved by Councilman Hill, seconded by Councilman Jarosz.

All in favor, Yeas: Unanimous.

Not hundred percent sure technically we have to do this but I'd entertain a motion to waive the third reading of this proposed resolution

So moved by Councilman Langman, seconded by Councilman Gorshe

Madame Clerk, would you please call the role.

Roll Call: Langman, Gorshe, Caviness, Scarniench, Hill, Jarosz, Mancuso, Delaney, Monroe

President Monroe - At this time might entertain a motion on the merits of the proposed resolution.

So moved by Councilman Langman, second by Councilman Gorshe.

Madame Clerk can you please call the roll on the proposed merits.

Roll Call : Gorshe, Caviness, Scarniench, Hill, Jarosz, Mancuso, Delaney, Langman, Monroe

Resolution Passes.

Madame Clerk, can you please read into the record the 5th item on the agenda.

5) Ordinance 83-2017 (078-17) An ordinance authorizing the Mayor of the City of Euclid to enter into an Addendum

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 would entertain a motion for passage to begin the discussion of the proposed ordinance this evening.

So moved by Councilwoman Hill, seconded by Councilman Jarosz.

All in favor, Yeas: Unanimous

Mayor/Director...

Director Sweeney - Thank you, yes councils aware this piece is been before you couple times as well. The Memorial Park Community Garden was on a five-year lease that expires April 30, 2019. They did occupy green space in between the sand volleyball court/tennis court. They approached the Administration to move inside the unused sand volleyball courts. Permission was granted. They have pretty much moved everything inside of the fences there were two sheds that were still sitting outside of the fences. I did talk to Ms. Garcia today from the Memorial Park Community Garden and she said today she believes those sheds were moving inside the fenced area. I still believe we do have to go to architectural review board for those sheds and I believe because the city is the owner of the property we would be the applicant for those sheds at ARB. So we will look into that next. The next ARB meeting for which we could apply is end of August. So basically their request to move inside the sand volleyball courts is because that property, that part of our park is not being utilized, and they did think it would provide more security to them, with their with their gardening and their vegetables and fruits in with their tools. I'm happy to answer any other questions you might have.

President Monroe - Thank you directors. Colleagues, I'm sorry any additional comments questions or concerns regarding this proposed ordinance? Councilman Hill.

Councilwoman Hill - Thank you Mr. Chair. I have a couple of questions. How long, is this signing a new lease or is this just to expire, run out the old lease that expires?

Director....

Director Sweeney - Thank you Mr. Chair the old lease will expire this is just to basically change the location of where the garden is from in between the two rec. areas to inside the sand volleyball courts.

Councilwoman Hill - And then my next question is, will them being on the volleyball lot have any negative impact to the improvements that we are seeking to make likable and being there cause more damage that we didn't have to now pay more for that we wouldn't pay if you're not there.

Director/Mayor....

Mayor Holzheimer-Gail - Do you mean to the courts?

Councilwoman Hill – Yes

Mayor Holzheimer-Gail - If we had what we do have volleyball courts at Briardale Greens. We have two sand volleyball courts which are currently being used. If we were to, if counsel were to decide to move back to the volleyball courts at where the part where the garden is now, there would need to be some improvements. Sand would have to be brought in. I don't know if that's exactly what you're asking.

Councilwoman Hill - Well because it said until we are looking to make more improvements, are we planning on improving that?

Mayor Holzheimer Gail - No, that was part of their initial lease, offered a 30 day out, instead there in case there was plans for the space they were previously in, So if there was some change that the City or Council decided, Council decided as part of the Memorial Park upgrades we don't have any other plans for those sand volleyball courts as instructor Stevens has indicated in several of the meetings that we've had. There just was not interested in using those sand volleyball courts they had become unsightly and I think the area looks better with the garden inside the volleyball courts in the other area cleaned up. So we don't have any plans to redo that in the near future.

Councilwoman Hill - Thank you and then just my final question. I know in the past they've been a little restrictive with who they allow, are they do they plan to continue to restrict especially with it being on City property? I know it was on city property before but are they open to allow other residents to be a part of it because I've had a couple cause of people that wanted to be a part of it and they were not allowed.

Mayor Holzheimer Gail - I believe they are open for new gardeners in the past I don't and Ms. Garcia perhaps can address it directly but it is open to other residents. I know in the past they have been full. I believe there are at their previous location of most of the spots had been were being used, so I think only the only limitation would be on the number of garden spots.

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

Councilman Delaney – Thank you. This has been in front of us three times, I'm a little, I guess we are just a little tired of it. But it's worth stating that there's two things that were wrong about this, one is the process, admittedly so you don't give permission when we had gone through change the law, lease a significant piece of our public park and held that agreement. The decision made in an office, to expediently move them next-door into the sand volleyball courts which takes away an opportunity. What I am arguing for is to think a little bit bigger and you're arguing for your limits. That's where I hope I can make you understand where I'm coming from. I don't want you to seek a limit, I don't want you to say well there was enough interested we didn't try hard enough. When you're talking about a sport that is exponentially growing every year and we should be using both should be using both courts. We should be using the ones at Briardale and we should be using the ones at Memorial. That's wrong. And the process is wrong. You can put a community garden anywhere, in the spirit of this movement they are usually put in places where there's a need for more activity. But in our Memorial Park it's the biggest most active parcel, piece of land in the entire city. It looks to me like, if you want to drive a nail through a board use a hammer and when you drive by and you see garden set up inside a 10 sand volleyball area, it looks like you know how to use your tools. So understand where I'm coming from in and why I disagree with this. It really does take a smaller issue and convey shed light on a bigger problem to respect the process, we change the law, we should follow the law and follow our Lease, instead of just dismissing it out of hand and changing the rules of the game and when we have these facilities that the residence have invested in we should use them accordingly and not give up on them. The reason why the sand volleyball courts were unsightly is because the City was not taking care of it. So how can we say, oh they became unsightly. Well then, that should be changed. It shouldn't be unsightly. It's an entrance to our park. So I hope I'm a little clearer this time. I don't want us to fight for our limits I want us to grow. Thank you Mr. Chairman.

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

So moved by Councilman Hill; seconded by Councilman Jarosz.
All in favor. Yeas: Unanimous

President Monroe - At this time I'd entertain a roll call vote for motion for the proposed ordinance.

So moved by Councilwomen Scarniench; seconded by Councilman Caviness
Madame Clerk can you please call the role.

Roll call: Yeas: Caviness, Jarosz, Mancuso, Gorshe, Monroe

Abstain: Scarniench, Hill, Delaney, Langman,

Ordinance Passes.

Madame Clerk at this time please call item number six into the record

6) Resolution 84-2017 (101-17) A resolution requesting the Administration to expedite the full inspection of North Pointe Apartments.

A resolution requesting the Administration to expedite the full inspection of the North Pointe Apartments with said inspection covering all common areas and residential units allowed under current state and city code.

Thank you Madame Clerk.

President Monroe – 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; second by Councilman Gorshe.
All in favor. Yeas: Unanimous

Mayor Holzheimer Gail - Thank you, Mr. Chairman. First I'd personally like to thank the residents and the members of the management team and ownership for being here. Obviously this is an important issue both to City Council, to the Administration, to the management, to the residence. We have taken several steps to address the issue starting with the meeting back on March 2, when that meeting was when we did not get satisfaction in terms of the cleanliness, we did issue a violation in April. That I violation led to a criminal case criminal. The criminal case is pending. Has been in front of court. Summons have been issued, appearances have been made there was a pretrial that was held and a continuance provided until August 10. Other violations were issued and we are following up with those through both our prosecutor's office and our housing department. We absolutely want the residents to have the best environment that they can and we are here to work with you with the owners, with the management, with counsel to do what we can legally to make that happen. In terms of the rats that is not an issue we obviously can cite for it, we can send violations in criminal cases. Board of Health has been out has been involved. The biggest issue is the trash and there is a plan in place to remedy that. I understand this resolution is around the annual inspections. We do inspect multifamily units annually, those inspections do not necessarily get at behavior, do not necessarily address some of the issues that were presented tonight. We are fully committed to doing inspections, our inspectors have been there probably almost every day over the last several weeks following up on items. In those cases we do communicate with the management company we have been getting a better response from the new management company. I don't want to sit here tonight and make excuses, we do have work to do. We have limited resources, limited staff so I will certainly continue to work with counsel with the management and with the owners and with the residence. The residents have a major part in this. We can't do it on our own the owners and the management can't do it on their own. We need the residence as well. So whatever steps need to be taken to make sure this is the best environment that it can be, we will do that and so I do thank

you for your participation this evening. Thank you Counsel for their support and what we are doing and we are working very hard to make sure this community stays strong, is a great place to live, to work, to visit and North Pointe Apartments are a major part of our community. There is more than 900 units there. That's a large population for our city we welcome them to our city and we welcome them to be a part of our community. Certainly the issues that affect North Pointe affect the immediate neighborhood, they affect our whole city. Nobody should be happy with anybody living in conditions that are not safe or sanitary. So we have been taking steps to remedy that unfortunately is not something that can be addressed in a day, in a week, but we have seen progress. We will continue to work with counsel, with the management and the owners, and the residence to do what we can to make sure North Pointe apartments is cleaned up and fixed. So we appreciate your involvement, please continue to stay in touch with us and we will continue to stay in touch with you.

President Monroe – Thank you Mayor.

Councilman Langman – Thank you Mr. Chairman. First, a couple residents couldn't make it tonight so they asked me to read some comments into the record. I will take care of it first. So the first is from the daughter of Ms. McKeyon who spoke earlier. I won't go into the full details but I think the bottom line is that her experience of North Pointe was incredibly traumatizing for her. Being bitten by bedbugs having pets and couldn't even bring them there. So she feels it. That's why she couldn't come and speak on her own. There are other residence out here tonight that also feel traumatized by the experience living at North Pointe and they continue to live there today. But I do have an email from elderly woman named Beverly I received the first one in June 27th. Good morning Councilman Langman, I saw a report on channel 5 regarding North Pointe apartments and would like to thank you for bringing this to the attention of the news and hopefully this will help that building get it together. My mother, this was the daughter writing, my mother currently lives there and over the past couple of years has complained tirelessly to the management regarding the trash in the building etc. This is an ongoing problem that existed since she moved in there and currently exists today. My mother is 70 years old and despite our efforts to get her to move, she has wanted to stay, primarily due to her age. But now over the past month expressed her need to get out of the building for health reasons as well as the cleanliness of the building. I have reached out to the court to inquire the process of escrow until they resolve the issue. This next e-mail came today July 17th. Good morning, again this is from Beverly's daughter, I just want to mention to you our weekend at North Pointe. Mom lives in the East building she called me Friday telling me that water is coming from walls under the couch she contacted maintenance who did not follow-up until hours later, we moved the furniture in the next day Saturday, maintenance came in and put a fan in her unit I believe to attempt to dry the carpet. They told her the water is coming thru walls from the 22nd floor. As of yesterday the water is still seeping through the living room as well as her kitchen. She also said that baseboards are turning black, which I believe may be the onset of mold. Another health concern especially for a 71-year-old. I'm not sure if there is a log of issues but if so, I wanted to be sure you were aware. Now Mr. Chairman, I too like the Mayor I want to thank the residents for coming, out and speaking to the issues of North Pointe. I think it's a incumbent upon us, everybody up on this stage were having a intellectual academic discussion. For those residents that's their life. This is what they live and have lived with for years now. Think of the strain it puts on you. We all have everyday concerns, we all stressors in her life, but think of the issues that some of these folks are returning to every single day. Mr. Chairman I don't want to belabor the point but in essence they're here asking for our help. That's what the government is supposed to do. What are we telling them to do? We're telling them to wait. The resolution is very simple I understand perfectly that the Council has no enforcement capability, none. That's entirely up to the City and the Board of Health. Now yes, there is a new management company, I wish them well, I've communicated with Ms. Reynolds and Edwin many times on issues at the building. Mr. Lapine was over my house, along with Councilman Delaney on Saturday for good conversation. The issue here is not directly related to you, although, I hope you are successful as far as your efforts go. But I can tell you Mr. Chairman, I have email after, email after, email indicating that the owners are aware of the issue. That they're going to do something. Mr. Lapine right off from a newsletter that was sent to the residence on July 14. The mayor mentioned her meeting in her office with the owners on March the 2nd. This is the response from North Pointe to that meeting, this came through on March 10, 2017. Abell Extermination will be out on Monday to start treating for the rats out by the dumpsters. They will treat the rats twice a week Monday and Thursday by the dumpster area fence line, garage entrance and the hill on the west side leading to the lake. They will review the garage areas, the first floors etc. We will be

meeting with the landscaper March 15, 2017 to discuss removing the soil near the dumpsters which will also assist in keeping the rats away from the dumpsters. That was there plan extermination concerns within the buildings. Severe cases of bedbugs are being treated with heat treat. Manual cases are being treated with liquid treatment. Every case they are inspecting and treating necessary the box of apartment homes surrounding that effective apartment home, and it goes on. Are treated every 30 days. That was there plan of March 10th. I can go back further, email dated June 9, 2016 they are talking to the contractor to the property management company to Leah, Leah Scoza was the property manager at that time. The exterminator says yes go ahead, you can fill in the holes by the dumpsters. I've been in North Pointe every two days over the last month checking our traps and bait stations. Over the past week we have gotten two rats and it seems like that the activity is a little better. We still have work to do helping keep the area clean and fixing the garbage containers will be a great start. This from Ms. Scoza, the purpose of this email is to assure you all at the same time that we are and have been working to control with our pest control providers. We also do have several quotes in place for making repairs to the containers, meaning the dumpster, so that they do not have the spillage that we are currently experiencing reference to the pictures that I've received the garbage coming out of the sides. Mr. Chairman, Thursday we saw dumpsters with garbage coming out of the sides. There is more if I can find it November sorry let's see, November 3, 2015 this from the Board of Health with Mr. Tim Hitchcock. Good afternoon everyone, when the trash complaint was originally reported it was followed up on a chart changes were made to the dumpster's area. Review the images he had pictures and you can see the progress after the smaller dumpsters were emptied they were removed addition a pest control company was hired to place bait stations that would reduce and would eliminate the rodent population. That was also done as well. If you have new complaints regarding waste in this area will be happy to contact the management offices to discuss with them that was November 3, 2015. I go to Mr. O'Donnell, City Employee's, this goes way back on July 28, 2015 ladies and gentlemen. The Board of Health has visited the property and bated for the rats coming up from the lake, which is a myth of course. They have advised the management company of how to reduce the menace and control the situation. If the garbage containers are not emptied on a regular basis and the area kept clean of food source, the problem will not go away. That's what the residents of North Pointe and the neighbors have been living with. Mr. Chairman, I call that tyranny of good intentions. Here you have city officials, the Board of Health, management of the apartment buildings, remind you that it's the same ownership group, promising to do all this stuff and that's only about the rat issues Mr. Chairman. So this tyranny of good intensions and has consigned the residents of that property to live with rats, roaches, flies and maggots, bedbugs, Pharaoh ants they live with mold and mildew. They are living with crumbling balconies which by the way it was the photographs from the tenants that I forwarded on to the law department of housing apartment that then became part of the prosecution. There also living with a leaking garage which according to our own fire prevention guys, will require much work on the decking, because the fire retardant material just get washed away because the garage leaks so much. That's the reality that these residents are living with, every single day. Now I agree with the Mayor, an inspection is not the magical cure but these residents have been told to wait and wait and wait some more. That is not acceptable and what I've been told when I've asked when we got to get back in the building. I've been told it's a scheduling issue or it's the Portsmouth case or it's now a scheduling issue. These residents deserve better. Which leads me to my last point Mr. Chairman if we take a step back and look at how we inspect these properties, I think we have much to do on that procedure, because there's no way one person can handle 10,000 units, That just doesn't work, it simply does not work with the process in place because one of my questions is, how do you miss but decrepit garage, how do you miss falling of the balconies and crumbling masonry that shows rebar. Now I don't know what that really means I don't have the expertise. It's the administration and the Board of Health they have the expertise. That's what this is really about. I don't know for sure, I can tell you that the residences stories to me and their photographs make a far more compelling case and wire from the management. God bless them, I hope your successful, I really do. But when we have this balance of issues I know Council President you want to get going, but it's their lives here.

President Monroe - I think we get the picture at this point we've heard from a number of residents and I appreciate your passion and your comments.

Councilman Langman - If you don't mind, I 'm just goanna finish my point. We need to make sure that this is not happening with other properties. That's the issue. So it's up to administration the councils either going to pass this or they are not, the Administration is going to do whatever

they want. I believe that we have to have a strike force not just for grass and trash cans but for properties that have been allowed to decline to this particular condition. Thank you very much.

President Monroe - Any other comments, questions, or concerns. We'll will start with Councilman Scarniench then we'll go over to councilwoman Caviness. Thank you.

Councilwoman Scarniench - Thank you Mr. Chairman just one thing we always talk about curb appeal. We talked about how important it is and wait and outside of the building looks. We might not necessarily know what was going on inside, when I sit here and I looked at these pictures that Mr. Cook took, just within the last week, to me there's no good faith there. I would want to hire day workers to clean up the garbage. It's there, it's not just a couple days old. That is the most disgusting thing I've ever seen. I grew up in the Briardale Projects and we never had anything like that, and there's no excuse for this kind of thing. We need to do something whether it's go out and hire outside people to come in and do this. We need to seriously look at this and it needs to be done yesterday not a week or two weeks from now. Thank you.

Councilwoman Caviness – Thank you Mr. Chair, I echo those sentiments exactly. It's disgusting I just, it made my stomach turn when I saw that. But I do have a question that pertains to as Daryl, as Councilman Langman said, that we have other issues in the city besides North Pointe. We have other high-rises other complexes that need help. I know that I expressed to my colleagues the issue that we have at Indian Hills which is in my ward and the issues that we've had for years. I had a gentleman who actually left there because he woke up one night and there was a rat in his bed just staring at him. Let alone other things so, I know now that the city began their inspection process. Which is a long time coming, Pat this past Tuesday, Mayor and Dir. Sweeney how long will that take for that inspection at Indian Hills?

Mayor Holzheimer-Gail - Thank you Councilwoman. Our multifamily inspector is scheduled to be at Indian Hills from now till August 11th. She is then scheduled to be at North Pointe from August 14 through August 25th.

Councilwoman Caviness - And that is that is where, after seeing. I could hear the stories, seeing a picture is worth 1000 words and to see the deplorable conditions that people are living in now at North Pointe. I would want to, I would venture to ask the question, if you move the inspection date up for North Pointe what would that do to Indian Hills and how much of a delay would we have then? Because they are at Indian Hills right now are not having the issue of the overrun vents. We did a number years ago, that's been addressed. But we do have elevators that are now working, we have people who are on wheelchairs, who one lady was stuck for a whole week because she couldn't get down. Because she's in a wheelchair and the elevators were broken. We don't have one main building we have about 10 buildings and we have other issues with heroin use etc. etc. But what would that do Mayor, I'm sorry getting back again to the inspection process at Indian Hills, if this legislation passed for and where would we see the inspection began at North Pointe if it passes tonight?

Mayor Holzheimer Gail - We would certainly have and I would certainly take into consideration if counsel passes this. We have to make a decision based on the staff we have the resources we have. The inconvenience and the loss so landlord-tenant law requires you give notice to go into somebody's home, somebody's unit. So we can't just show up tomorrow and go into every unit we need to schedule that you need to plan that so proper notification can be provided to the tenants. That's important, so could we do it in two weeks potentially but that would delay Indian Hills who have had notice for several months that we would be there. That certainly doesn't decision we make on a regular basis to balance resources, versus needs, versus you know priority. This is a priority, I think there's probably a happy medium. I don't know that the unit by unit inspection is what's going to make the huge difference in a month. We have inspectors on site watching, regularly, the trash. We have the Board of Health involved, working on the rodents. Until the hoppers, until the new garbage bins are there, there will continue to be trash issues. Could additional staff helped get the garbage out and get it cleaned up, yes that would make a big difference. Our unit by unit inspection is not going to address those issues necessarily. We will see the inside of the units. We will know who has smoke detectors and who has GFCI plugs and what sort of condition the inside of the units are. I think probably a happy medium is to send either, our Housing Manager and we now have a new Chief Building Official over to do the common areas. I think that's probably a good compromise that we get them in. We know there's issues, there's a court case pending and there's violations pending at

some of these major issues. So to get those conversations and to get that work started would certainly help and so, we make those kind of decisions every day the larger discussion is, do we have enough resources, do we have enough staff? I will tell you now, we could use more and probably every department if you can go down the line here. We could, we just hired for new police officers, I'd love to get four more, six more. Parks Department, Rec. Department, Fire Department, Service Department, Streets and that's not tonight's conversation. So we won't go there. But at the end of the day those are, that's the administrative decision that we have to make on a fairly regular basis. So yes, it would impact I mean, if we if you want to be simple about it we could pull our multifamily inspector off of Indian Hills and move them to North Pointe, with the proper notice, with the proper, but it is, there are cost to that.

Councilwoman Hill – Thank you Mr. Chair - It just puts me in mind, and I do want to thank all the residents for coming out tonight. You know you hear so many times about how we need better more homeowners and this and that about the renters. But this just point to the fact that we need better property owners. Because if I am a renter, whether I want to stay 20 years, two years or one year. I would not stay for years and years having to deal with this. I hear the represent representative say oh they're making investment in their investment they want to put into it when I look at those pictures nothing about those pictures say that there is an investment. We have leaks, water stains of that size does not come in one night or one day or one week. This is a continuous problem that our citizens have been living with and we should feel bad about it and I get it is not all on the City. It's the management, it's the owner but we as a city are supposed to back you. I would asked that we pull, I don't know, pull someone that rides around and looks at grass. Cause Lord knows, I ride around and look at enough grass. So somebody's job, I'm doing. Pull somebody from that and put it on your, leave Daniel where she is. If that's what we need to but there has to be another inspector we shouldn't have to rely on one person. We have to prioritize. Is it POS sales inspections? I don't think so right now. Not when they are living with this. Granite going into the units one by one is not going to solve everything but it will let you know about the tenant that has the water leaking up on her couch, coming through her walls. Cause you can't see that in the common area. So we just have to prioritize. I hope that we pass it and we figure out how to make it work.

President Monroe – Any other comments, questions or concerns? Councilmember's?

Councilman Delaney – Thank you. It's, it's a resource problem now. We brought these issues up two years ago. We were talking to you on the record with the housing manager. The windblown trash going down the street and we were dismissed out of hand. Oh now, it could be coming from anywhere. I went and looked at those dumpsters and saw how they were overflowing two years ago. Then it was windblown trash, now look at the problems we have. I don't think being heard. Two years ago we were talking about a system of inspection in the housing department that's 40 years old. It's obsolete. It's not addressing our needs, all of these people brought themselves away from their home on a Monday night to be here to say that. What we need to tell them is as a city, we're going to make it right. We're not going to sit here and say well August 15 no we have to get somebody over there now. We can't wait for this. Whether, it's the housing manager, whether it's the chief building official. There are many things to this. And the rat epidemic is not just confined to the parking lot, it's in the surrounding neighborhoods. I've been getting rat complaints for two years in those areas and again it's not getting through and I don't know why. But what we need to do, is we need to take action immediately but the administration is been on notice for years. We should have been taking care of this problem. Was what their job is, is what their job is North Pointe operators we can't say any longer were working with them. We want them to do much, much better this is a health issue is now. This is very, very serious and aside from this legislation we need to do a whole much more work than that. It's going require much, much more than what this legislation is quite frankly should be taking place yesterday. Thank you.

President Monroe - Any other comments questions or concerns?

Councilwoman Gorshe - Thank you Mr. Chair. While I would like to think the residence as well for coming out I also I think my colleagues for the flurry of mails we've had over the past several weeks about what's going on. Not only in Indian Hills and their elevators with the elderly which is a sad situation. The rat infestation just really does make my stomach turn as well and makes my skin crawl so I'm sorry that you have to live with that. No one should live at that. And our residents deserve better. There is also other issues and other apartments are through the city that

councilmen Hill brought up in an email so eyes wide open. I do believe that there is a process I do believe that we have to let the know people know that were coming to their apartment to see what's going on. I don't think anybody here right now tonight would say no, don't come in and see, I think they would open up their doors and invite us in. Honestly water coming in from the 22nd floor what is that? Is that roof leak? Is what is that, is that a plumbing issue, I don't know. I am excited that we have our new chief building officer and I'd love to bring him in from Strongsville and show him Euclid and really get his feet wet. Not literally but figuratively. And in, our maybe our housing manager could do the housing areas and maybe we could start the process what we finish up Indian Hills because again our residents deserve better, whether they rent, or whether they own. Thank you.

President Monroe - Councilman Jarosz....

Councilman Jarosz – Thank you Mr. Chair. Our couple questions to the Administration, has the North Pointe apartments been notified of the inspection coming? of the current plan to come in the second week of August?

Mayor Holzheimer Gail - Yes.

Councilman Jarosz - What is the current North Pointe violations and sent them to the prosecutor's office, what is kind of a handful, what those are?

Director Sweeney - Mr. Chair to the Councilman, We have a criminal case pending for the rodent infestation and for the garbage issue. So that is currently, as the mayor said, in pretrial stages. They asked for continuance, the next pretrial date is on August 10th. This was planned because it is after the new waste management I dumpsters will be arriving and new garbage pickup and cycle. The other issue that is forthcoming, is the time, we did a violation notice May 3, (I'm sorry), June 13 and June 15 for the structural issues with the balconies. So they had 30 days to provide structural engineers report. I do not have that yet, I did email the attorney for North Pointe not the gentleman that is here, but the gentleman that did appear in court with them. He is out of the office till Thursday. I hope to have this report by Thursday. I'm putting Mr. Lapine on notice, I would like that report ASAP. If I don't have that report, a new criminal case will be initiated. Also looming is a Fire Departments Inspections. It's my understanding the Fire Prevention Bureau will be there this Thursday. So depending on what those violations are that the Fire Department finds, their potentially is another Criminal Case after that.

Councilman Jarosz - And from a city perspective, is the extent of our power, if you will, issuing violations in criminal cases. So my point is, if you were concerned about the rats. Which everybody should be. And we now have them in the prosecutor's office with criminal charges filed against them for those rats. What else can we do?

Director Sweeney - I know a couple residence did mention condemnation. I am not going to say no to that quite yet. But I would like to see the extent of the interior and extent of the common areas an inspection done on those items. Structural issues, the garage issues, water issues, mold issues depending on what those inspections find, potentially that could be the next step is file something downtown, condemnation complaint downtown.

Councilman Jarosz – And Mayor, when you say we have, is people there on a almost daily basis recently, are those inspectors or are they people riding around looking at grass? Like who is there.

Mayor Holzheimer Gail - No disrespect to our gentleman who does the grass citations. You need to be trained to do housing inspection, and so no, you cannot take anybody out of a particular job it needs to be a trained inspector.

Councilman Jarosz – Yes, I guess that's generally, you know, to me it was mention earlier about process when we were talking about other issues. If we're working our way through process where we've already filed a criminal complaints and a judge issued a continuance because that's the judges, judges prerogative and we're doing all that we can for legal perspective and we have inspectors at a place that has issues. Indian Hills. That the cohesion of any process may do what needs to happen is housing committee meeting where we understand the process better to understand because we can't make process here. I mean, we have already pulled this person

here, move this person over here, do this do that and I think when you do that, things just become at hock and more people are more likely to fall through the cracks if we do it that way. So you, because it's really and while this resolution mentions North Pointe specifically it's really about the city and how we handle our high rises. How we try to meet the needs of all our residents and I think you know, maybe, not to put anything and Councilman Gorshe's plate but a process to better understand how we handle these. How are you utilizing our resources? What we can expect? To me makes sense because passing this doesn't solve anything I'm much more concerned about having a repeatable, consistent process which we apply all the time, to all our residents so that we could serve them as efficiently and effectively as possible. But as to the residents of North Pointe, my heart really goes out to you guys. I opened my garage the other day and saw a mouse and about freaked out. So I couldn't even imagine dealing with, what their dealing with. Thank you.

President Monroe - Any other comments, questions or concerns? I'm going to try to limit discussion at this point. I think we've covered everything we can cover at this point. Very quickly, Councilwoman. We have ten other items on the agenda.

Councilman Jarosz – Understood, however I have a comment to make. I thank you Mr. Chair. I'm not, I'm not afraid of having hard work. I work very hard and having another housing committee meeting is already in the process for the first couple weeks of August. Now that we have a Council Clerk, she and I will be putting our heads together and put that on the agenda, and that is my comment. Thank you for engaging me.

President Monroe – Thank you, Councilman

Councilman Langman - Last thing Mr. Chairman. Just be clear I have about four or five people taking photographs of what's going on inside that building, at any one time. Those go directly to the Law Department and have for the past two months. So all the roaches and mold and now. The photography's not the best, but neither is mine. I've sent you pictures. But I think we have to be very careful that we don't put process above people. You're the most important people here. We have to figure out a way to get in there quicker. I've been asking for this for months and months. The only ones were really suffering are the residents of North Pointe and their intermediate neighbors. Thank you.

President Monroe - Thank you Councilman. At this time with no further comments, questions or concerns. I would entertain a motion to close the debate.

So moved by Councilwoman Scarniench; seconded by Councilwoman Caviness.
All in favor. Yeas: Unanimous

At this time I would entertain a motion for passage of the proposed resolution.

So moved by Councilman Langman; Seconded by Councilwoman Gorshe

Madame Clerk would you please call the role.

Roll Call:

Yeas: Scarniench, Hill, Mancuso, Delaney, Langman, Gorshe, Caviness,

No: Jarosz, Monroe

Resolution Passes.

7) **An Ordinance (099-17) amending Section 351.12 “Night Parking”**

An ordinance amending Section 351.12 “Night Parking” of the Traffic Code of the Codified Ordinances of the City of Euclid to allow for night parking on East 233rd Street, North of Lakeshore Boulevard, except on the hydrant side of the street, to accommodate the residents of Lakeside Cove Apartments.

President Monroe - Thank you Council Clerk.

At this time I would entertain a motion for passage to begin the discussion of the proposed ordinance this evening.

So moved by Councilwoman Mancuso, seconded by Councilman Jarosz.
All in favor, Yeas: Unanimous

Director Sweeney – Thank you Mr. Chair. East 233rd Street, North of Lakeshore is a dead end street and that street serves as strictly the residents of this Lakeside Cove Apartment complex. The Apartment complex is almost 100% occupied. Due to the high occupancy there is a shortage of parking spaces that are available for the residents and guests. To accommodate the residents and alleviate the parking issues. This legislation allows for night parking on this side street. We currently do have similar type parking on, it's on the Legislation, Clearview, Kenwood, Lake Edge, 193rd, 195th and 196th Street, North of Euclid Avenue and Roseland. That would be an amendment and that is typical of what we've done in the past. I would like this to be just a first reading. And the owners of the Apartment complex, or managers of the Apartment complex will come to the next meeting to make the request of Council.

President Monroe - Thank you Director. This sounds like a perfect ordinance to go to the Safety Committee, if Council thinks it needs to go to committee. I agree that this should be a first reading. Think we should look into this a little bit more. In terms of access, street width, concerns from Fire and Police.

Councilwoman....

Councilwoman Mancuso - Thank you Mr. Chair – Quickly, I would also like this to be a first reading. I will leave it to my Colleagues if they want it to go to Safety Committee to discuss or just make it a first reading and move on.

President Monroe - Thank you, Councilwoman Hill....

Councilwoman Hill – I just have one questions, thank you Mr. Chair. For the Chief of Police. Because it's a dead-end street, do you think that this will make a higher target for illegal activity, especially with so many coming into the community for Heroin usage and things like that.

Chief Meyer – To the Councilwoman. That's difficult to say. Maybe, not necessarily though, I don't know exactly what, I'd be less concerned about Heroin trafficking issues than just damage to vehicles that are parked alongside the street, that sort of thing, maybe thefts from the vehicles. I don't think it will affect the Heroin traffic either way persay. It's a good question, it's a good thought, but I think you may have some more issues to deal with, you know like damage to the vehicles and things of that nature.

Chief, any further questions. Okay. So I'd entertain a motion to close the debate on the first reading this evening.

So moved by Councilwoman Scarniench; seconded by Councilwoman Hill.
All in favor. Yeas: Unanimous

The next question is, whether people feel it's necessary to go, why don't we just do this. Why don't we have the first reading tonight, send it to a second reading in August. Think about whether it should go to Safety or not and we can decide then. So, I think we've moved to close the debate and I'll entertain a motion to send it to a second reading at the August 21st meeting,

So moved by Councilwomen Mancuso; seconded by Councilman Gorshe

All in favor, Yeas: Unanimous

Thank you

8) An emergency ordinance (103a-17) to amend Section 1 of Ordinance No. 2812

An emergency 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 it relates to and designates U-4 and U-6 use districts relative to said property.

President Monroe – Okay, Thank you Madame Clerk.

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

So moved by Councilwoman Scarniench, seconded by Councilwoman Hill.

All in favor, Yeas: Unanimous

Mayor/Director....

Director Sweeney - Thank you Mr. Chair to Council. You've previously had a similar type of zoning piece for the Mall properties. The reason you have a new piece is that the developers were able to acquire the sole remaining parcel that was not selling quite yet. So they were able to possibly acquire that property. Property, the sales aren't closing until September, but they were able to acquire that property, so that's why we do have that change in the chart additional parcel added. One thing I would like to move Council to Amend Section 1, we did catch it everywhere, except Section 1. The developer wants to use the phrase "Seefried Industrial Properties Inc. or any of it's parents, subsidiaries, affiliates, assigns or nominees". So the phrase, assigns or nominees is missing from Section 1. I think that's a typographical error, probably not needing an official amendment but to error on the side of caution I'd ask Council to consider this move to consider an "a" version that includes that additional phrase. Also Council should be aware this piece is going to Planning and Zoning for their August meeting and then if all goes well, presuming all goes well, it will be back to Council for the public hearing on the August 21st.

President Monroe – Thank you Director. Okay, so if there's any comments questions or concerns. I'll make a motion to amend the proposed ordinance and then I think the proper course of action is to send it to the mandatory referral Planning and Zoning Commission and then it will come back for a second reading at the public hearing on August 21. So at this time, I'd entertain a motion to close the debate.

So moved by Councilwoman Delaney; seconded by Councilwoman Caviness.

All in favor. Yeas: Unanimous

So at this time I'd like to make a motion to send it to Amend Ordinance 103-17 to include "assigns or nominees" proposed language by Director Sweeney in section 1.

So moved by Council President Monroe; seconded by Councilman Jarosz

Madame Clerk can you call the role as to the proposed Amendment.

Roll Call:

Yeas: Hill, Jarosz, Mancuso, Delaney, Langman - absent, Gorshe, Caviness, Scarniench, Monroe

Motion to excuse Councilman Langman.

All in Favor, Yeas: Unanimous

Thank you, at this time I'd like to send this to the Planning and Zoning Commission for its mandatory referral.

So moved by Councilman Jarosz; seconded by Councilwoman Scarniench

Madame Clerk can you call the role.

Roll Call:

Yeas: Jarosz, Mancuso, Delaney, Langman - absent, Gorshe, Caviness, Scarniench, Hill, Monroe

To Planning and Zoning

Thank you.

9) **An ordinance (097-17) enacting Chapter 728 “Medical Marijuana Dispensaries”**

An ordinance enacting Chapter 728 “Medical Marijuana Dispensaries” of the Business Regulation and Taxation Code and amending Section 1359.03 “Permitted Uses” and Section 1359.06 “Regulations for Specific Uses” of Chapter 1359 U4, U5 and U6 Business and Industrial Districts of the Planning and Zoning Code, of the Codified Ordinances of the City of Euclid are hereby amended to allow the licensing and operation of medical marijuana dispensaries as accessory uses at state-licensed medical marijuana cultivation or processing facilities.

President Monroe - Thank you Madame Clerk.

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

So moved by Councilwoman Gorshe, seconded by Councilwoman Scarniench.

All in favor, Yeas: Unanimous

Director....

Director Holody – Thank you Mr. Chairman. In April of this year, Council passed an ordinance which made the cultivation process and testing of Medical Marijuana a permitted use in our industrial districts. I’m pleased to report that as a result of that legislation, we had three companies apply for one of the 24 state licenses to be Medical Marijuana cultivators here in the state of Ohio. Those applications came for properties on St. Clair Avenue, Lakeland Boulevard and Euclid Avenue. We expect to find out in late August or early September what companies are granted the cultivation licenses. However we have heard from two of those companies that they would like to pursue Medical Marijuana dispensing if they are infact granted the Cultivation Licenses by the State. The Legislation before you this evening will do two things, it will create a process to license locally Medical Marijuana dispensaries, it imposes a \$2,000 per year fee for local Medical Marijuana dispensaries. It does require that any dispensaries also obtain a State License. The proposed rules for Medical Marijuana dispensaries have been published by the State. They are expected to be finalized in September. Like the Medical Marijuana Cultivation Facilities, the State regulations on dispensaries are quite throughout. They regulate everything from security to marketing and advertising. And I’ll point out that the State does not allow any exterior reference to Marijuana in verbiage or signage on the outside of the facility. So the State will be heavily regulating the 60 licensed dispensaries. In addition to creating a local license this piece also makes Medical Marijuana dispensaries an accessory use at any State Licensed Cultivation facilities. So if any of the three applicants that have applied for Cultivation Licenses are successful and obtaining the Cultivation License and the dispensary license. This piece would allow them to do the dispensing here in Euclid. Any business that wishes to be a dispensary that’s not a cultivator here in Euclid, Would have to receive a use district exception for a site here in Euclid which requires a presentation and review by the Planning and Zoning Commission and then approval by Council. So I, any of those types of situations will be looked at, on a case by case basis and will include Council. This item does require a mandatory referral to the Planning and Zoning Commission. So we’d ask that happens this evening. And we’re also willing to present this and discuss this

matter in a committee should Council so desire. I'd be happy answer and questions that you might have this evening and I appreciate your consideration.

President Monroe - Thank you Director. I know I got an e-mail from a couple of my colleagues that have an interest in making sure that this was sent to Committee and fully vented for discussion both regarding the Zoning portion of it, but also the fee issue and I would make one suggestion, that this possibly go to our own Committee before sending it to Planning and Zoning so if there is any changes made there that we don't end up going back and forth. So, but, I would certainly entertain any other discussion.

Councilman Jarosz – No, my assumption would be to have it go to the Planning and Development Committee, so I'd definitely welcome it there, it makes a lot of sense. Specifically in April when we did a lot for Cultivation. We left out on purpose the dispensary and with the thought that being that someone might want to come back and do this dispensary we should have a discussion. So I fully welcome it. Thank you.

Councilwoman Gorshe – Thank you very much Mr. Chair. I do also want this to go to committee. I was reading and did not have enough time to read it in its entirety to have a full understanding. However, have been in support of Medical Marijuana as everyone knows. I was asked to sponsor this Legislation as well, and I'm not sure why my names no on it, maybe it's cause I had a couple of questions, however I'd like to add my name on it now and have it put into committee and talk about the \$2,000 and you know what other municipalities are doing, etc, etc. And especially the 728.02 and then of course, Thank you to Director Holody for sending me a link to the States rules and regulations. Again, there is a lot in there and I have not been able to read it in it's entirety as I have had this brought to my attention on Tuesday. So thank you very much and I'm looking forward to further discussion in Councilman Jarosz Committee. Thank you.

President Monroe - Thank you Councilwoman. With that being said, seeing no further questions, comments or concerns. I'd entertain a motion to close the debate this evening.

So moved by Councilwoman Scarniench; seconded by Councilwoman Hill
All in Favor, Yeas: Unanimous

At this time, I'll entertain a motion to refer this to City Councils, Planning and Commercial Development Committee.

So moved by Councilwoman Scarniench; seconded by Councilwoman Gorshe

Madame Clerk can you please call the role.

Roll Call: Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench, Hill, Jarosz, Monroe

Sent to City Planning and Commercial Development Committee.

10) **An ordinance (020a-17) amending Section 1359.03(d)(4) "Permitted Uses"**

An ordinance amending Section 1359.03(d)(4) "Permitted Uses" of Chapter 1359 "U4, U5 and U6 Business and Industrial Districts" of the Zoning Code of the Codified Ordinances for the City of Euclid to provide for Council approval of daycare facilities wishing to operate in U-4, U-5 or U-6 districts.

President Monroe - Thank you Madame Clerk.

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

So moved by Councilwoman Scarniench, seconded by Councilwoman Caviness.
All in favor, Yeas: Unanimous

Director.....

Director Sweeney – Thank you Mr. Chair to Council. We did have this piece in a Committee Meeting and it was Council's request that they be the final approving body. That any conditional uses of Day Cares in U-4, U-5 or U-6 use districts. So, I did amend the Legislation per Council's wishes and that is what you have heard tonight. I'm happy to answer any questions you may have.

President Monroe - So, I think we have to vote on the proposed legislation has to go back to P and Z because they have not seen the Amended version.

Director Sweeney – Correct, Correct. We amended this piece, so yes it does have to go back.

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

Councilwoman Scarniench - Thank you Mr. Chairman. Yeah, we had a good discussion at the Committee meeting and I'm glad that Director Sweeney brought it up. Because that is what I wanted, this is how I wanted it to read. I think it is very important that Council is the governing body. It is the last stop on the track. As I stated then, within a mile, there's 5 Day Cares. One's in an old barn, another one's in an old car dealer, another ones in a shopping center, another one is an old office building. These all have a lot of traffic very conducive to harming children as far as I'm concerned. Especially this new one. They've closed off the parking lot which I don't know how legal that was. Director Beno was going to check into for me, because I think that parking lot belongs to the whole entire building area. So you're stopping anyone who wants to go into the Convenience Store from being able to go in there. So I don't know if they asked about having that parking lot closed off. So it's that kind of thing I think it's important that we have the last say in this to make sure that our children are being kept safe. So I hope all my colleagues will support this and I'm very happy to send it back to Planning and Zoning as amended.

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

So moved by Councilwoman Scarniench; seconded by Councilwoman Caviness
All in favor, Yeas; Unanimous

At this time, I'll entertain a motion to refer the amended ordinance to Planning and Zoning Commission for review.

So moved by Councilwoman Scarniench; seconded by Councilwoman Gorshe

Madame Clerk can you please call the role.

Roll Call: Delaney, Langman, Gorshe, Caviness, Scarniench, Hill - Absent, Jarosz, Mancuso, Monroe

Sent to City Planning and Commission

Motion to excuse Councilman Hill
All in favor, Yeas; Unanimous

Madame Clerk can you please read item #11 into the agenda.

11) An ordinance (094-17) to amend Section 1 of Ordinance No. 2812

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 CI and U1 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.

So moved by Councilwoman Jarosz, seconded by Councilwoman Scarniench.
All in favor, Yeas: Unanimous

Director....

Director Holody – Thank you Mr. Chairman. This property was most recently used as a convent for the nearby Byzantine Church on Lloyd Road. The Church no longer needs the buildings so they'd like to sell the property to a owner occupant buyer. As part of that transaction, the buyer has requested this re-zoning. This is a re-zoning so it requires a 30 day public notice which is for the public hearing which is scheduled at the next council meeting on August 21st. So this will need to be a first reading this evening. This item was reviewed and recommended for approval by the Planning and Zoning Commission. I'd be happy to answer any questions you may have, I don't believe anyone from the applicant is with us here this evening.

President Monroe - Thank you Director – Colleagues, Councilman Delaney...

Councilman Delaney – I was going to ask to waive the readings, but obviously we have to go forward with it. However it's an exciting project and it's a very much, very enthusiastic about it.

Thank you Councilman.

Any other comments, questions or concerns? Seeing none. I'd entertain a motion to close the debate this evening and send this to a Public Hearing, our August 21st meeting.

So moved by Councilwoman Scarniench; seconded by Councilwoman Hill.

Madame Clerk can you please call the role.

Roll Call: Langman - Absent, Gorshe, Caviness, Scarniench, Hill, Jarosz, Mancuso, Delaney, Monroe

Public Hearing on August 21st, Council meeting.

Motion to excuse Councilman Langman
All in favor, Yeas; Monroe, Thank you.

Madame Clerk can you please read item #12 into the record.

12) An emergency ordinance 85-2017 (095-17)

An emergency ordinance authorizing the Mayor or her designee to enter into a professional services contract with Code Consultation and Plan Review Services for building plan examination commencing July 18, 2017 through December 31, 2019.

President Monroe - Thank you Madame Clerk.

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

So moved by Councilwoman Delaney, seconded by Councilwoman Mancuso.
All in favor, Yeas: Unanimous. Thank you.

Director...Mayor, I'm sorry.

Mayor Holzheimer Gail – This ordinance would allow our contract with Paul Kowalczyk that provides our plan review services. He has been providing that service since 2013. This would extend our contract with him through the end of 2019. You will see in the fact sheet that he provides this master plans examiner service to other City's such as Beachwood, Bratenahl, Independence, Lyndhurst, Mayfield Heights, Newburg Heights, Richmond Heights, Shaker Heights, South Euclid. He also serves as the Chief Building official in other Cities, so he knows the importance of timeliness, responding to plans. The cost has been since 2013, \$75.00 per hour for this includes a small increase to \$80.00 per hour. It's not necessarily an exclusive contract. We are also able to use Safe Build if we need to. There fee is \$95.00 per hour. So I would appreciate your support and happy to answer any questions.

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

So moved by Councilwoman Mancuso, seconded by Councilman Jarosz.
All in favor, Yeas: Unanimous.

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

So moved by Councilman Jarosz, seconded by Councilwoman Mancuso.

Madame Clerk can you please call the role as to the proposed suspension of the second and third readings. Thank you.

Roll Call: Gorshe, Caviness, Scarniench, Hill, Jarosz, Mancuso, Delaney, Langman - Absent, Monroe

President Monroe - At this time, I'd entertain a motion to excuse Councilman Delaney

So moved, All in favor, Yeas: Unanimous

At this time, I'd ...Councilman Langman, No, I'm sorry I was writing down something. So, I'd entertain on the merits of the proposed ordinance, and the merits...

So moved by Councilman Delaney, seconded by Councilwoman Mancuso.

Madame Clerk can you please call the role.

Roll Call: Caviness, Scarniench, Hill, Jarosz, Mancuso, Delaney, Langman - Absent, Gorshe, Monroe

Ordinance Passes.

Thank you. At this time, I'd like Madame Clerk if you could read into the record item #13.

13) A resolution 86-2017 (098-17) Environmental Assessment for parcel 646-10-005

A resolution authorizing the Mayor of the City of Euclid or her designee to apply for and accept environmental site assessment services through the Cuyahoga County Department of Development Brownfield Redevelopment Fund - Community Assessment Initiative and to express the support of the City Council for said application to be forwarded to the Cuyahoga County Department of Development for the property at 21500 St. Clair Avenue, Euclid, Ohio (PPN 646-10-005).

President Monroe - Thank you Madame Clerk.

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

So moved by Councilman Jarosz, seconded by Councilwoman Scarniench.
All in favor, Yeas: Unanimous.

Mayor/Director....

Director Holody - Thank you Mr. Chairman. This is a three acre industrial property on St. Clair Avenue. Earlier this month it was placed on the State forfeiture list through a tax foreclosure case. Like to recognize the Law Department for their work with the County Prosecutors office to move this property through the tax foreclosure process and on to the forfeiture list. Being on the forfeiture list, gives us the ability to facilitate the transfer of the property to a new user, similar to what we did at the GM Inland site. Before we can do that, we'd like to have a better understanding of the environmental conditions on this property, fortunately the Cuyahoga County Department of Development operates a Brownfield Assessment Program, which at our request and at no cost to the city. The County will hire an Environmental Consultant to do a full environmental assessment of this property. With your support we will finalize the application to the County and they will proceed with the assessment and provide us with those results in a number of months. So I would ask for your support this evening and I'd be happy to answer any questions that you may have.

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

Councilman Delaney – Well, I don't know whether to be happy or leary of going out for Brownfield Redevelopment. Director you know that this has been a property that I've had in my sites for about 4 years now. Certainly, this is a good first step, but aside from the parcel, the historic building in the front which we refer to as the Alton House, is something that I think we should make our best effort to preserve. Usually Brownfield Redevelopment means clearing the entire site. So I'm curious as to, if we proceed, we should try to parcel that building out from the existing parcel and do a different kind of approach with the Alton House that we would do with the former Pressure Castings Plant. The way I see it, with Lincoln Electric creating a whole corridor with their school, it's great news that we're gonna look at the other side of 222 and really continue and make big bold improvements, but I think that these mixed uses are going to be important down the road. And that's one little building that offers something about it's historical nature. Its actually just as important to Euclid as it is to the entire region, because there are sister buildings. There is another one at French Creek in Avon that is actually up and running and is a restaurant. This one is part of a family that ran one of the first wineries and actually supplied all the alter wine to the Cleveland Catholic Diocese at one time. So, there's a lot of history in the building I know that its, certainly been one for discussion with the Euclid Historical Society so, what I would suggest is that we make this a first reading certainly go forward with the Brownfield Redevelopment. But I'd like to see us parcel this building out, this little house out. And we look forward to some sort of effort for preservation or rebuild.

Director Holody - Mr. Chairman, I appreciate the suggestions by Councilman Delaney, I'll say that the environmental assessment is often a first step for redevelopment of a property as well as properties that are to be demolished, I think that understanding the environmental condition of the property is going to be just as necessary, whether these buildings are restored or demolished. I would ask that we proceed with the application for the assessment and get that process started, and I'm happy to work with you to

continue to explore the possible redevelopment scenario's and I think that parceling out the Alton House seems like, it could be a possibility in this case and I'm happy to work with you to try to make that happen.

Director Holody - Also, like to remind, well not remind everybody, to inform everybody, that there is also really important head waters and there's a big stream that runs through there and as we talk about our environmental health, and a lot of our storm water issues, that would be one that would also be a prime candidate to daylight. So bringing that kind of lively activity to that, would really change the face of a, beaten down area of road that definitely needs some attention. But I wonder what my colleague's think, like I said, this isn't an emergency. It's a resolution, if we made it a first reading we could actually see some written, something in writing that shows it parceled out.. That separates the Alton House from Pressure Castings. An environmental scan can certainly go forward with, for both parcels, but I think that's one of the things that have been a little bit of a hurdle over the years, is that there thrown into one parcel. I'd like to see them separated. Thank you.

President Monroe – Any other comments, questions or concerns? Councilwoman Mancuso.

Councilwoman Mancuso – I'm willing to have it be a first reading, just so we can learn more about it. And actually, cause I'm learning more about it tonight than I knew before. So I'll second that motion.

President Monroe – I'll jump in on that, I would oppose making it a first reading, I think the environmental assessment is the first step for anything that happens and my understanding is that doesn't say we're going to demolish it or and it doesn't mean we are not allowed or Administration is not allowed to come back. Any use of the property has to be go through an environmental assessment and I would suggest, this went to tax foreclosure sale three times and guess who wanted it. No body! And you know why, nobody wants it. One of the reasons is, there's most likely, something they might find in this assessment. So I, if you want to do that, we can have a vote and see if there is enough to carry, we're not paying for the environmental assessment, so I'm not sure why delaying it helps the situation. Thank you.

President Monroe – Any other comments? Councilwoman Mancuso.....

Councilwoman Mancuso – Could we make a stipulation that the parcel fit, the building that is there stays even as we are doing this Brownfield Assessment? Maybe that that will make Councilman Delaney more comfortable.

Director Holody - Mr. Chairman to the Councilwoman. I would have no concern with that stipulation, as the Council President indicated, we do have to come to Council for authorization to demolish a property and are not asking for that authorization at this time. So we have no plans right now with any type of demolishing. If Council would feel more comfortable to stipulate that somehow in this resolution, I don't see any issue with it, but it would be nice to be able to get the assessment underway as soon as possible.

Councilwoman Mancuso – So, can I make an amendment that we put that in there, even though it's common knowledge that, that's going to happen? To amend it to read that we'll keep the parcel, the building on the parcel until we are finished with the assessment. Or something to that effect.

President Monroe – That's a different stipulation, than you mentioned the first time. We do have the same response to that also.

Director Sweeney – Mr. Chair to the Councilwoman. We certainly can amend this to say this does not consider any demolition at this time, that's absolutely fine.

Councilwoman Mancuso – Ok, that would be my amendment.

President Monroe – Ok, fair enough. Alright, any other comments, questions, concerns? Seeing none, at this time I'd entertain a motion to close the debate on the proposed resolutions.

So moved by Councilwoman Mancuso, seconded by Councilwoman Caviness.
All in favor, Yeas: Unanimous.

At this time, there is a proposed amendment to clarify the resolution to indicate that this resolution is not anyway supporting a demolition of any portion of the structure located on the property known as 21500 St. Clair.

So moved by Councilwoman Mancuso, seconded by Councilman Jarosz.

Let's do a roll call vote on the proposed amendment.

Roll Call: Scarniench, Hill, Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Monroe

At this time, I'd entertain a motion for a roll call vote on the proposed amended resolution No 08, I'm sorry, 098-17

So moved by Councilman Jarosz, seconded by Councilwoman Gorshe

Madame Clerk would you please call the role.

Roll Call:, Hill, Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench Monroe

Resolution Passes.

Thank you. Madame Clerk can you please read item #14 on the agenda

14) A resolution (158-16) Streetscape and Roadway improvements in Downtown Euclid

An emergency ordinance authorizing the Mayor of the City of Euclid or her designee to enter into an LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation to accept and expend grant funds in the amount of One Million Six Hundred Fifty Nine Thousand Seven Hundred Ninety Three Dollars and Sixty Nine Cents (\$1,659,793.69) and undertake the Downtown Euclid Safety Improvement Project.

President Monroe - Thank you Madame Clerk.

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

So moved by Councilman Jarosz, seconded by Councilwoman Mancuso.
All in favor, Yeas: Unanimous.

Director/Mayor.....

Mayor Holzheimer Gail – Thank you Mr. Chairman, this was sent back from Councilman Jarosz's Committee. It has been on the Council Agenda back in 2016 sent to Committee. There has been several Committee discussions on it as well as conversations with the Ward Council Person and former Ward Council Person. The plan goes back sometime and has, not to belabor the point, I don't believe Council supports it. So we wanted to have this go on the full Council so that we do know one way or another whether Council would like to accept this grant funds and do the project that includes the road in front of Shore or turn it down, so. I'm happy to go into more details but I think we've discussed it several times. I will say as we have discussed it in committee, saying no to this we do have outstanding bills that could have been paid thru this grant we will need to amend the transfer piece which is item number 16 to include \$53,000 to take care of the payment to Bob McDonald.

President Monroe - Thank you Mayor. Councilman Jarosz.....

Councilman Jarosz - Thank you Chair. Just a little more context from the meeting for those who might not have watched it. This came to my Committee, our Committee, Development and Planning Committee, and it was essentially the sticking point is the road that goes in front of Shore Cultural Center. Current council, I'm not going to put words in anybody's mouth, but the general feeling within the Committee was that this was not consist with what we were trying to do with Downtown Euclid. At lot of things are changing including the 25 Million gallon equalization base and the change and the configuration or the possible configuration of Lakeshore Boulevard. And it just kind of, I made the original Master Plan, the original plan for Downtown Euclid kind of un, unimplementable, just because of the kind of things that are happening. So two times, we took a vote to get this out of committee, each time it didn't garner any other vote but my own, just to get it out of committee. Last time, because it is our understanding that ODOT who we were getting the grant funds for the state, needs an answer by the end of July. So at the last committee meeting it still didn't have any support to come out of Committee. I believe it was Council President Monroe, who suggested that, hey, why we don't at least get it out of Committee. We could vote on it, and if the assumption, we could vote it down and we can go to the State and say, see we just as a city and as a council don't have an appetite for this project, how can you work with us to do other things. So that's really kind of the intent of coming out of Committee was for, obviously, everybody's going to vote how they feel free too but, the thought was it would come out it would not have support then we would have it officially not supported, then we, we would take it to state for further discussion. Though I think given their interest in a timeframe before, meaning July, it probably makes sense to waive the third reading and vote on it tonight. Thank you.

President Monroe - Thank you.

President Monroe - So, there is a small cost to the city. I don't think there was much support if any for building the road in front of Shore. And so the only way we could get fully reimbursed is to build the road in front of Shore. So at Committee Meeting, I felt that maybe get it back to ODOT with the decision. I think we discussed there had been a whole bunch of changes from when the master plan was adopted and as everything evolved with the waste water plant expansion. But, I also would like to think about in the future because E. 222nd Street will be rebuilt next year that we look at a more modified and scale down plan just for the triangle part that could limit the movements, some of the traffic movements from one direction to another. So that we don't do damage to the businesses on 222nd street, but improve safety. I think that people do have an interest in that. I know over the weekend, there was an accident at that intersection. So it is something we want a take another look at and there might be some contribution of downtown TIF funds. We have to reconfigure the entrance to Brook Court that's another thing that has to come into play, so. I don't think the issue is dead, I'd like to continue on with a more surgical approach. That's my feeling.

Councilwoman.....

Councilwoman Hill - Thank you Mr. Chair. I know I stand alone, however I would like to go on record to say I do support the road in front of Shore, I think it will do two things. One help us alleviate that congestion that we have there at Babbitt Road, but also we talk about the attention and what we want Shore to be in this center of Downtown. The anchor, and having the road in front of Shore would actually bring more attention because of the kind of force people to look at it and see what's going on in the building. Secondly, I'd just like to add at some point we just need to stop turning down money. This is a lot of money to say we'll figure something else out, so. I am in support of it.

Thank you Councilwoman. Any other comments, questions, concerns? At this time I'd entertain a motion to close the debate this evening.

So moved by Councilwoman Jarosz, seconded by Councilwoman Mancuso.

All in favor, Yeas: Unanimous.

At this time, Madame Clerk, I'd entertain a motion for approval for the proposed ordinance

So moved by Councilman Jarosz, seconded by Councilwoman Hill.

Madame Clerk would you please call the role.

Roll Call:, Yeas: Hill

No: Jarosz, Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench Monroe

Ordinance Fails.

Thank you. Madame Clerk can you please call item #15 into the record.

15) A resolution 87-2017 (069-17) Purchases and Projects outlined in the 2017 Capital Budget

A resolution adopting and approving the attached Administration's recommendation for the 2017 Capital Budget.

President Monroe - Thank you Madame Clerk.

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

So moved by Councilman Mancuso, seconded by Councilwoman Gorshe.

All in favor, Yeas: Unanimous.

Director/Mayor.....

Mayor Holzheimer Gail - Thank you Mr. Chairman, unfortunately, Director Smith had a pre-arranged pre-schedule vacation so he is not here we have discussed this in the Executive Finance Committee, nothing has changed from that point. As, If you remember we discussed it we had very little new spending as part of this, most of the capital spending goes for lease payments that were previously committed including the Fire Pumper Trucks, Police Cars and Ambulance's, Dump Truck with Plow, Salt Spreader, sedans, utility vans, the back sewer pump station. We have additional capital purchases that we continue to pay for. The jail capital, Chagrin Valley dispatch capital and our software. The newer purchases for this year are pretty much the recreation items on the second page, which include some playground upgrades small amount for the pools, small amounts for the arena, the tennis courts being the major one and those funds do come from the cell phone capital. Under streets and sewers, we do have the two new trucks with Snow Plow packages and if I can answer any other questions, that you may have although we did discuss it in Executive Finance.

President Monroe - Thank you Mayor. Councilman Delaney...

Councilman Delaney – Thank you Mr. Chair. I'm sorry, this item and the next one, is where you mentioned the \$53,000 for ODOT. My question is how was that money spent before the approvals? How did we get into a position where we have \$53,000 spent, before we had the approvals from the Council.

Mayor Holzheimer Gail - The, It was part of the capital funds, it was authorized up to a certain amount, the grant funds were supposed to come in with the second round. I don't know if Director Holody was more involved, I don't know if you have a better answer or we could get that certainly from Director Smith.

Councilman Delaney – It's just unusual, I, I, did we spend money before we had it?

Mayor Holzheimer Gail - Funds were authorized through previous legislation that authorized them.

Councilman Delaney – Then how do we wind up paying the bill after the legislation falls. I'm just wondering, did we spend money before grant money came in, did we spend, how did we spend this money before the approvals.

Director Holody - Mr. Chairman to the Councilman. The expenditures of the funds was authorized back in 2010 through ordinance no. 10-2010. What you're being asked to approve is an appropriation of the funds, necessary to pay those expenses. The appropriation is needed because we are, the cities not forward with the construction project. Which would have reimbursed us 80% of the engineering costs. That was expended.

Councilman Delaney – So that was seven years ago.

Mayor Holzheimer Gail - I believe that was disencumbered. I believe it was encumbered this and through some of the clean up over the last couple of years was disencumbered but then again we could have Director Smith.

Councilman Delaney – I look forward to that explanation.

Mayor Holzheimer Gail - We could wait on that one, if council doesn't want to address that tonight. That could come from a future meeting.

President Monroe - Any other comments, questions, concerns on resolution 069-2017?

Councilman Langman – Thank you Mr. Chairman. First, It's much cooler out in the lobby so it's kind of fun to hang out there, second, When are we going to have an Executive Finance Committee to discuss some of our long term finance challenges?

President Monroe - Yes, Yes.

Councilman Langman – When

President Monroe - Well I think we had 3 or 4 Executive Finance Committee this month. So it is on the agenda for August and we've talked about it and I've actually asked the Mayor get me some dates that director Smith will be available.

Councilman Langman – The reason why I bring it up, the not paving the streets for the however many years is very sobering, so I think we need to have a comprehensive look at it, so I don't know if the Mayor wants us to start sending questions now, or ideas now or whatnot. But the sooner we can get going and have some frank and productive conversations, I think everybody will be.

President Monroe - Agreed

Mayor Holzheimer Gail - Agree, we are happy to take questions as you have them and comments and suggestions.

President Monroe - Ok any more discussion on Resolution 069-17. 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 on the merits for proposed resolution.

So moved by Councilman Scarniench, seconded by Councilwoman Hill.

Madame Clerk would you please call the role.

Roll Call:, Yeas: Mancuso, Delaney, Langman, Gorshe, Caviness, Scarniench, Hill Jarosz, Monroe

Resolution Passes.

Thank you. Madame Clerk can you please call item #16 into the record.

16) Ordinance (070-17) Annual Budgetary inter-transfer of funds

An emergency ordinance providing for the schedule of inter-transfer of funds between funds

President Monroe - Thank you.

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

So moved by Councilman Mancuso, seconded by Councilwoman Jarosz.
All in favor, Yeas: Unanimous.

President Monroe - Mayor, What I would suggest is we put aside the proposed amendment for the Moc McDonald Fund or the \$53,000 we will address that at our August meeting, but if you could tell us about.....

Mayor Holzheimer Gail – This is the accompanying piece that was initially produced with the capital budget, plan, when you see in the capital budget plan the revenues needed to fund this year's capital including a \$40,000 transfer from the general fund. This authorizes that transfer.

Thank you Mayor. Any other comments, questions, concerns? Seeing none at this time, I'd entertain a motion to close the debate this evening regarding the proposed ordinance.

So moved by Councilman Jarosz, seconded by Councilwoman Mancuso.
All in favor, Yeas: Unanimous

And the reason I'm delaying this cause I'm seeing this as the second reading so what I'm going to make a suggestion in that we just send this on to a third reading if we get additional information unless these funds are needed before, so what we'll do is get more information about the \$56,000 entertain a motion to amend at that time to amend the reading.

At this time, I'd entertain a motion to send this to third reading.

So moved by Councilman Scarniench, seconded by Councilwoman Hill.

Madame Clerk would you please call the role.

Roll Call:, Yeas: Delaney, Langman, Gorshe, Caviness, Scarniench, Hill
Jarosz, Mancuso, Monroe

To third reading.

COMMITTEE OF THE WHOLE – PUBLIC PORTION

Mr. Christopher Michael Litwinowicz - Wild Distribution, LLC – 21917 Morris Avenue, Euclid, Ohio. What I'm passing you guys is retail. Retail. Look at this, it's a brand new pair of shoes, don't be afraid. Look at the price tag. It's because I have to move product not to one, why you shaking your head no, you don't think I made that move? I mean this is kinda absurd, right. What I'm here showing is valuable pieces of equipment. Diamonds, shocked, doubt me now. You know this is my time. Ok, I'm not out of order. Welcome to New York City. Welcome to New York City. This is what I want to do. Is bring New York clothing, New York companies including the West Coast – LA, to the City of Euclid. I got other gold goons that was actually

able to buy professional stars that was on BET in Atlanta, GA. I only marked this, cause 2009 a famous singer was in Nevada. WOW, the praying hands that was on TV. These probably fake. Cause that's how gold jewelers do it. Let me put all this aside. I need the shoes back, but I'll get them later. The Line request, tracking no. 11233831716, this is a settlement offer. Right now the City of Euclid forced themselves in from comments to another law suit. Now this law suit worth \$15,000. A car is a valuable tool. When I'm forced to be on Social Security Disability even flashing all this, just being honest with this City that I had to go to Social Security ever since that, we'll talk more later. Also, a couple, Council, a couple members of this City are expert lay witnesses including our own Mayor, including our own Judge LeBarron, including David M. Lynch, including high respected officials named Christopher Lewis Frye. Mr. Langman, you respect his word. After all this, on my phone, passed to council one councilmember is entitled to my car. I urge this council and one member of council \$5,000 - \$2,500 minimum, if not the minimum is \$10,000 to settle or I will win. A \$15,000 judgement in my own court. It's absurd to be asked to drop everything that you own for \$500. Two years ago I lost my car and my opportunity to sit where the Mayor sit. There is no judicial forfeiture ever, and by the way, I'm getting that certified by Mr. DeWine. So now by August 16th, I urge this council to put a Million dollars emergency ordinance and pay me back my money that was illegally seized by Euclid Municipal Court and let this honorable Judge retire. I urge this council, it's not, no Mayor about these rats. Cause you're the authority that could have did something and you still could do something. The media come to my town to take my shine, sorry. I'm trying to do something good and best for my city. These companies make multi-millions. We need to give them a break, probably 1%, 0% income tax deductions, right out the stock for 10 years. Put it in writing, get the County to deduct there's and now we are a business as a City. Thank you. Move forward Gail. Let's do it, three more years, two more years of Gail, 6 more years, 8 more years. Nobody else has come out as President except another candidate, and here is a petition for Clerk of Courts.

President Monroe - Thank you.

Mr. Jeffrey Beck – 25540 Chatworth. I didn't speak at the beginning on the North Pointe issue because I think everything that could possibly be said, was said. I didn't have anything to add. But I do now, as a matter to save myself data, if there is public wifi I take advantage of it. So when I came in here tonight, I took advantage of the Council wifi,, it's open. During the proceedings while we were talking about North Pointe, I wanted to take a look and verify who the owner was. I think it was APM, but I wasn't quite sure so I jumped on the internet and went to punch up the articles for a North Pointe that Channel 5 did. But instead of the articles coming up, I get a message, it has the City of Euclid logo, and it says, Web filter: This web page is blocked because it violates network policy. So I though well, that's odd, so I tried the other article, I got the same thing, then I tried plain just North Pointe, because it came up under search, you know to talk about why you should move there. And that came up just fine. It was only the articles critical of North Pointe that are being blocked by the City. And I guess what I wanna know, is that City policy to block articles that are critical? Such as this, and if not, then who would have done this.

Mayor Holzheimer Gail – No, I have no idea, we do not block articles. We block access inside City Hall to some web-sites, that aren't out of business. I cannot image Channel 5 is. Director Sweeney is trying to pull hers up. No that is certainly not a decision that was made by the Administration.

Mr. Jeffrey Beck – I've got a screen shot right here and anybody that's on the Council, wifi website can punch up the Channel 5 article and it'll, it won't let you on.

Director Sweeney - I'm not on the Council wifi, but I'm on my own Network, and I have it fine.

Mr. Jeffrey Beck – Well. And I do too. It's only on when it's on under the wifi that's in the building here.

Director Sweeney - I wasn't even aware, that there is public wifi.

Mayor Holzheimer Gail – We'll be happy to find out and get an answer to you.

Mr. Jeffrey Beck – Alright, I'd appreciate that, cause I don't like having articles censored. I think it should be available.

Mayor Holzheimer Gail – I mean, I don't know how we could sensor an individual articles. You, you get into their website and look at other things.

Mr. Jeffrey Beck – I didn't try that, I just tried it under the google search took me right to Channel 5 article.

President Monroe - We are getting to the end of this discussion.

Mr. Jeffrey Beck – I know you want to get out of here, I don't get up and talk too often, but I do talk about relevant things. So, you know, bring a pillow and blanket. Thank you.

Mr. Tom Cooke - Good Evening again – Tom Cooke – 25641 Edgecliff Drive – Just several comments, again regarding North Pointe. The council for North Pointe that was up here basically gave you the same song and dance that he's been giving this Administration for the past two years. Don't expect anything different, don't expect any different results. I have been on that side. Every day since this incident occurred, my wife and I as far as North Pointe is concerned, I cannot tell you within the last few days they have cleaned up the site. They have cleaned up the garbage, they have made a half- hearted attempt to cover up the burrows, but they are still there and more of them have come back, actually yesterday I went back out there, cause I knew they were gonna do this, I went back out there and counted the burrows and there were 40 burrows out there after they covered them up. You're not going to get rid of them, covering them up. You have to exterminate them, take there carcus's off site, you have to excavate the site. It's what you have to do. The other issue is the dumpsters, for whatever reason they don't seem to understand you can't have dumpsters that have garbage piling up out of the tops of the dumpsters and piling out of the sides of the dumpsters. That's an invite, that's a neon sign for rats come here. Okay. Again, several days ago they had 4 dumpsters there that were piled up high, today they have 8 dumpsters there that piled up high. They have more dumpsters, same dumpsters, more garbage exposed. It's not solving the problem. It's like I said, this is very simple, and everybody else here knows this. Clean the site up, you get rid of the garbage you get rid of the food source. Everything is fine. Keep it away. No other facility on the Lakefront, has this problem. Only North Pointe. It's pretty simple. Thank you.

Mr. Victor Goodman – 20201 Glen Russ Lane – I just felt compelled to write down a few things. I always think that I try to listen to what people say. Mr. Lapine said the blame is the victim. He blamed people throwing down two big garbage things. That the problem is not really the management, the problem is not really the ownership, the problem is the residents who throw down garbage, and I came to think and I'm sorry they all left, including the residents. Would Mr. Lapine, the members of management and the owners be willing to living in the facility for two months, would they? I guarantee you, and I know that there are Judges that have actually penalized ownership and said you live in this filth. They've even made a movie of it with Mel Brooks, I remember. And you know, this added attitude of changing management you know if you fire the manager the team is still there. The ownership is still there. All is it is a revolving thing, well that Management group stunk, so we'll get a new one. But they don't change anything it's been going on for two years, they're a slum lord, and if Mr. Lapine was here, I'd say it to his face. He represents a slum lord. And here's a question, this weekend they reported about, and I would like, with the Fire Chief, they reported in Hanna Lulu they did not have sprinklers. Do all the hi-rises in the City of Euclid including North point, I don't know if they were built before, ordinances were supposed to do they all have sprinkler systems and are they all operational? Okay. And, which I didn't know, thank you, Councilwoman. Indian Hills is on TV. They are on TV telling you they are the most luxurious place to live in Northeast Ohio. So if there are these conditions now happening in Indian Hills, WOW. I was told that on Television the perfect place to live, so, and I don't know if this is legal, Mr. Monroe might know, but I'm not going to ask his opinion or his advice. Maybe the renters need to hold their rent in escrow. Now my wife brought up, what if they are on subsidy. Then maybe the city in help, could work with the residents to tell the subsidizers, HUD and whatever, not to pay the rent until the problem is fixed and that your life that thing would be fixed in less than a month cause as long as they collect the paychecks they really don't give two darns. What happens to the rest of us.

President Monroe - Thank you.

Mr. Benjamin Bowman - Good evening, Benjamin Bowman – 11530 Madison Road, Huntsburg – Just here to ask some follow up questions from last month. I don't know if this has been resolved, I welcome the information. Regarding the death of, killing of Luke Stewart in March, there was a question posed as to why Officer Roads was allowed back on field assignment so quickly. I'm might have missed it. I'm curious if you have a response Chief, to that?

Yes, and I'm sorry, I addressed that fully last time when the detective was here.

Mr. Benjamin Bowman - Another item that has come up is that there isn't a bodycam or dashcam video of the whole incident, and part of that is the policy regarding bodycam's and dashcam's that's another question that I have, is it true that bodycam's are only activated at the discretion of the officers.

Chief Meyer - I fully addressed that last time too. But I will address it again. They are not mandatory, we don't provide body cameras. That is something that we are exploring and that's a substantial cost that the City would have to incur. Right now, it's option able for the officers. I think we choose to purchase their own, they are permitted to do so. So, we don't have a universal use of these body cameras, but I addressed that last time.

Mr. Benjamin Bowman - Has the Council considered the need to seek funding for body cameras for all the officers that's my understanding that's a nationally recognized practice, that municipalities should provide body cameras that officers should be required to turn them on at the beginning of any incident keep them on, so that the video would be filed for records, is that something that the council has considered.

Chief Meyer - Not at this time. I'll address this issue. As we explained at the last meeting, it was actually a while ago. There is an ongoing BCI investigation. Okay, we are waiting for the results from the coroner's report. Before the coroner's report comes back we can't comment on, and we've been advised by our law director, not to address any specifics of this case. You understand that.

Mr. Benjamin Bowman - Has there been any update on when the BCI report might be made available? Or completed.

President Monroe - We are not the BCI, Okay?

Mr. Benjamin Bowman - Well you are in communication with them? I was just asking.

Mr. Benjamin Bowman - Has the Council made any efforts to reach out further to the family since the last month's meeting?

President Monroe - Sir, there is an ongoing investigation. Okay.

Mr. Benjamin Bowman - Well, this isn't about the investigation. It's just

President Monroe - Until, that investigation runs its course, I think it would be inappropriate for any public official to comment on the case.

Mr. Benjamin Bowman - With all due respect I heard a number of comments regarding items that the council people acknowledged that they had no preview over tonight. An they were more than willing to share opinions and make statements of support that's what I'm inquiring about.

Director Sweeney - Sir, I advised Council, my clients, not to speak with the family of Luke Stewart at this time, while this case is being investigated by separate outside agencies. Medical examiner's office and BCI. And there is pending, there is threatened litigation, they're not going to speak with the family. Thank you.

President Monroe - Thank you.

President Monroe - Any other comments from the Audience? Seeing none. We will start with Councilwoman Scarniench

Councilwoman Scarniench – Thank you, First of all congratulation to our four new police officers, it's exciting to have them cannot wait to get four more, six more, eight more. Whatever we need. But I do have a question for the law director. When we have the committee of the whole at the end of a meeting, do we have to allow people who do not live in our city to speak? Or can anyone?

Director Sweeney – Mr. Chair to the Councilwoman, it does not have to be a resident as long as it is for the good of the city.

Councilwoman Scarniench - Ok, with that, thank you and goodnight.

Councilwoman Hill – Good evening everyone, first, I'd like to say welcome to Barb Allen, so glad to have you here with us. Also want to say congratulations to the officers that were sworn in as well as Chief Anderson on his graduation. Question for Director Knecht, my lovely fence on a Tuckston, it's almost gone and I know we've talked about I suggested removing it, but for safety reasons it's there, however I think I've looked at maybe 6 slats all together that's left of the fence. Any time this year, that it's going to be repaired, and if not can we just remove the rest of those slats so it doesn't look so tacky?

Director Knecht - Chairman to the Council, we will be removing the rest of those posts out of there at this time because we do not have the money to purchase any new fence.

Councilwoman Hill - Ok, thank you. And then for Director Holody, is there any news on Lake Erie Lodge?

Director Holody – I don't have any news to share at this time, I do believe that the housing department and building department have been in touch with the new owner regarding their planned renovations and I'm sure we can get an update to you this week.

Councilwoman Hill - Ok, thank you, cause I haven't seen any activity going on at all, no movement, no cleaning anything like that so I just wanted to know. And then, lastly I'd like to say in regards to the situation, I know we are not to speak on the investigation, however the sister of the victim lives in my Ward. So it puts me in a very difficult situation, especially when I have someone asking me about policy. So if she has questions about policy, or this gentlemen in the audience, it seems to me he was simply asking about policy for clarification I personally would much rather for someone to stand peacefully at this podium than rioting in our streets. And I know I have had several conversations with the Mayor a while ago about the potential of an uprising of the community if something like that was to happen here. Now I'm not saying that, that I've heard, or that's on the streets, so please do not mistake anything that, what I'm saying. However, I just think that sometimes the people need to hear something and I get it we're in this investigation but tell me where I stand because I have a resident that lives here, 4, 5 houses down from me. And she's saying I'm the sister and I just need to know about policy. What can I say as her Councilwoman?

Director Sweeney – Mr. Chair to Councilwoman – Please refer to me any matters concerning this case.

Councilwoman Hill - With that I will say goodnight.

Councilman Jarosz – Real quick, thank you to EPD for safety town. I had three, well all my kids, all three of them participate in safety town from the littlest one Will to the other two helping out as councilors. EPD did a great job and also a resident of mine Krystal, wanted me to give a thanks to the police force as well and a certain officer, don't know the officers name, but she heard a dog barking through just an incredibly longtime on a really hot day. Called the police, police eventually came, that officer then took the time, called her at her home later that evening to thank her for calling because that dog was just in terrible condition and was about to probably not last another 24 hours if this resident hadn't called and she just thought that it was really great that not only did our police come out and help but then the officer calling then calling the resident thanking them and having a discussion and letting them know how things

turned out they thought was really great and wanted me to pass that along. Thank you and goodnight.

Councilwoman Mancuso – Thank you Mr. Chair. This probably more for Administration than for my Council colleagues. Now that we have voted no, on ordinance 158-16 about the state grant funding. I have spoken to both our Senator and our house representative who are willing to go to ODOT with us and move on to the next plan. So there's no need reason we need to delay, Okay. And with that I will say goodnight.

Councilman Delaney – I'd like to once again, welcome Barb, and not all the meetings are going to be this easy. So I want you to get to work and don't change your mind. Did we get her to sign a contract, and if you do decide to leave you have to bring your replacement with you. Goodnight, thank you.

Councilman Langman – Must be late, I didn't hear you, Mr. Chairman. Well Barbara are you going to come back or does this, sometimes it goes like this.

Clerk – Its fine, I'll be back.

Councilman Langman – Welcome aboard, and deepest sympathies of course.

Clerk - Thank you

Councilman Langman – Director Knecht, Great analysis and affordability for the waste water improvements, how are we coming along on that?

Director Knecht – Chairman to the Councilman – I'm working on it, you should have something shortly.

Councilman Langman – Shortly....before August or before the next.....

Director Knecht – No, it will be into the first week of August.

Councilman Langman – Ok, looking forward to that. And Director, are we spraying the curb areas this year, the streets, with urbaside?

Director Knecht – Chairman to the Councilman – Yes we are spraying those, with the incredible amount of rain we've had in the recent weeks, we have not been able to spray because we do need 24 dry hours. So we have not been able to spray on a lot of days.

Councilman Langman – Ok, and with that Mr. Chairman, I will say good night.

Councilwoman Gorshe – Thank you very much, welcome to Barbara as well. I will be calling you tomorrow to put that Housing Meeting on the schedule and August 11th will be the 40th Anniversary of Briardale Greens 1977 – 2017. On August 11th there will be discounted rates on golf, all throughout the day. In the evening there will be a party on the patio with live music, wine tasting, a cookout, drink specials, and other valued fun activities for all ages. A putting contest, a long drive contest and closest to the pin. So my e-mail does say Saturday, August 11th, I believe that might be the 12th. The inventory of our housing stock has started so we are very excited about hearing the results and working with that data and a lot of good things going on in the summer, so check the websites and we'll see you out on the streets.

Councilwoman Caviness – Thank you Mr. Chair – Barbara Allen, welcome. I hope you the nine of us do not run you out of here, like we have the last few. I think that's the reason why they left. Congratulations to Assistant Chief Anderson on his graduation and congratulations to our four new officers, lastly, because I know it's late I like to thank the Administration specifically Director Sweeney, because you've taken many calls, many e-mails over the past four years and some of them were not so nice and I'd like to thank our residents for helping to remove the Alcatraz from around our necks, because on July 6th, as you all know, 2129 Miami, formally known as the Blue Tarp House no longer exists. It has been demolished, so thank you so much it has been a rough one. And I will end with that.

ADJOURNMENT

President Monroe - Motion to adjourn, so moved, thank you.

Attest:

Clerk of Council

President of Council