

## COUNCIL MINTUES

November 5, 2007

The regular Council Meeting was held on Monday, November 5, 2007 at 7 PM in the Euclid City Hall Council Chamber. President Gudenas presided.

Members Present: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas.  
Excused: Conway

Councilman Gruber moved to excuse Councilman Conway. Councilwoman Minarik seconded. Yeas: Unanimous.

Others Present: Mayor Cervenik, Law Director Frey, Finance Director Johnson, Service Director Gulich, Recreation Director Will, CS&ED Director Pietravoia, Asst. Director Beno, Chief Repicky, Fire Chief Cosgriff, Housing Manager Drazetic, Mr. Sonnhalter, Sgt.-at-Arms Novosel, Clerk of Council Cahill

### COMMUNICATIONS

Council received the following communications:

Copies of the September fuel usage log for the Briardale Greens Golf Course.

A letter from the State of Ohio Office of Attorney General regarding Ohio's Open Records Law.

Letter from Governor Strickland acknowledging receipt of Council's Resolution on Make a Difference Day.

Letter from the Euclid Landmark Commission regarding the building and grounds of the St. Joseph Christian Life Center.

Letter dated 10-24-07 from the Americans United for Separation of Church and State.

President Gudenas – We also did receive a communication from our legal team regarding our Department of Justice legal issue that has been settled. On October 29<sup>th</sup> the Federal Judge did sign into the Court Order to create our eight ward plan. She also ordered that the elections will be held on March 4, 2008 and there will be eight wards plus one council president to be voted on March 4<sup>th</sup>.

She also concluded the March 4<sup>th</sup> election will be a continuation of tomorrow's November 6<sup>th</sup> election, one in the same election. So anyone on the ballot, tomorrow, Tuesday, cannot be on the ballot for a different position in March. So, in case there's any question about that.

She also stated the deadline to be on the ballot will be January 4<sup>th</sup>, to be eligible to be able to run for the new ward position you will need 25 signatures turned in by January 4<sup>th</sup>. It is not a hard task to do. We'll discuss that possibly a little bit later, but with that signature from the Court, our Ward Plan and the like has been finalized.

### COUNCIL MINUTES

Councilman Gruber moved to receive and approve the Council Minutes of November 5, 2007.

Councilman Delaney seconded. Yeas: Unanimous.

### ADMINISTRATION REPORTS AND COMMUNICATIONS

Mayor Cervenik presented checks to the benefactors of the 11<sup>th</sup> Annual Mayor's Charity Golf Outing. Benefactors are: Police Athletic League, Officer Steve Shubert; Rose Mary Center, Pat Columbo; Euclid Hunger Center, Ellen Ivory; Euclid Senior Programs, Director Terah McNeal.

Mayor Cervenik and Councilman Gruber presented Res. 211-2007 to the parents of Sam Calabrese on his attainment of Eagle Scout.

Director Will – I would like to take this opportunity to first thank everyone, especially all the residents that came out over the past couple of days and participated in all the Halloween events that we had. They were wonderfully successful and thank you for participating and making them a huge success, we really appreciate that.

For the Christmas Holiday, we will be doing for the first time in the Recreation Dept. a Santa Mailbox. November 26<sup>th</sup> through December 17<sup>th</sup>, we will dedicate a mailbox right outside of the Recreation Department for the children to drop their letters off to Santa. You can also address them to City Hall, in care of the Rec Dept., we'll make sure that he gets them. Santa will take the time out and send a letter back to all the children. The mailbox will be available on November 26<sup>th</sup>.

We'll be starting our next session of Learn to Skate that will begin tomorrow evening. You can still register to learn how to skate, we do lessons on Tuesday evenings and Thursday evenings. We will also be starting a class for the younger children called Penguins. That class will be on Wednesday mornings from 10:00-10:30 to encourage the parents to come out with their child and to learn how to skate. They will take participation on the ice and then they can go put their shoes on, run

around on the ice and actually play in the snow that we get from the Zamboni. That class starts on Nov. 7<sup>th</sup>. If you want information pertaining to the ice arena, call 289-8649.

Our next session of Lear to Swim will start in January. You can register now at the Recreation office. We'll also be having some special events for our swimming pool. We will have a swim with Santa on December 12<sup>th</sup>. We'll have a special event, Cruising through the Winter, in January and Be My Swimming Valentine on February 13<sup>th</sup>. We're trying to get a lot more programs to encourage everybody to come out and see the wonderful opportunities that the Recreation Dept. does have.

The last thing I would like to announce, on Sunday, December 2 at 5:00 pm, the newly formed Lake Erie Monsters Hockey Team is inviting the City of Euclid to come out and experience one of the games. Tickets are \$12 and if you would like to purchase a ticket, call the Rec Dept. at 289-8114. Thank you.

Director Gulich – I would like to announce, this Saturday, November 10, 2007 behind City Hall, we'll be having our first community shred day. What is community shred day? That's an opportunity for citizens free of charge to bring their personal documents they might have, want shredded, and again free of charge, have Iron Mountain who we are working in partnership on this, shred them free of charge. This will be behind City Hall, from 9:00 AM until 1:00 PM. We're asking residents not to bring more than 5 full boxes with them. They'll be shredded on the spot and again we encourage you to bring down any personal documents that you would want to be shredded for this opportunity.

Mayor Cervenik – I would also like to congratulate the Euclid Panther Football team. They had a regular season record of 9 to 1. We fell a little short Saturday night losing 14 to 7. But I'm proud to tell you that Howard Drake, the quarterback broke the record that was held by Robert Smith for overall yards achieved by a back in Euclid history. We congratulate him. We congratulate the team. We congratulate the coaches. They far exceeded their wildest dreams and I expect them to come back very strong again next year.

The last item I have to report tonight is the unofficial numbers for October's tax collections. We were \$137,000 in excess of our projections which means for the year, we are \$144,156 ahead of our projections. Our annual revenues to-date are \$20,092,000. That is quite an improvement. In 2005 our annual income at this time was only \$17,806,000. Last year, even with the 13<sup>th</sup> month, it was \$20,758,000. So things are looking good and I need to congratulate the tax department, they have really excelled on collecting delinquent accounts. I believe we have a roughly 1300 payment plans put into place with outstanding balances of approximately \$1.7 million, that is new money. That is money that will continue to come in as these taxpayers remain on the rolls. Director Johnson, please extend my congratulations even though I already have, do it again for the great work the tax department is doing. That closes Administrative Reports & Communications.

#### REPORTS & COMMITTEE MINUTES

Councilman Gruber moved to accept the Police Report of September, 2007; Animal Shelter Report of September 2007; Executive & Finance Committee Min. of 10-24-07; Charter Review Commission Min. of 9-25-07; Planning & Zoning Min. of 10-09-07; Board of Control Min. 10-09/07, 10/15/07, 10/22/07. Councilman Langman seconded. Yeas: Unanimous.

Councilman Gruber moved to waive 24 hour notice and place on agenda, Res. (508-07); Res. (509-07); Res. (510-07). Councilman Lisy seconded. Roll Call: Yeas: Unanimous.

President Gudenas – Item #5, regarding the Landmark legislation has to go to the Planning & Zoning Committee for their review.

Director Pietravoia – I did review the code again after we discussed that this afternoon. Only Zoning Code amendments have to be referred to Planning & Zoning, so we are able to discuss that item tonight.

President Gudenas – Thank you for that clarification. As was mentioned earlier, the Federal Court Judge on October 29<sup>th</sup> already implemented the eight ward plan. Item #2 will be tabled because our legal representatives have not seen that legislation. We wanted to make sure it is in harmony with what the Court has already decided.

Councilman Delaney moved to go into the Committee of the Whole for Legislative Matters Only. Councilman Gruber seconded. Yeas: Unanimous

COMMITTEE OF THE WHOLE

Mr. David Radachy – 296 E. 271 St. I am a member of the EPIC committee. I would like to thank the Council for extending us until June 2008. We believe we can be very effective in this time of trying to get more people involved in the city's politics in the future. I would also like to remind everybody to get out and vote tomorrow because it is an election day.

Mr. Tom Cooke – 25641 Edgecliff. I will be addressing several items today, the first being Item #3, the purchase of two new police cars for the traffic division of the Euclid Police Dept. I am in support of this purchase for the following reasons. The single most important basic need of every resident of the City of Euclid is the need to feel safe and secure. It is the feeling of being safe and secure in our homes and community that will keep people in Euclid. The purchase of these vehicles will add to the safety and security of all Euclid residents at a cost of about \$1 per resident. What I don't want to hear about is how the city might not be able to afford this purchase, because Council was all of a sudden enlightened on October 24<sup>th</sup> at the Executive and Finance Committee meeting, when you were informed that there might be some red ink in the 2007 budget.

If Council President Gudenas and this Council can spend a half a million dollars on 25 students to learn how to cook, at a cost to Euclid taxpayers of about \$20,000 per student and over \$600,000 on the Justice Dept. law suit that basically gave a small group of supporters the warm fuzzies. This Council can surely afford to pass this legislation that will protect the residents of Euclid at a cost of \$1 per resident.

I'd like to see or actually I want to see a unanimous vote on this time. Show the residents of Euclid that you really do care for their safety, don't play politics with this, vote for it.

Also I have some concerns regarding Item #5, procedures for designations of landmarks and landmark districts, sponsored by Councilman Delaney. I'm not sure exactly what the specifics of this piece of legislation will do, but I've got a funny feeling that somehow it is going to end up costing the taxpayers of Euclid more money in the long haul and I'd like to make sure that does not happen. I am an ardent supporter of restoration and historical projects and a lot of you already know that, but it is not right for the residents of this city to have to pay for what I consider at this point in time in Euclid's history and time, as a luxury. Thank you.

Mr. Christopher Litwinowicz – What's up Euclid? How you doing Council? How you doing Mayor? Getting to the end of....

President Gudenas – You need to state your name for the record.

Mr. Litwinowicz – My name is Christopher, C-h-r-i-s-t-o-p-h-e-r, Litwinowicz, L-i-t-w-i-n-o-w-i-c-z. My address is 21970 Morris Ave., Euclid, Ohio 44123. Do you want my phone number? 216-731-2392.

The Landmarks, I don't understand what's going on but what I feel Shore Cultural Centre is a landmark. A Resolution to extend the term of the Public Involvement, there shouldn't be no terms. Anybody that wants to get in public involvement has a right to come to the meeting and voice their opinion like here.

I just wish the public had more time to review this stuff before the meeting so we don't have five minutes to discuss it and you guys make an opinion. Hope everybody had fun during the election because I learned a lot. I learned what a City Charter is.

President Gudenas – Again, this is about the legislation on tonight's agenda.

Mr. Litwinowicz – It is. He was able to speak so I'm able to jump off topic. I've 2-3 more minutes. This is serious business. I'm off now because he made me jump off but I wasn't off. I'm getting more, and more and more respect now that things are going on, but let me get back to this. Thank you Mayor for the Ceremonial Resolution for the Boy Scout who obtained Eagle Scout. Myself is an Eagle Scout so I know what you have to do and I've been to Philmont so I understand the 100 miles in 10 days. Thank you.

The minimum fee permit, if I was on Council right now, I wouldn't be charging people for this. I'm trying to get to know this stuff but you get 5 minutes to understand. You get this stuff at 7:00 and you've got to sit here and review this as quick. How do you guys do your jobs? You guys get this in advance. I'm not trying to nark on people but I just would like this to be given to the citizens of Euclid earlier than today. Thank you.

Mr. Mike DiDomenico – 24770 Farringdon Ave. I just wanted to point out for those people at home, or those people who don't understand how it works, those items that are on Council's agenda, you can go to the Clerk's office,

President Gudenas – Stick to the agenda items, I hate to say it.

Mr. DiDomenico – It is about the agenda. You can get it e-mailed to you or it is posted outside of the Clerk's office. You can come to City Hall and read it. It is out more than 5 minutes ahead of time. Thank you.

Ms. Pearlitha Taylor – 1495 E. 193<sup>rd</sup>. I am concerned about #3 about new police cars. We just purchased new police cars. My concern is we receive a federal grant from the federal government about \$275,000 a year and each year we receive this grant, money is coming out of that grant for police cars and I want to know where is that money housed? Where do that money go? Do it go into the city budget? Is that in another account? Because from my understanding, they have already asked for money out of the Weed & Seed money for police cars. Also for some cameras out of this.

I'd like to know where is the money that is received from Weed & Seed? What budget does that go into and it seems like it is more like double dipping because you get money from Weed & Seed for material for the policemen and then you turn around and you are coming to City Council for money for police cars. I'd like to know where are those funds housed? Because I was told once when I was asked question and I asked so many I got kicked off the board, but I was told once that the money is spent before, out of the city budget, and once the city received the money, they supposed to replace this money. I would like for someone to answer that and I'm very much against #3, we're buying to many police cars. If the people live in the City of Euclid, they would not have to drive back and forth to other cities and other counties like Chagrin Falls, Mentor and they're putting wear and tear on the police cars. Keep the cars here in Euclid and they will last longer. But still, answer my question about where this money is funded.

President Gudenas – To clarify, the police car funding is out of the capital budget. It is neither the general fund which is regarding the hiring freeze, nor it is out of the Weed & Seed account. It is strictly our 2007 capital account which is a whole separate account from all of the other ones.

Ms. Karen Murray – 1520 E. 195<sup>th</sup>, Euclid resident for 10 years. My concern is the resolution #1, the very first one on the list. This is a wonderful idea however without a registered dietician or a sanitary specialist, this is a very dangerous partaking. To deliver meals to daycares out of a truck or out of a vehicle, needs to be monitored, not daily but weekly, monthly, as well. If not someone is looking at a law suit. There are too many things that can go wrong. The vehicle could break down, weather is an issue. I have worked for Meals on Wheels program before and there are just so many different circumstances that could leave that food sitting and put the children at risk for food poisoning and a number of other items. I commend the people who came up with the suggestion, it is a wonderful idea but without daily, weekly, monthly, unannounced supervision, I do not recommend this and this is my personal opinion, thank you.

President Gudenas – To clarify, Item #1, is the second reading. It will not be voted on today. We will have a third reading in two weeks on the 19<sup>th</sup> of November when it will be discussed. No vote today on #1. Actually the building fees also will be sent to Committee, which is on the agenda.

Mr. Mike Tortoricci – 635 Voelker. Comment on #3. I'd like to suggest and recommend and I'm not sure how we do it legally, but I remember reading an article after Officer Brentar's accident and there is some issues with this Crown Vic and I wonder if there is a way that we could find some extra funding to provide shields for all the vehicles to protect our police forces. I strongly urge that we do some research to look into that. I think it is vitally important as we all do, the safety of our police forces as well as our citizens. Thank you.

President Gudenas – We were going to ask that the option be added onto these police cars, it is around \$3,500 so we will make sure that it is added and then we will look into the ability to retrofit some of the other ones to make sure our police officers are as safe as possible, so we will address that as it comes up.

Ms. Kandi Jones – 27040 Tungsten. –I just wanted to maybe answer part of Pearlitha's question. I don't know about the purchasing ....

President Gudenas – We really shouldn't be going back and forth with, we're just strictly addressing the legislation on the agenda and not going back and forth with.

Ms. Jones – This is part of #3. In the Weed & Seed grant, there is a process that we go through the year before we apply for it. We sit down as a steering committee, decide on how the money is going to be spent for the next year. A budget is prepared, submitted to the Executive Office of Weed & Seed in Washington. That's approved and then we're given the approval of whether we can go ahead with the funding. The money is not given to the city all at one time. The money is on a reimbursement process. So, the money is spent, we send the FS 269 report on a quarterly basis to Washington and then they reimburse us back for the money that was spent for that quarter.

President Gudenas- None of this is on the agenda for tonight. If you could just keep your comments to whatever is on the agenda. The police cars are on the agenda, if you'd like to discuss that, that's fine.

Ms. Jones – That was my next comment. There have been some mention in the past as far as the Weed & Seed grant, as far as police cars. We did do, and I don't know the specifics off hand because I don't have the grants in front of me. We have done, for the Narcotics Unit, leasing for cars for the Narcotics to use but not actually purchasing of police cars. I just wanted to make that comment. Thank you.

Councilman Lisy moved to rise and report. Councilman Delaney seconded. Yeas: Unanimous.

#### LEGISLATION

##### **Res. (494-07) Second Reading**

A resolution granting a Use District Exception, pursuant to Chapter 1364.03 of the Codified Ordinances of the City of Euclid, to Bethlehem Lutheran Church, in cooperation with Laparade Early Learning and Training Center, Inc., to allow the use of its Parish Hall kitchen facilities for food preparation for off-premise use by nearby day care centers. (Sponsored by Planning and Zoning Commission)

Second Reading. Third Reading 11-19-07.

##### **Ord. (500-07) New Eight Wards-Tabled**

An emergency ordinance amending the City of Euclid Codified Ordinances to reflect the boundary changes in the wards as required by the Court decision in United States v. City of Euclid, 1:06-CV-01652. (Sponsored by Mayor Cervenik and entire Council)

Councilwoman Minarik moved to table. Councilman Lisy seconded.

Roll Call: Yeas: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Tabled.

##### **Ord. 212-2007 (499-07) Police Cars**

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to purchase two (2) 2008 Ford Crown Victoria Police Interceptors, for use by the Traffic Division of the Police Department, from Statewide Ford, 1108 West Main Street, Van Wert, Ohio 45891, at a cost of Fifty-four Thousand Four Hundred Eighty Eight and 00/100 Dollars (\$54,488.00). The vehicle will be purchased through the State of Ohio Cooperative Purchasing Program. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilwoman Mancuso seconded.

President Gudenas – The first question will be, have we included the safety equipment for the fuel tank on these cars?

Director Gulich – These are 2008 cars, they have already been manufactured, ready for immediate delivery. They have all the safety features with the exception of the fire suppression system. The fire suppression system is not retro-fitable. It either has to be manufactured with the car, or it is completely unavailable. The Chief has some additional comments regarding that.

Chief Repicky – Like Hank Gulich said, this can only be done, the retrofitting, on-line prior to production of the vehicle. There are some issues on the Ford, but we have 45 plus cars in the fleet and there's no way I can take every car off the road, otherwise we will be walking and I don't think that's a good way to produce service in the city.

We did have a MVA last night involving one of our cars that was rear-ended at 35 mph and there was no fire. So, I don't know what to tell you. I think we need to purchase these cars. We're

one car down in Traffic and another car has 115,000 miles, it is on a banana peel. We could use both those cars with Council's approval tonight.

President Gudenas – We certainly support the purchase. We certainly also want to look at all the safety features we can add.

Councilwoman Mancuso – We certainly do support it. It is not that we don't want you to have cars. Are you in anyway, shape or form in an organized manner looking at trying to purchase a different type of car? I know there's research out there. I unfortunately read it, it does have its problems and people are looking and I know they are talking at the State level of trying to get another car besides the Crown Vic. Are we doing anything? Have we added how we feel about it? Or, is there any plan to go forward to try to purchase a different model?

Chief Repicky – We are looking at two other brands of police cars. Ford is still making a Crown Vic, I think one more year, so we have a year or so to look at the other cars that are in production for police packages.

Councilwoman Mancuso – Could you come back to us and let us know if there is something else? I personally would feel more comfortable if we looked at something else. I know we have many on the road. I know we're going to deal with them, we're going to try to be as safe as we can. But, we are also the city who experienced what happens with it. To be able to have another option is very, very important for the city.

Chief Repicky – We will explore it and we'll get back to Council.

Councilman Lisy – How long do you anticipate these two cars lasting in our fleet?

Chief Repicky – Probably at least 4-5 years. Unfortunately the one we just lost, was a 2007 and had like 6,000 miles on it.

Councilman Lisy – That's why I concur with Councilwoman Mancuso that let's look at the other options. We are definitely not opposed to getting the cars, we want to get the cars. We've budgeted the money in the capital account for those cars. However, if they are going to be in our fleet that long and as you pointed out, it is unrealistic to pull all the cars and put the officers on their feet, that's ridiculous and we're not going to do that. So, I'd rather put them into safe cars and spend a little extra time to look for the safe cars. If you want us to go ahead with this resolution tonight, I'm in favor if you think it is that urgent but if you think there are other cars out there that we could look at that are available out there, I'd much rather go that route.

President Gudenas – Chief Repicky, how long of a delay would it be if we bought the new cars with the fire tank suppression fire system?

Chief Repicky – Probably June of next year at the earliest.

President Gudenas – That would be too long to wait?

Chief Repicky – Yes. Getting back to Councilman Lisy, I agree but like anything else, when you get a new car on the road, I don't want to be the first one riding it. We're looking at two other models that are on the road and we want to see what feedback is from other police departments that are using them.

Councilman Lisy – Thank you and I appreciate that because data is very misleading. If you look at all the police cars that are Crown Victorias out there, this maybe an unfortunate accident that happened here with a few Crown Victorias, but this maybe the best solution out there. That's why I'm deferring to you on this decision because we want to get you the cars and I don't think there's enough data points with any other type of make or model out there and we maybe going to something worse than with what the Crown Victorias are.

President Gudenas – This is coming out of the 2007 capital budget. I know we've already purchased quite a few police cars from that 2007 budget. I thought we had bought all the cars we needed. Is there some money left over, or is this taking money from a different account and transferring it to the police cars?

Director Johnson – In the 2007 capital budget, we did have \$30,000 that was allocated as a contingency. There was some money left over from the purchase of the original 7 or 8 police cruisers and that's what we would be using.

President Gudenas – How much, Director Johnson or Chief Repicky, how much did we appropriate for the police car purchases earlier this year?

Director Johnson – I believe it was \$186,000.

President Gudenas – How many cars was that?

Director Johnson – Seven.

Chief Repicky – Seven and one of them was partly funded by a grant.

President Gudenas – We've already purchased seven this year and this would add two more for a total of nine and we're transferring \$30,000 from another account into this to make it possible, is that correct?

Chief Repicky – Yes, but you have to understand too about three years ago we didn't buy any police cars and now we're paying the price trying to catch up.

President Gudenas – Well we're glad we have a new city council from three years ago. Any other question about that?

Councilman Gruber moved to suspend the rules, Councilman Delaney seconded. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas.  
Passed.

**Res. 213-2007 (504-07)**

A resolution urging the U.S. House of Representatives to support the passage of H.R. 3498, cited as the Neighborhood Reclamation and Revitalization Program Act of 2007, which will authorized the Secretary of Housing and Urban Development to make grants to assist cities with a vacant housing problem and additionally urging that the appropriations should be increased to \$500,000,000. (Sponsored by Mayor Cervenik)

Councilman Delaney moved for passage, Councilman Langman seconded.

Director Pietravoia – Occasionally matters come either before the State Legislature or the Federal Government, in this case the House of Representatives that could impact our community. As you know awhile back, through Councilwoman Minarik, we brought forward a resolution similar for this for State legislation that would help with our vacant and abandoned properties. This is a similar situation, our Representative Brian Higgins out of New York, introduced a bill to Congress that would give the Secretary of Housing and Urban Development the authority to make grants to cities that are dealing with the vacant and abandoned housing problem throughout the country.

Representative Stephanie Tubbs Jones, Marci Kaptur, Tim Ryan and Betty Sutton are also co-sponsors from Ohio on this bill. If the bill is passed, it would allow the HUD secretary to make grants to local governments to demolish vacant housing, and also to undertake studies of neighborhood revitalization in areas where there is significant amount of vacant housing.

The bill is pretty straight forward, it outlines the eligibility requirements and the factors to be considered by the Secretary of HUD when they receive the grant applications. Once a grant is received, a year later, the City would have to file a report with HUD on our progress. The Resolution that's before you tonight basically encourages Congress to pass the bill and also to increase the amount of funding available. They're looking at a hundred million dollars over a three year period. We're suggesting five hundred million since this is a nationwide effort.

The City of Cleveland has already passed a similar resolution and recently brought it to our attention. Since it is before Congress now, we thought it would be timely to get Council to support this.

Councilwoman Walsh – I would like to suggest that Council put their name on this resolution also.

President Gudenas – We shall add all of City Council if that’s okay. Any other discussion on the resolution?

Roll Call: Yeas: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Passed.

**Ord. 214-2007 (502-07) Landmark Commission**

An ordinance amending Sections 1303.01 “Definitions,” 1303.07 “Meetings,” 1303.09 “Procedures for Designation of Landmarks and Landmark Districts,” 1303.11 “Regulation of Building Change,” and 1303.14 “Architectural Board of Review,” and creating Section 1303.15 “Appeals” of the Planning and Zoning Code of the City of Euclid to comply with requirements imposed upon the Euclid Landmark Commission by the Ohio Historic Preservation Office. (Sponsored by Councilman Delaney)

Councilman Delaney moved for passage, Councilman Minarik seconded.

President Gudenas – Councilman Delaney I believe you spent over a year on this?

Councilman Delaney- Actually we had the ordinance brought back to us for about a year from Columbus. We had passed this legislation about 4 years ago. I sponsored it then and it created a whole new chapter in our Planning & Zoning. One of the advantages of having buildings on the National Register of Historic places is that you can be eligible for federal dollars that are allocated through the State. What you have to do is you have to have certain tools in place to become a certified local government in historic preservation. What this does is make us eligible and that money can be really used for almost anything in the historic structures, it could be bricks, mortar, windows.

Councilwoman Walsh brought it to my attention. There was a periodical recently, Cities & Villages and it named all the towns around us that get this money, tens of thousands of dollars, over \$100,000. So what you have to do, is you have to have the tools in place, make your case to receive that money.

To address the resident before, no, this does not cost us. This is actually has been in place for years. It is an amendment. I’m very proud of the work that our Euclid Landmark Commission has done. We created that as well at the same time. They’ve brought us a lot of great events. They pointed out many things that we didn’t know before. Again, part of this helps us market our community correctly. It is a lot to offer outside. It is a lot of things that we can draw residents into.

One of the things as we go through all the budget processes, we do make those capital appropriations at the beginning of the year, we’ll be doing that again in a few months. We want to make sure that we do the right things with our capital money and if we have something that can impact our general fund operating, well that is getting the most bang for the dollars that are spent. So, as far as the improvements to a historic structure, whether it is windows to keep in the heat, to save money on the operating, then we have more money to operate with in the future.

If you look at some of the bills that we pay in the historical structures, that’s operating money. If we could use capital money and grant money that we’re allowed to spend that on to fix those things, make it more efficient which is a lot of what we’ve done, then we have more money to spend on operating. This is one of those tools in place that makes us eligible. We’ve done a lot of great work with Doty Miller which is another plan for the building that we can also use and just as Director Pietravoia had said, getting the federal money, you have to have a lot in place, we’ve done our due diligence and hopefully this will reap great rewards in the near future. Thank you.

Councilman Lisy – I would like to thank my colleague and the support of the administration in getting this legislation through or to us, hopefully it will get through tonight. As I research what a Certified Local Government program is all about, 10% of the historic money from the federal government that goes to the State of Ohio is set aside for cities that are certified local governments. Just by wordsmith our existing ordinance and adding the changes that we have, we become a certified local government and we are now eligible for the certified local government process. It is a good thing that we are doing. It is not just for development. It is for planning, surveying, registration, administration, public education programs can come out of this as well as predevelopment costs. There’s a lot of opportunity for us to leverage grant dollars versus using money out of our operating fund for this program. Thank you.

Director Pietravoia – The changes are pretty straight forward and simple. If you’d like us to describe them, we can go through the ordinance, otherwise, if there’s specific questions. I did want to point out, the one area that we did have several discussions back and forth with the State on, it is not as common in the other cities in Ohio to have both a Landmark Commission and an Architectural Review Board.



We tried to work with the State to clarify the language about the Architectural Review Board's role. You'll see that's one of the changes in 1303.14, we made it clearer that basically their role would be involved when there's new construction that could be an addition or entire new building in properties that are either landmarks or in a landmark district.

We also made it clear by pulling out the appeals language that used to be in Section 1303.09, part c, typical with the rest of our code, made it a separate section, a new 1303.15. It is very common in Euclid whenever a body rules on something, if a party feels they are aggrieved by that, they would appeal that to the Planning and Zoning Commission, so we've separated that language out and made it clear. We also made it clear that since this does involve design matters for the most part, that the Planning & Zoning would have the opportunity to seek the advise or counsel of the Architectural Review Board if a decision is appealed to them. Since they don't typically deal with design matters.

President Gudenas – So your office has worked closely with the State officials to make sure our legislation follows State rules and that's what we have in front of us tonight.

Director Pietravoia – All these changes were recommended by the State. The specific area that we had to do some further work on was related to the Architectural Review Board and their role.

Councilman Gruber moved to close debate, Councilman Delaney seconded. Yeas: Unanimous.

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

Roll Call: Yeas: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Passed.

President Gudenas – Congratulations, it is an important piece of legislation.

**Res. 215-2007 (503-07) EPIC Extension**

A Resolution to extend the term of the Euclid Public Involvement Committee until June 30, 2008, and extend the terms of current committee members until June 30, 2008, amending Resolutions 184-2006 and 214-2006. (Sponsored by Council President Gudenas)

Councilwoman Mancuso moved for passage, Councilwoman Minarik seconded.

President Gudenas – Obviously when we started this, we anticipated having elections in November, they are not going to take place until March, so the work of this group is not finished until well into next year, so we're changing their term to more stay in line to when the elections will be and have some time afterwards to determine how things went and how we can do better for more involvement. Any discussion on that?

Roll Call: Yeas: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Passed.

**Ord. 216-2007 (498-07) Chemical Bids**

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into various contracts, after advertising for bids, for the purchase and delivery of the City's requirements for the year 2008 of the following chemicals. (Sponsored by Councilman Gruber by request of the Service Director)

Councilman Gruber moved for passage, Councilman Lisy seconded.

Director Gulich – This allows the city to purchase sodium bisulfite, sodium hypochlorite and aluminum sulfate and sodium chlorite /sodium nitrate solution. Sodium bisulfite is important because it allows us to remove the chlorine from our effluent. The sodium hypochlorite, that is the chlorine that we need to disinfect that we also need to remove. The aluminum sulfate is actually alum and it allows us to remove phosphorous from our effluent. The last two chemicals are for odor control at our Lakeland Blvd. plant. Since the time we started using those chemicals at Lakeland, we've done a very good job of keeping our odor complaints down. The rest of these chemicals are needed to do those other purposes.

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

Roll Call: Yeas: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas

**Ord. 217-2007 (501-07) NPDES Storm Water**

An ordinance authorizing the Mayor of the City of Euclid to enter into a memorandum of understanding with the Cuyahoga Soil and Water Conservation District, for various NPDES Storm Water Phase II permitting for the City of Euclid. (Sponsored by Mayor Cervenik)

Councilman Gruber moved for passage, Councilman Lisy seconded.

Director Gulich – I'm excited about being able to enter into the Memorandum of Understanding with the Soil & Water Conservation District. This will allow them to provide their expertise to us for the review of plans so that they are in agreement with the new Phase II regulations, as put forth by the Ohio EPA. They will do the plan reviews and they will also do the necessary field inspections. Their people have the expertise and the familiarity with these regulations and we intend to pay for these services by user fees. When someone submits plans, they will have to submit a storm water control plan. These are the plans that they will be reviewing and they will actually do the field inspections as well to make sure we're in compliance.

President Gudenas – It is good to have a Memorandum of Understanding with as many as we can.

Councilman Delaney moved to suspend the rules, Councilwoman Walsh seconded. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Passed.

**Ord. 218-2007 (505-07) Bridge Repair**

An ordinance consenting to the routine maintenance of certain bridges by the Board of County Commissioners of Cuyahoga County, Ohio. (Sponsored by Councilman Gruber by request of Service Director)

Councilman Gruber moved for passage, Councilman Langman seconded.

Director Gulich – Just so everyone is clear on this, this ordinance applies to one Bridge within the City of Euclid and that one bridge is the bridge on Euclid Ave. over Euclid Creek. This isn't really going to change anything. We have been doing the sweeping. We have been doing the minor repairs. We have been doing emergency patching when necessary. This will allow for the State when necessary to actually come in and do minor and emergency repairs to railing and appurtenances. I think that is important that we pass this legislation if for no other reason so that when necessary, if it is a routine thing that we haven't been taken care of in the past that they will agree to do that for us. This only applies to that one bridge by definition in this ordinance.

President Gudenas – Director Gulich, does that bridge have a name?

Director Gulich – We could give it one.

President Gudenas – We should have all of our bridges with a name.

Councilman Lisy moved to suspend the rules, Councilman Delaney seconded. Yeas: Unanimous.

Roll Call: Yeas: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Passed.

**Ord. (507-07) Amend Code Inspection Fees**

An ordinance amending Sections 1703.63 "Minimum Fee for Permit," 1703.65 "Schedule of Permit Fees," 1703.66 "Schedule of Inspection Fees," 1703.67 "Schedule of Certificate Fees" and 1703.68 "Schedule of Placard Fees," of the Building and Housing Code of the City of Euclid to increase or consolidate some fees charged by the Building and Housing Department. (Sponsored by Councilman Langman by request of CS&ED Director)

Councilman Langman moved for passage, Councilman Delaney seconded.

President Gudenas – There are many increases being proposed and we do have a concern. We are trying to encourage the repair and modernization of our housing stock. As we increase fees, it may

discourage, so we're going to ask to have it placed into the appropriate committee, Executive and Finance or Councilman Langman's Building Standards Committee?

Councilman Langman – It is up to you Mr. Chairman, but I think it would probably be best in Housing Standards Committee.

Councilman Langman moved Ord. (507-07) into the Housing Improvements and Building Standards and Zoning Committee. Councilman Gruber seconded.

Roll Call: Yeas: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Passed.

**Res. 219-2007 (508-07) Hiring Freeze**

A resolution to impose an immediate ban on hiring for all General Fund departments except for the Police & Fire Departments and seasonal employees through 12/31/07. (Sponsored by Council persons Lisy, Langman, Gudenas, Conway, Mancuso, Delaney, Minarik and Walsh)

Councilman Lisy moved for passage, Councilwoman Mancuso seconded.

Councilman Lisy – Thank you. I hope this is not a long term hiring freeze, but when I was going through the numbers after our budget presentation last Wednesday, it was a little disconcerting to me that the City forecast, we show a deficit for the 2007 budget period of \$862,000 and projected deficits in 2008 and 2009 of anywhere from \$410,000 to \$985,000. Then, when I looked back at our revenues and I see in May, 2004 \$2 million were borrowed from the debt service in July 2004, \$500,000 was taken out of the budget stabilization account and never repaid. September 5<sup>th</sup>, \$472,000 were taken out of the Endowment Fund. In November 2005, \$400,000 was brought in because of an employee stock option program, the taxes collected from that. 2006, we had an extra pay period from CCA.

When you add that all together, if we didn't have those transfers into the budget of approximately \$4.6 million, we would have had deficits for 2004, 2005, 2006. We did not have any type of that fortune this year and so therefore we're showing a deficit of \$860,000. We're presented deficits in 2008 and 2009 of equal amounts.

The sad part about this is when I look at the revenue incomes, they've been going up by 5% each year if you take out these one-time events. So our residents and our businesses are doing well, unfortunately our expenses are exceeded the revenues that we're bringing in. That is why I just would like to propose this hiring freeze so that we don't have to have any type of other drastic measures in the future, such as any other drastic measures in the future. With that, I'd like to propose this ordinance.

President Gudenas – To clarify, this would not affect the police and fire departments who will have replacements as people leave and seasonal employees. This would be in effect through the end of this year until we have a balanced budget presented to the City Council for 2008. Once we know the budget will be balanced for next year's, we can resume hiring if this passes.

Mayor Cervenik – The \$862,000 deficit fund balance is the budget that City Council has passed. I think we've had four budget amendments, five budget amendments. We aren't going to be \$862,000 in the red. This was presented to you as to what you have passed up through this time. My administration is one, not going to allow us to expend all of that money. Secondly, if you look at our numbers through October, at least through the three quarters, our revenues are up.

I have no problem with the hiring freeze, especially excluding the police and fire. However, I would ask that you allow us to keep the budgeted number of housing inspectors as well. I don't think there are any other general fund hirings that we intend to do, but I, pardon. Let Director Johnson tell you the other positions we're trying to fill before you make this. You want us to do our job. You want us to make sure that the housing stock and the problems in neighborhoods are taken care of. If you take away the personnel that is needed to do that, it is going to be very difficult.

Director Johnson – There are a total of 7 positions that we've identified that are funded by the general fund that would come under this freeze. Of the seven, one is a municipal court employee and I don't have to repeat that we have no control over what the Judge would do. The other position would be in the Police Dept., a police officer. So therefore, that would leave a housing inspector, which is a replacement position. A part-time Records Room clerk. A part-time clerk in the Housing Dept. and a van driver in Senior Programs. We're talking about 3-4 positions, not filling those positions for the balance of the year. Two of those four would be part-time.

President Gudenas – The full time positions in question would be the Housing Inspector and the Van Driver. The others are part-time or involved with the Court or Safety forces.

Director Pietravoia – The van driver was budgeted as a full time position. We posted it as two part-time positions, but in essence it is the same budget amount in fact we may save a little because of the savings of part-time.

President Gudenas – Van driver position will be part-time.

Director Pietravoia – Two part-time instead of one full time.

President Gudenas – So the only full time position is the one housing inspector, other than the Court and the safety forces.

Director Johnson – Kathy Will just brought to my attention, there is a superintendent in the Parks & Recreation Dept., one more position.

President Gudenas – One superintendent.

Mayor Cervenik – We've got a retirement in the Parks. Mr. Grida will be retiring and we need to bring his replacement on. It's a very important position that needs to be filled.

President Gudenas – He'll be retiring when? December 28<sup>th</sup>.

Councilman Lisy – Mayor, as we had discussed, I was hoping that there would be several transfers between existing employees within the city that maybe able to fill those in-house filling of those positions, so that these critical positions could be filled by existing employees within the city. If that could happen, there maybe a way to fill this job without adding additional dollars to the budget because that person is already on the city payroll. Is that an option?

Mayor Cervenik – We don't have to many extra, in fact we don't have any extra employees sitting around looking to fill a position. We have been for the last 4 years really on a very bare bones budget and we've really been concentrating on increasing safety forces and the personnel in the housing dept. There really is very little we can do in that category. One of the positions that were open, in fact it is not even a general fund, but we have a person accept a job in Waste Water, as a new secretary in Waste Water, she was working in full time Block Grant funding. I talked to you the other day about that, that's still one position even though we posted it a second time for her replacement. There's really not a lot of room in the personnel here to do that. We've got people doing double duty as it is. We have people from Prosecutor's office filling in the Law Dept. on various days to cover for vacations. We're doing a lot of that already and there's not much more room to be able to do that.

The positions that we have listed here are budgeted positions. Again, we've done some savings by doing two part-time van drivers rather than a full time van driver. Our seniors need to be transported.

Director Johnson – Also, as the Mayor eluded to earlier, we have presented 5 budget amendments during the course of this year that Council voted affirmatively to increase the budget. Perhaps it would serve some purpose if I kind of listed the major items that caused this \$800,000 projected deficit.

We increased the budget \$535,000 for litigation costs for the Department of Justice law suit. On this Council floor, we amended the budget to include \$35,000 for the fireworks show and \$45,000 for the Festival. This was originally budgeted in the Endowment Fund. In addition to that, this Council voted to send to put \$250,000 into the Nuisance Abatement Fund. The vast majority of these expenditures were approved by Council. They were voted on by Council.

Also I would point out that none of these are personnel related expenditures. None of these have anything to do with personnel.

Councilman Lisy – Director Johnson, why did you present us a budget a week ago with all those figures going into the 2008 and 2009 season? You put a 2.5% increase, you said those numbers and you moved them to 2008 and 2009. If those were one time additions to the budget, you took out the legal fees, why didn't you take out the other ones?

President Gudenas – The concern is we showed another \$800,000-\$900,000 deficit for the next two years, how do you explain that?

Director Johnson – The Festival and the Fireworks, I'm not going to make a presumption that Council is not going to want to fund that out of the general fund. What I tried to do, first of all, I was given about 24 hours to try to prepare this projection. What I did was take out what I thought were the obvious expenditures, hopefully we're not going to spend another \$600,000 on litigation in 2008. I did not have time to go through to fine tune some of those things, Councilman Lisy. But, some of the quotes in the newspaper are a little disheartening to me when I read that I'm concerned that Council was not made aware of this financial shortcoming until it was requested by Council President Gudenas.

Councilman Lisy – 2008 and 2009 I thought we had a balanced budget.

President Gudenas – Let's let Director Johnson finish.

Director Johnson – I have made it a point that Council gets monthly financial reports, every month and these same figures are reflected in those monthly reports.

Councilman Lisy – Let me rephrase my question. I thought we had a balanced budget going forward, I thought there was a three year plan out there that showed a balanced budget going into the future and we get this plan showing a \$985,000 loss in 2008 and \$756,000 loss in 2009. You make notes here that you're subtracting out, transfers out \$250,000 and \$535,000 of legal. So when I still see that after you make these transfer outs, we're running at near a million dollar deficit for next year, I'm not comfortable hiring people. I was until, this is ridiculous. We can't spend like we're going to be able to borrow \$2 million from the debt service. We blew the budget stabilization fund. We're not going to get an ESOP and there's not going to be an extra pay-period this year. We have to control the spending for the future. If we're filling all these positions, the positions we fill this year, even though they are in the budget, are they going to be in the budget in 2008 and 2009? The answer is yes and that's why I wanted to put this hiring freeze in. My suggestion originally when I put the legislation together for tonight, is let's have a budget meeting and go over the 2008 numbers and 2009 numbers. Director Johnson, I know we didn't give you much time for that information. That's why originally I had said once we see 2008 and 2009 budget numbers I'd be much more comfortable going ahead with all the other hires. The last thing I want to do is have more negativity in the press that Euclid's laying off people. That's the last thing I want to see in the papers now. If we can figure out a way to not hire all the essential people we need, the city will be better off.

Director Johnson – I am totally in concurrence with that position, Dr. Lisy. I just wished that we had considered this earlier in the year.

President Gudenas – Again, we're focusing on next year.

Mayor Cervenik – You need to again, and you're not recognizing this for at least the general public needs to understand. What was presented to you was a projection based upon the budget that City Council has amended 5 times. You are as aware as I am that if you print out the report through October 31<sup>st</sup> of this year, that we are no where near and \$862,000 negative. No where near that. Every year as the Finance Director says, we inherently are running anywhere from 1.6-1.8% under expenditures. This year you are very well aware, we are ahead of our income projections. Very shortly sometime in December we will be compiling, as we do every year, the general fund budget projections so we can begin the budget conversations in early January, mid-January. It will show a positive balance.

Councilman Lisy – That's why I'd like to see it before we go on filling these positions. Not that I don't trust you, I just want to see those numbers in front of us right now because that's not what we were presented. With our software that we have, I thought it should be simple, the New World Systems, we spent lots of money getting that system in place and with that I thought we'd be able to do a little better job of forecasting some of the changes in the budget. I may have made some assumptions there. I really do not know what you go through on a day-to-day basis and that's why I'm in favor of putting a hiring freeze until we can see a 2008/2009 budget.

President Gudenas – Do we want to consider allowing the part time positions to be filled in the meantime? We just throw all three of the items presented today, one was all the part-time positions, we don't have to list separately. Then the two full time positions, one was housing inspector and one was superintendent of Parks & Recreation. Do we want to list those positions as an exception?

Mayor Cervenik – I would strongly ask that you do both of those positions.

President Gudenas – We're discussing it right now. Let's see what the council members are interested in. The legislation would be amended to permit the hiring of the Superintendent of Parks & Recreation as it becomes available; to hire the Housing Inspector and the various part-time positions including van driver and records room person. The Municipal Court would be excluded and the police officer would certainly have been excluded anyway. We don't know what other positions maybe available, those are the ones the administration is asking specifically for it to be allowed to go ahead. Is there a discussion on making that amendment?

Councilwoman Mancuso – I would move to make that amendment with the understanding that there will be no further hiring after these positions, until we can see a 2008 budget which can happen quickly, I hope, it is what we do here. But I do believe these positions, it can be amended to fill these that are currently open, no more.

Mayor Cervenik – The only thing I would ask this Council as well is if we have an unexpected retirement or someone taking another job, we will come back and ask you for that same indulgence if it is a job that needs, if it is a position that needs to be filled. When you have 500 employees, you don't know when somebody is leaving. If you pass it with the amendment that the Councilwoman has asked, we can live with that. If there's something that comes up that we're unaware of, we will bring it to your attention.

President Gudenas – The amendment has been made, it has been seconded by Councilman Gruber. Again, very clearly, this is only until we get a balanced budget for next year. We hope to have those budget hearings in December and take care of this right away. Are there any other discussion on the amendment?

The amendment as presented is to allow the part-time hirings and the Superintendent of Parks & Recreation and Housing Inspector. Any other discussion on the amendment?

Councilwoman Walsh – As I understand it, we have to wait six weeks. By the time you post a job, interview a person, it is the end of the year anyway, correct?

President Gudenas – We're only talking about the amendments.

Councilwoman Walsh – Six weeks and we're done.

President Gudenas – We don't know how far along they are in the process as it is. Any other discussion on the amendment?

Councilman Lisy – Just for clarification, there was a general foreman position posted and a, I can't understand the acronym, there's another position in the Service Dept. Those I thought maybe people that we could, are we doing the transfer from the Golf Course over to the Streets & Sewers like we did last year?

Mayor Cervenik – Yes.

Councilman Lisy – So I thought that could delay the hire in this department until we could have the budget hearings.

Mayor Cervenik- If you want to reduce the manpower with the leaf pick up and the snowplowing coming right now, I don't think, that's your decision. But I really don't think you want to do that.

Councilman Lisy – Wait a minute here, Mayor.

Mayor Cervenik – And that's not general fund.

Councilman Lisy – Yes, but, you put the posting out October 31<sup>st</sup>. When did you anticipate hiring this person? You're going to hire someone to pick up the leaves in December, January? The leaves are all off the tree. That's a very bad idea.

Mayor Cervenik – There was an opening,

President Gudenas – Councilman Lisy, please.

Mayor Cervenik – There was an opening in Waste Water that a member of the Streets Dept. applied for the job and was the best qualified person. We were unaware that was going to happen. Therefore we have an opening, we want to fill that. They've already done some interviews, we want to fill that as soon as possible so that position doesn't remain open.

Councilman Lisy – You threaten the public with .....

Mayor Cervenik – I never threaten the public.

Councilman Lisy - ...in picking up leaves. You asked would I not want to hire somebody. Now you're changing your story. What is it Mayor? Is it somebody to pick up leaves or not?

President Gudenas – Now we're losing the meeting a little bit, one at a time. Is there any other discussion on the amendment?

Councilwoman Mancuso - There's an amendment on the floor. Can we vote on it please?

President Gudenas – Let's close debate on the amendment.

Councilman Lisy moved to close debate, Councilwoman Mancuso seconded.

Roll Call on the amendment:

Roll Call: Yeas: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas

Amendment Passed.

President Gudenas – Is there any other discussion on the ordinance or resolution.

Councilman Langman – This question is to Director Johnson or Law Director Frey. We've talked a lot about deficits and perhaps being in deficit. By what statute, again, this is for the residents that might be watching in the audience. What statute compels us to pass a balanced budget each year? Is it a city ordinance? Is it from the County? Because obviously we cannot pass a budget that's out of balance or in deficit. Can either of you two gentlemen, if you would like to address that for the residents?

Director Johnson – That depends on your definition of what is a balanced budget.

Councilman Langman – Our expenditures have to be paid from some revenue source, either what comes in through the General Fund through borrowing, etc.

President Gudenas – In other words, a balanced budget would mean that there's enough money to pay for the expenses. So has the city passed balanced budgets in the past? Are we required to do so?

Director Johnson – I guess if your definition of a balanced is that revenues equal expenditures, that could be but by State law we are also allowed to expend existing cash fund balance.

Councilman Langman – So if we have a surplus from one year, we can carry that over.

Director Johnson – If you have cash reserves, you are allowed to use those.

Mayor Cervenik – Case in point, 2002 and 2003 the cash balance from prior years was relied on very heavily to carry through those two years.

Councilman Langman – We did that in prior years, but I want the residents to .....

President Gudenas – One person at a time, please.

Councilman Langman – I want our residents to understand and make sure that in fact, we're not like the Federal Government, we just can't go out and run deficits. We have to identify revenue sources to equal our expenditures. The Mayor is right, some years well for several years, prior to my being on Council we did that and we've also borrowed money, but that brings us to a balance in that particular year. But my real point is, it seems like and we really haven't addressed it, at least on my time on Council is that we have some structural issues within the budget. When I'm concern about and Director Johnson I know you share their concern is that our economy might be doing okay now, but that doesn't mean it is going to be doing well in 2009 or 2010 or 2011. I am concerned that we're going to be making expenditures in the future that may not be supported by the economy in general

and we may have to make some difficult choices in those out years. I'm hoping that these numbers are very conservative and we do much better so that we have the reserves to ride out the difficult times.

President Gudenas – So the answer to Councilman Langman's question is State law requires a balanced budget, one way or the other. Either you use your cash reserves, you borrow it, or you don't spend it. Either way at the end of the year all cities have to have a balanced budget.

Councilwoman Minarik – The previously posted jobs been over the last couple of months, like Engineering and some of these others, they will be filled, they have been filled? Does this legislation affect the last month or two that we've been receiving postings?

Director Johnson – Specifically the Engineering Dept. inspector, an offer has been made and I believe the person has accepted that position. The other ones are in various stages of already having been filled.

Councilwoman Minarik – They're not affected by this ordinance, correct, because we're in the process of hiring some people?

Director Johnson – No.

Councilwoman Minarik – Okay. Next question, how many employees does the city have? The appendix in the budget only went through 2006. At that point you had listed 619. Do you know how many there are today?

Director Johnson – I don't know the number today but full-time employees should be somewhere around 545. The other hundred or so are usually seasonal. The seasonal employees such as life guards and crossing guards and those types of positions.

Councilwoman Minarik – So it is about the same? Or are we still cutting? I noticed it does go down over the course of time so I was wondering.

Director Johnson – It has actually gone down for the last several years.

Councilwoman Minarik – Are we lower this year than last year?

Director Johnson – We should be about the same.

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

Roll Call: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Passed.

**Res. 220-2007 (509-07) H. King appoint to EPIC**

A resolution to appoint Howard King to the Euclid Public Involvement Committee, to replace Karen Murray, who has resigned from the Committee. (Sponsored by Council President Gudenas)

Councilwoman Walsh moved for passage, Councilman Delaney seconded.

President Gudenas – Howard King is here tonight. We congratulate you. You have been involved in many activities in the City of Euclid. I know personally over 30 years that I've known Howard. We welcome you to that. Any other discussion? Again, the goal of this group is to get more citizens involved in our local elections, either as volunteers, as candidates or on the sidelines supporting other groups. I see nothing else.

Roll Call: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Passed.

**Res. 221-2007 (510-07) J. Slogar appoint Tax Board**

A resolution to appoint James Slogar to the City of Euclid's Municipal Income Tax Board of Review to replace Michael McPhillips, who has resigned the Commission. (Sponsored by Council President Gudenas)

Councilman Lisy moved for passage, Councilman Langman seconded.



President Gudenas – Mr. Jim Slogar is also here. He’s been involved many years equally with the City of Euclid and the State of Ohio and the audit tax department and the like. This is the group that if you have a problem with your income tax here in Euclid, instead of just paying or disagreeing, you have the right to appeal any decision. I know we’ve had some appeals and some have gone to the taxpayers and this group of citizens are the next group in line to help make sure that our tax system is fair. We welcome Mr. Slogar to the Committee also. Any discussion? I see none.

Roll Call: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Passed.

#### CEREMONIAL RESOLUTION

##### Res. 211-2007 (508-07) Eagle Scout

A resolution congratulating **Samuel “Sam” Calabrese** for his recent accomplishment of attaining the rank of **Eagle Scout** from the Boys Scouts of American, Boy Scout Troop 161, Euclid’s Pioneer Troop. (Sponsored by Mayor Cervenik an entire Council)

Councilman Delaney moved for passage, Councilman Lisy seconded.

Roll Call: Delaney, Gruber, Minarik, Langman, Lisy, Mancuso, Walsh, Gudenas  
Passed.

#### COMMITTEE OF THE WHOLE

Councilman Gruber moved to go into the Committee of the Whole, Councilman Langman seconded.  
Yeas: Unanimous.

President Gudenas – Anything related to the general welfare of the city. We’ve been very good during this election season. We’ll just note that nothing about tomorrow’s election will be in order. If you want to say what a great job I’ve done, you will be out of order. If you want to say what a great job the Mayor’s done, you’ll be out of order. The opposite of that will be out of order too. We’ll focus strictly on issues with the city, everything else will be not permitted. I think we’re going to start right off with something that is out of order.

Okay, you are out of order and you’ll need to step down. So who wants to be first?

Mr. Litwinowicz – I was just presenting it to you and then I was going to talk about something.

President Gudenas – That would be out of order. Either step up, state your name and proceed or move along.

Mr. Litwinowicz - My name is Christopher, C-h-r-i-s-t-o-p-h-e-r, I’m being muted? Two years ago,

President Gudenas – I’m sorry, you have to address the chair, that’s our procedure.

Mr. Litwinowicz – Two years ago you told us that you would have a lakefront development. What happened to that? No excuse for that. Like a better developer, I ain’t with that. We ain’t with that. But a break wall, not yet, I thought the Army Corps of Engineer do that. You don’t need a better developer than that. Where you at? Trying to run a city without employees, employees on your side. It is like a wild dream outside. No hoops, no jobs, kids start to rob, security always around, looking like a mob. It is actually the police department, but, 222 and Tracy. They’ve taken our taxes from our school board. \$73 million dollars, why you laugh? That’s money they’re paying RTA to sell school bus passes in our schools.

It is like you pay for something but I ain’t get no room and board. I’m about to cry. One of my students and my kids in Euclid in dare the walk through the wards. Went from four wards to eight wards. That’s what my kids are facing. Why the School Board not changing? As I look to the sky, they won’t even talk. Won’t even introduce it to the Board like you guys do. I guess its time for a petition, time for a walk. March for employment rights. Hours is what we missing. Street after street, night after night, want to join us on our mission?

If you talk about it, be about it. Don’t tell us here, sit here and tell us things and don’t be about it. Politicians in our city claim they still live in our city. While we read about flooded out waters, mold in a basement in an island. Notice Middle Bass, I’m not lying.

You said you fixed up an outdated Shore. But on my honor, I will do my best from Troop 161, that’s been there for years. Let’s get past it. It don’t even reach the basement yet. I wrote some other things that I ain’t going to put it public, but it is going to be on my CD that’s coming out. Appreciate you listening, I’ve got two more minutes.

I still want to know where our employee rights are. Another month and a half has gone by and how come we haven't had a resolution or something sponsoring something stating that we're going to, you know, change the Ohio Revised Code. Why there's sponsorships and endorsements by Governors, by important people I say, that we as citizens voters, put them in. They are politicians.

Something I'm up here, see I've got to watch myself, I was about to say something, but that's out of order. I came here with a 3 minute speech that's going to take 5 minutes now because I've got to watch what I say. I just want to know, I've got another minutes. Who wants to sponsor a resolution or do I got to present tomorrow, right now it is 1,250 signatures, okay I need 1,500 signatures. So tomorrow morning I'm out to get 1500 signatures for employment rights. That doesn't mean it is going to change. It just says what you says on your brochures that you say you have endorsed. People endorse you. Sun Newspaper endorsed people, but they weren't here, right here. I commend the Plain Dealer for coming here. To let the public know that I'm not friends with LeBron James. I just feel that a rec center is a benefit, I never said that LeBron James was going to put a rec center in Euclid. What I said is LeBron James sponsored a rec center in Akron because situations is arised and we couldn't put it in Euclid at the present time. Stay positive on that note because it is coming here if I'm in the building.

I'm going to go to New York after this election and I'm going to go get my money, I'm going to buy the Mall, I'm going to do everything I said, if I win or lose, but thank you. The cake is yours to take to your family.

President Gudenas- You mean I can have the cake and eat it to?

Mr. Litwinowicz – Can I present it to you without being out of order for the City of Euclid?

President Gudenas- Thank you.

Ms. Kandy Jones – 27040 Tungsten. I want to talk about two things. First of all I want to say thank you for the Euclid PAL for a great event they had on October 20<sup>th</sup>, Nite at the Races, it was a fun event. I think everybody there had a great time. For the first time that I was going, I had a horse that won. So that was good too. I want to say thank you to Euclid PAL it was very well attended.

The other topic I want to talk about is, I think it was back in September where we talked about the Tungsten turn around and Director Gulich talked about the construction that was going on there and we talked about what was going to happen to the rest of Tungsten and the surrounding streets. After that meeting, Councilwoman Walsh and Director Gulich and I met with some of the residents in the area to discuss what can we do about getting the streets repaired. If you have been down any of the streets in that area, Tungsten, Sidney, Mills, 279<sup>th</sup> and Brush, it is like riding a roller coaster or you have to do circles trying to ditch the holes and everything.

After that meeting we talked about do we get a petition to try to find out resident involvement and wouldn't you know on Friday, November 2<sup>nd</sup> we had another water main break where residents in the area where out of water for at least about 10 hours. So, after that, I and some other residents were very heated about the water main break, and the number we've had over the years. We got a petition with some of the residents who are concerned about having something done with the streets. The petition reads, just a short paragraph, This petition is signed by residents and concerned parties who feel that the conditions of the following streets are in desperate need of water pipe replacements and repaving of the streets. Considering the number of water main breaks and (as the writing of this the last one was November 2) but this morning the Water Dept. knocked on my door and said they are going to be shutting the water off because they found another leak. That's another one after that. In the area the street conditions are beginning to make driving on these streets hazardous. We are requesting that the City of Euclid and the City of Cleveland Water Department give these streets the needed attention in 2008. Director Gulich mentioned that there's going to be a list coming out from the City of Cleveland prioritizing the streets, not only in Euclid but other areas as well and we would like to see that Tungsten and the surrounding streets, which includes Tungsten from 276 to Brush; Mills Ave.; E. 279<sup>th</sup>; Sidney and Brush from E. 260<sup>th</sup> to E. 276<sup>th</sup>. That's something that definitely needs to be done about the water pipes and the replacement repaving of these streets. If you would like these signatures that I have gotten from the residents, you are more than welcome. This is just a small number of the signatures that I received, there's well over, more than 500 residents in that area, but that was just the number that I was able to contact at that time and they were all in agreement that yes, something needs to be done. Some had been living there for a number of years, some had recently moved into the area and we'd like to keep them as residents in the area. Thank you to Councilwoman Walsh and Director Gulich and I would like to keep a follow up on this topic, so that it stays in our minds. I know the residents in the area it will, because we drive on those streets everyday. We received the actions of the bumps and everything.

So Director Gulich if you have any other comments as far as the status of the construction in the cul-de-sac, that would be great and if you can keep us up to date on what's going on when this list comes out from the City of Cleveland so we can see that something is at least started or accomplished in 2008 with the streets that I mentioned. Thank you.

President Gudenas – Director Gulich, can you let us know how Tungsten fits into the scheme of things in terms of priorities?

Director Gulich – First of all I want to thank Ms. Jones for the meeting we had a couple of weeks ago, it was very informative I thought. Councilwoman Walsh was there as well and I'm very happy that she's taking an interest in the condition of the neighborhood. We have already sent a letter to Commissioner Nielson of the Cleveland Water Dept. and copied Mayor Frank Jackson on the condition of the street and its need to be amongst the priorities in the 2008 listing. Again, we do expect that out there. The information you've given tonight is helpful too. We can make sure that's submitted to the Commissioner of the Water Department in their decision making process.

As far as the project that's ongoing out there now, the new waterline has been installed, it has been chlorinated, it has passed all the water quality tests. This week the caps for the buildings that are on the street will be made. In other words, the buildings that are still on the old water line will be switched over to the new water line. As soon as that's complete, we'll be able to undertake the pavement process and again, we expect pavement removal to take about two days. Sub-grade preparation about a week and then another two days to pour that. It looks like right now it is far from being done but a matter of fact it is going to fall into place during this month.

President Gudenas – Director Gulich to explain, the project is well underway but yet at today's Board of Control we approved a consultant, KNM Consultants to monitor the construction, so whose been monitoring the construction prior to this firm being hired today?

Director Gulich – We approved that two weeks ago, three weeks ago at the last Council meeting. They have been out there. The waterline is also part of the Cleveland Water Dept. responsibility. The remainder of the project, obviously with the pavement, the sub-grade preparation and the new pavement placement, the sidewalks and the decorative lighting that is going to go in and the re-landscaping of the island will all be done under this contract.

President Gudenas – So this firm was working without the approval of the Board of Control until today, they've already been working?

Director Gulich – They were working based on Council's approval from three weeks ago.

Mr. Ray Petrea – 353 E. 232 St. I've been a Euclid resident almost 20 years. Mr. President, Council, Mr. Mayor and the Administration, the public. It is my pleasure today to bring to your attention that November is National Diabetes Support Month. The purpose of this is to bring to the public's attention to become aware of the threat of Diabetes, which is already a growing concern and the purpose is to help bring about a cure for Diabetes.

Many people have controlled diabetes, but yet, scientists have not yet declared a cure for diabetes. However there is scientific proof that most people with diabetes can have control diabetes. Mostly what it requires is a change in lifestyle which can be a big challenge to many of us. Sometimes I go into restaurants that serve all you can eat. You'd be surprised that the number of people that are grossly overweight, gorging themselves with all they can hold.

It takes discipline. It takes a lot of discipline. It is a real challenge, particularly when you love to eat. I know, but I've never been big as a barrel as my first cousin. This summer he lost his job as a truck driver because he became diabetic and became insulin dependent. If you know anything about people with insulin dependency, they are subject to having low sugar reactions. Sometimes this comes on fast without warning. That's why he lost his job, it would be terrible driving a truck and having a low sugar reaction suddenly.

Diabetes is a serious illness but most people can control their diabetes by altering some of their lifestyles beginning with eating habits. Eating less portions, being careful to eat vegetables and fruits and avoiding fats, lots of salt and other things recommended by diabetes organizations. But, it is an individual responsibility. It is up to each person to take control of their own lives often with the help of support group and family.

Speaking of support groups, we have two support groups in Euclid. One at Euclid Hospital and by the way it meets this Wednesday at 7:00 at Euclid Hospital in Waltz Auditorium and it is free. They usually have professional speakers who have been working with people with diabetes on a daily basis for years and years. I coordinate the Euclid Diabetes Education group. We meet monthly at the

Euclid Public Library. Our next meeting is Monday, November 19<sup>th</sup> from 6:45-8:45. The speaker will be speaking on making sugar free desserts, yummy, yummy, yummy.

There is a way to deal with diabetes. There are people waiting to assist and we all need help. We all need help badly. We all need help when we need it. People help is available. You have to avail yourself of it. You don't have to go far to get it, but you need to seek it. You need to seek it before diabetes gets worse in your life. It is a progressive disease. I wish that everyone of you who haven't been screened for diabetes would do so immediately. I'm leaving literature for your taking at the podium.

President Gudenas – You can leave it right next to the cake. There's your choice, pretty clear right there. Who's next?

Ms. Karen Murray – 1520 E. 195<sup>th</sup>. Thank you for giving the citizens of forum to speak. I would like to know what plans do you have for the mouth and the throat of Euclid. I mean the area from E. 193<sup>rd</sup> Street to 222 Street. I keep hearing the city say that we're thriving. There's a difference between failure to thrive and the potential to thrive. Our area is dying, we have nothing.

It appears that two segments of the population are being ignored. The seniors, there's nothing for the seniors to do in that area and our youth, that disappoints and disturbs me.

By the way, I think the Dunkin Donut shop out Lake Shore is a wonderful, tasty idea. However, it would have served us better to be on Euclid between E. 193 and 222<sup>nd</sup>. I think this city needs to change. We need to turn it around. It takes a team effort to do it and a team that has a clear vision. Please get out and vote tomorrow, thank you.

Mr. Albert Chylla – 482 Clearview Dr. Ward 1. This goes to the Chief of the Fire Dept. Recently Council approved two for one for our rescue squads. When do we expect to have these in service and what's the thing, how's it moving?

Chief Cosgriff – We're hoping to have them delivered and in service some time early next year, probably March or April. It takes about six months to build them.

Mr. Chylla – We're going to replace all three, but we're doing two now and then we're going to replace another one, right?

Chief Cosgriff – We're replacing two from the 2008 capital improvement budget.

Mr. Chylla – I just want to say that I wish Council President Gudenas and Mayor Cervenik the best tomorrow for your elections. I encourage everyone to get out there and vote tomorrow. May the best man win. Have a nice evening and thank you.

Mr. Howard King – 20550 Priday Ave. Two little things. Thank you for my appointment to the EPIC Committee. I hope my years of involvement in the City will bring something to that committee. Secondly, an unofficial apology for Rev. McCabe for not being here tonight. She's a lady working on a three-quarter pay for a full time job. She started her vacation this week and I think she just forgot about it completely, but she deserves the vacation.

President Gudenas – Let her know to come back a different day.

Mr. Willie Brown – 21323 Milan Ave. Two quick things I would like to address. One is probably better fiscal policy to question budget shortages during the time that you're appropriating expenditures rather than at the end of the year.

Second and on a more important note, the author James Baldwin once wrote, not everything that is faced can be changed. But nothing can be changed until it is faced. We in the City of Euclid has to face the fact that we have a criminal element that exists in our city that needs to be faced. Despite the best efforts of the Police Dept., sometimes more is needed and that more is sometimes a need for citizens to get involved. Criminal activity must be reported especially violent criminal activity and violent criminals.

If you have information regarding any crime that you have seen happen in your area, please call the Euclid Police Dept. If you have seen crimes that have happened in the past that you have not reported, the Police Dept. has not stopped taking those calls. I'm sure that they will be grateful for any help that they can get. It is time for the residents of Euclid to stand up and be counted and not allow criminals to tear at the very fabric of what makes this city so great. Please get involved if you see criminal activity happening, please call our fine Police Dept., they'll know what to do from there. Thank you.

Mrs. Vivian Mitchell – 144 Lakeview Lane in South Russell, Ohio. I stand before you this afternoon, this evening rather, on behalf of Kyle Jermaine Mitchell family and friends. Kyle Mitchell right now is one year old. But on April 26, 2007 our going to bed early evening turned into a nightmare. We received a call approximately 11:00 that our youngest son, Jermaine Kyle Mitchell had been shot in Euclid on Knuth.

It became a living nightmare. Once we received the call to go to the police station, then we received a call to go to the hospital. But before we could get there, we received a call that our son had been killed as a victim of a robbery, shot in the back, told them that he didn't have anything in his pocket, he didn't have anything, but they shot him and they left him and he died at Huron Road hospital.

Our son Jermaine, my husband, first of all is a Pastor. We have been at the bedside of many people and I have seen people, church members and all, die. But that night was a night that I don't feel that any family should ever have to go through what we are still going through now. Our son was a law abiding citizen. He was a dad, he's a son, he's a brother, he was. He was. He had a fiancé. He's an uncle. He son, who at the time was six months old, I doubt if he will ever remember the special bond that he and his dad had. I doubt if he will ever remember who his dad was and will never be able to call him dad. My grandson and granddaughter who were the apple of his eye, will never be able to call Uncle Main, why? Because someone just decided to rob him and shot him down.

I stand before you on behalf of our family and all of our friends that are here this evening, as well as our church members, to make a plea that whoever the person or persons are, if there's anyone out there that has any information at all, please contact the Euclid Detective Bureau or Crimestoppers. As I staid before I don't feel that any family and we're asking that, if there's someone who has any information regardless of how small you think it is, just take a moment and try to walk in our footsteps. If you have any information, all we're asking is that you bring it forth so that whoever the person or persons are, can be taken off of the street and we an start healing somewhat. Death is something that you never totally heal, but when it is a situation like this of a cold-hearted murder, you still, we need to be able to bring some closer so we can begin to put our lives together. We have and we still are having sleepless nights, not knowing who this person is. I am begging and I am making a plea this evening that if anyone within the sound of my voice, have any information pertaining to the death of Jermaine Kyle Mitchell on Thursday evening, April 26<sup>th</sup> on Knuth, to please, please, I beg of you, to come forward so that his sister, his brother, his nieces, his nephew, all of his relatives can begin to heal. I'm just begging, making a plea to the public to please if you have any information to please come forth. I would like to thank all of the people in Euclid who have come forward and who have been helpful and supportive of us during this time and I thank each of you and my husband and I thank you and we would just like to once again, as I say I'm just begging and pleading that if anyone has any information to please, please contact the Euclid Detective Bureau or the Crimestoppers. I thank you.

President Gudenas – Our community is very sorry to hear of your loss. Chief Repicky, is there anything to add regarding the investigation?

Chief Repicky – It is still ongoing. At least once a week we get one or two calls about it. We unfortunately, have had three homicides this year and this is the only one that we have not solved yet. We're working hard on it on a daily basis.

President Gudenas – Thank you for coming today. We have only two minutes left. We will take our break. Okay, we are back in business everybody. Please take your seat or grab a piece of cake and go outside. We shall proceed with our comments from the public.

Mr. Warren Wallace – 24430 Mavec. I'm going to follow up on Commissioner Brown and Mrs. Mitchell's statement and of course it is going to be in my typical Warren Wallace, straight forward style. You need to appeal to everyone, everyone out there.

You've already heard Jermaine Mitchell was murdered in cold blood. What we are asking you to do now is help the Euclid Police Dept. find the murderer and see that justice takes it course. The benefits of your help is that we're taking a vicious criminal off the street of our community. A criminal who one day may decide to make you, your child, someone in your family, your neighbor, even a stranger, his next victim. You'll also help to bring some closure to the Mitchell family deep felt grief. You will help our city send a strong, clear message, that we will not tolerate crime in our community. We will not be held hostage to a handful of filth who decides to make us all his victims at their mercy. We have a high population of senior citizens in our community and crime statistics show that they are usually the first and easiest victims for these criminals. I believe it is our duty as decent human beings to help protect our fathers, mothers, grandfathers, grandmothers, elderly neighbors and of course our children. We can do that by helping the police department catch this murderer and

anyone else who thinks they can prey on our community. For those of you who can care less about crime in our home and becoming a victim, then do it for the hefty reward that's being offered by Crimestoppers for the arrest and conviction of whoever cold bloodedly murdered Jermaine Mitchell in our city, our home. Use the money for clothes, use it to pay your bills, if that's what you want to do with it, whatever it takes to propel you to pick up this phone. Whatever you do with it is your business, we just want you to pick up the phone and anonymously report what you know.

For the drug dealers and other criminals, you know the police are cracking down on crime, big time in Euclid and it is getting cold. So either way you're time is up. Why not make some easy money for the winter. It is no doubt that the guilty party would turn you in if they had a chance to get paid without anyone finding out. Someone will come forth. So you want the cash, you need to pick up the phone before they do. There's a murderer loose in our city and we need to bring this guy in before one of us becomes his next victim.

The community and the Mitchell family thanks Mayor Cervenik and Chief Repicky for the attention they have given this very important matter. Crimestoppers, Cuyahoga County Crimestopper number is 252-7463. The Euclid Detective Bureau, 289-8505. Crimestoppers has the reward, a hefty reward. So whatever you're reasons for doing it, pick up that phone and help us take a murderer off the streets before you be his next victim.

Mr. Dennis Berzinskas – 20890 S. Lake Shore Blvd. Next weekend and this previous weekend we had Little Shop of Horrors at the Shore Cultural Centre. It is a good two hours. Come down to the Centre and enjoy it. Kathy Will, thank you for your skates, contribution. Thank you again, every bit helps the hunger center. Chief Repicky, thank you for your dispatcher and your police officer that came when we had a problem with our van. It puts us in a bad position right now. This is our most busy time of the year. We have volunteers, most of them are 60 plus years old and with this accident that happened, with the stolen car with our van, it is going to put a crimp in us. We really need to get another van right now for the time that it is going to be in the repair shop.

Ms. Walsh, thank you for the walls. I didn't know they were in that bad of condition along the freeway. You've got good eyes, I didn't realize they were that bad. I knew a few places were bad.

Another thing that's bothered me is last year I asked the administration is when this building was going to be paid for. I was told it was this year, money in our pocket. Now I found out differently. Our windfall won't be coming. I think if I'm right since Mayor Oyaski we've only been paying the interest on the loan for this building. This continued on. I was told it was going to be paid for, knowingly it wasn't going to be paid for. In 2010, we're going to get hit with a big payment. I ask a question, I want a right answer to the best of your ability, or sometime correction. If I'm wrong I make that, I come back and I tell you that I was wrong. I do not appreciate mis-information and misleading information to the public. Thank you.

Ms. Rose M. Allen – 26241 Lake Shore Blvd. Tomorrow is an election and I hope no matter who you're supporting that everybody who is a registered voter in the City of Euclid shows up at the polls and votes. Because if you do that, then there should be no one complaining about the results because somehow their person or the person they thought should have gotten in, didn't get in. Because I've said it before, you're vote is your choice. If you don't use your voice, then you need to shut up about somebody else's choice. I hope that everyone shows up and votes.

We've had some sad comments tonight about unfortunate circumstances that have happened in the City of Euclid and I express my condolences to the family that lost a child. But now I'd like to focus on a brighter future for Euclid. At the last Council Meeting, I distributed to City Council members and to other individuals information about a place called Prime Outlets in Grove City, PA. There is also a similar outlet in Lodi, OH. The reason I bring this up is because I first visited it in 2001 and thought it might be something that would benefit the City of Euclid; because, Prime Outlets in Grove City, PA has 5 million visitors per year. When people go to that place to shop, they spend money. If you just think about 5 million visitors in one year and if everybody only spent \$1 and we all know that people don't shop and spend only a \$1; how much income that could bring into the City of Euclid. I've mentioned it in the past to individuals within the administration about at least contemplating bringing that type of business to Euclid, but there was always excuses as to why we can't do it.

I would like to see people think about Euclid's future. I know there are people who may disagree, but the industry that built Euclid. The types of industries that built Euclid are not coming back in the way they existed. We have to look forward to the future and the things that are the present and the future. We're not going to find another Chase Brass, I remember it as Chase Brass rather than PMX. We're not going to find some of the automobile industries, they're gone and they're not coming back.

I would hope that whatever we do with the future of Euclid, whatever administration takes the reins for running the City of Euclid, that we think about things that even if you don't think they're

doable, at least they're worth the thought. As Forest Grove City, PA is concerned, they offer tours or at least opportunities for people to come and shop there and see what is there. I would be willing to put together a group of citizens from the City of Euclid to go see what that place is like because Euclid Square Mall is prime for it because it is right off the freeway. You can't get any closer to the freeway than Euclid Square Mall without being on it.

There are other things we can look at. I've mentioned wind turbines before. I've mentioned some of the billing companies that exist now, small communities. I've mentioned before items such as tech support centers that are still based in the United States. Euclid has the facilities to do these things. I hope that we stop trying to bring back things that are dead and start looking for things that can bring us into a brighter future. If we don't do it now, we're going to miss the opportunity to do what's best for Euclid. What's best for Euclid is to keep our minds open to new and different things and quite trying to revive those things that have died. Sometimes things that are dead need to be buried. I hope that we can have an administration that will look to a future and do things that will bring Euclid back to life because I love this City and I don't want to see it die. Thank you.

Mr. Tom Cooke – 25641 Edgecliff. At last month's Council meeting, I spoke in defense of a Euclid resident who was ridiculously accused by someone as wanting to literally blow up Shore Cultural Centre, which was reported to the Department of Homeland Security and triggered a federal investigation of this individual. During my commentary I made a statement or statements that the Department of Justice law suit cost the City \$600,000 and that the Council knew that the federal government, federal Judge Kathleen O'Malley was going to rule against the city.

My statement implied that there was a high degree of certainty or ruling against the City of Euclid was inescapable. I was confronted by a Councilman regarding the accuracy of those two statements. The cost of the law suit and the degree of no uncertainty a ruling against Euclid would occur. I'm here to clarify those statements.

Depending on your source, the direct costs attached to the DOJ law suit will vary anywhere between \$600,000 and \$750,000. These are published figures in a variety of media sources. As a private citizen, that is all I have to reference. As far as Council's knowledge regarding the certainty of a ruling against Euclid, after the ruling was made public, US District Judge Kathleen O'Malley said, lawyers for Euclid should have known they were going to lose because evidence against the inner-ring suburb was so overwhelming.

I'm not going to stand here and make a 20/20 hindsight call on this Council's decision to pursue rather than settle the DOJ case. Settling this case or pursuing it both had their merits. All I can tell you is what I know to be the facts and the consequences of council's decision. Once consequence of pursuing this case that is not all that evident or conclusive are the indirect costs. The \$600,000 or \$750,000 published figures are only the direct costs for primarily lawyers and expenses that the City had to absorb. In addition to the direct costs, there are administrative costs that were born by the City in preparing for a trial and the time the City had to spend addressing issues during the trial. New business and businesses that may have wanted to locate in Euclid were basically frightened away because of, or many were frightened away because of the continuing turmoil the Department of Justice case presented over a year's period of time. Businesses do not like turmoil. Businesses are very much like individuals because they are made up of individuals. Businesses like individuals want to be welcome in a community. The DOJ case drove both businesses and individuals away. As a result hundreds of thousands of dollars in revenue in the form of property and pay roll taxes were lost. This is revenue that is lost forever, not just for the short term, but for the long term as well. Businesses that might have moved here have gone elsewhere and are not likely to be lured back anytime soon.

In reality the DOJ case didn't cost the City of Euclid \$600,000 or \$750,000, it cost the city well over a million dollars. This cannot be disputed, it is common sense, it is what it is. It is and was a known consequence of pursuing the DOJ case. In light of all that I've just said, there better not be a single person or a single council person including Council President Gudenas who would choose to be critical of the projected budget shortfall that came to light at the October 24 Executive & Finance Committee meeting. As I said earlier, this Council spent a half a million dollars on a cooking school for 25 students. The DOJ law suit that this council chose to pursue easily cost the city well over a million dollars. If there is anyone responsible for the 2007 projected budget shortfall, it is this Council and council President Gudenas. If this Council is going to sit here and say that it didn't see this coming, or the Mayor didn't provide you with adequate information, you don't deserve to be up here governing this City. Why do you think people have been coming up here to this podium over the last year questioning how we could spend half a million dollars on 25 students for a cooking school; or \$600,000 or \$700,000 for a DOJ law suit?

It is what it is people, like it or not. That's what it is. Thank you.

Mr. David Gilliam – 20240 Kathy Dr. Just wanted to offer my condolences to the Mitchell family and to any family that has lost anyone to violent crime. What I want to comment about is the fact that

I've been coming to meetings quite often, I'm involved in the city in other capacities, but what I'm seeing now is an interest that I haven't seen before in city government.

The community is coming out and speaking about their issues and I really, really am pleased to see that. Whether I agree with all the opinions, whether I disagree, it doesn't make a difference. This is what government's about, expressing ideas, exchanging information and coming to a consensus to make the best possible decision to run this city and to serve its residents.

The one thing that I do want to comment on is that we are going through some tumultuous times right now. A lot of changes have taken place that some are new to, some are adverse to, some find difficult and some just don't care. The reality is, the climate of the city is changing.

What I'm asking from this point on, we have tried to maintain decorum and standards, but at times it has been challenged. One suggestion that I have is for Council President Gudenas, or the next Council President, is to put information out about the decorum of individuals who come up to speak during the Committee of the whole, so they have an idea of how they are supposed to carry themselves and understand what Out of Order means.

Secondly I have seen some situations with the administration, the legislative body where there's been sort of a serve and volley. I don't think that's appropriate. We don't have to minimize our abilities or lower our culture. The decorum and standards is what we have here, this is a sacred place. Not very many but most citizens think this is sacred and the highest level of decorum and ability must be established here. As we have an election tomorrow, we will have a Mayor. Then March we will have Council. Some individuals from Council will return and some may not. But I hope from this point on, we make a solid effort to work together as a community, as we go through these changes because the bottom line is, we have more in common, than we have differences. We all moved to Euclid, we pay taxes, we work here, we live in this society, this is our home, whether it be temporary or permanent. From this point on, I want all individuals that come up here to think about what they're trying to say and how they approach Council and how they approach the administration. I want Council and the Administration to understand that people are watching you. I have to say that you're not making a bad example, but at times, I've seen situations where things could have gotten out of control and we don't want to have that.

So we'll have an election tomorrow and we'll have an election in 2008. At that time, we need to not only focus on what changes are going to exist in this city, but what standard we want to present to this city and to the county. Thank you.

Mr. William Hilf – 891 E. 237 St. Euclid. I wasn't really planning on speaking tonight, but there were some comments up here that factually needed to be responded to. In regards to Shore Cultural Centre where I have been a tenant for over 10 years now, and will continue to be a tenant and have put my own improvements into our room and space at the building, a good chunk of the money that was spent on 25 students as that has been put, was for capital improvements that the building would have needed for no matter who was a tenant renting the space there. As someone who has been there for the last 10 years, I can attest to the fact that until recently there haven't been any major capital improvements put into the building. The last major capital improvement besides the one spent to help make this culinary school possible, was the alarm system that was put in with the fire alarms. Other than that, there has been no waterproofing, nothing done with the parking lot, tuck pointing, anything of that nature. That's what a good chunk of that went to and a lot of that was stuff that was probably going to be spaced out and then because of what was required ended up being condensed into one project. That's what makes that fee as large, and this is a project that is going to help not only the cooking school, culinary school, but the rest of us that rented and to help make it attractive to new tenants; which is why we have the New Day Academy there. We have things like Bounce Around Dance there. Upstage Players has been there now for over 10 years, going into our 14<sup>th</sup> season. You have all the rec programs that now use the building. Basketball was in there constantly this summer.

The other thing I would like to respond to, it has nothing to do with Shore but has to do with the fact that, to come up here and say that you have facts and to correct yourself on things and conjecture as to this is what happened when there's been nothing in writing, nothing has been reported on, no studies done, kind of contradicts what you just previously said about stating fact. To state that you know that this happened, that somebody left this, business has moved out of the city, didn't come to the city, residents left, I chose to move to this city, the law suit had nothing to do whether or not I would stay in the city. I chose to move to the city over 7 years ago because this is where I wanted to raise my family. When I moved here, I didn't have any kids, I was pretty much a newly wed and my wife was pregnant and we moved here to raise our family and we like living here. Our rights were defended, that's what happened, law suit didn't turn out the way it did and law suits are expensive. I bump somebody with my car, my insurance company has to spend, it gets expensive. I've got court costs to pay of over \$100 because that's my share of it, that's the way the system works. Our rights were defended, that's what happened and we have to live with that fact, but that has nothing to do with some of these so called facts that were stated tonight. Thank you.



Mr. DiDomenico – 24770 Farrington Ave. I guess I want to go back to the Department of Justice suit and I know it is water under the bridge, but prior to that suit the voters in Euclid had the opportunity to vote for and elect six of the nine members of Council. As a result of that suit and the Judge's decision, the voters in Euclid are only going to be able to elect two members of Council. In my opinion, the money spent on that was well worth the fight because our rights as voters have been taken away, we lost power. No matter how you look at it, I used to be able to vote for six, now I get two, that's not better. So I salute Mr. Gudenas and the council members that fought that fight and spent that money.

If you want to run down a chain of money that was spent, we can go back to the '90's when the city fought real estate agents about having for sale signs, \$350,000 in the mid-90's, I believe Mr. Cervenik was sitting on Council then, thrown out the window because we got hammered on that. Now I was sitting in council one night when Council, Mr. Cervenik was Council President, spent \$900,000 in less than 10 minutes to buy two acres of property at E. 205 Street. The reason given was that the owner said it was a better deal than the appraisal, and Council went okay, ten minutes.

A council previously had spent \$300,000 in an attempt to fix up the Knuth Center at Briardale to make it into a clubhouse and party center for golf outings. As soon as Mr. Cervenik took office four years ago, he had that building demolished. \$300,000 out the window. And then a half a million dollars for a glorified hot dog stand we have over there now.

During the last Council, Mr. Cervenik was Council President, majority of the Council was on his side, Bennington Hamlet which is a little, off of Babbitt Road, \$400,000 they owed for assessments for sewers that were installed. When that development was built, Mr. Cervenik was the ward councilman then. During this last council, none of these members here but, that \$400,000 was just forgiven, see ya, bye.

So anybody that wants to beef about \$600,000 to defend my right to vote, I don't see it. I'd like to know about money spent, honestly what I read in the paper recently they had money spent on the recent campaign. Now one person spent, I'm not going to mention any names, one person spent \$10,000 to this point. The other person spent \$50,000. 2001, same person that currently spent \$50,000 spent \$90,000 to win the election.

President Gudenas – You're getting close to the Out of Order.

Mr. DiDomenico – I would just like to know, why a job that's \$70,000 a year in salary is worth \$230,000 in campaign literature and campaign stuff. It seems to me that there must be a lot of perks or a lot of favors owed when you're collecting that kind of money and spending it on your campaign over a recall and two elections.

President Gudenas – Keep it to the issues, if you could.

Mr. DiDomenico – You know what, people in the back, you can tell me if I'm out of office.

President Gudenas – Please address the chair.

Mr. DiDomenico – let me further say, just to the people at home, that when I come up to this microphone, these are my opinions, these aren't anybody else's opinions, they don't write my stuff, I write my stuff, I say what I think. Okay, just me. Further what you should see when you're at home, is the reaction of the Council and the Mayor, you don't really get to see that. Council, and any of the council's that I've ever come to, has always been very attentive. The Mayor has always, depending on who is at the microphone, sometimes he pays attention, sometimes he doesn't. It is really kind of interesting to watch that, so come down here sometime and see it. Good night.

President Gudenas – Now everyone is out of order, so please, one person at a time.

Mr. Victor Goodman – Out of order goes everyway. 20201 Glen Russ Lane. First off, because of the situation that has occurred, I would like to express my sympathy and I certainly hope that whoever did this violent act, is caught, is sentenced and you have closer, I do honestly ask that. But it sort of fills into what the main reason, one main reason that I came up here. I spoke to the Mayor not to long ago and expressed this same thought. How do we celebrate George Brentar? How do we keep his name alive for what he did to the city and for the live he gave for it?

You go back inside yourself and I went back to my people and traditions we have. One of the traditions is we truly believe that as long as a name is mentioned, it is not dead. Only when no one remembers a name, does the person truly die. So I'm asking for consideration of the Council, the Mayor, the Police Chief, the Fire Chief, that we would institute a George Brentar Community Service Award, to be given yearly to either a police or fireman, and one citizen if there is such one, that we

should recognize in his name every year, the service that he gave and he will never die. Long after we are all dust, the name George Brentar will be said in these chambers. So I hope that will be something of consideration.

I want these comments to be made out of my own frustration. I hope that they will be accepted in that way. But, Councilman Gruber, I need you to do me a favor in the future. I need you to stop putting down me and the people of Ward 4 as being economically, demographically poor. I think the people who live in Indian Hills and Beverly Hills and the condos at Georgetown and the little known place off of Harms, we all think our values are properties are valuable. We think we deserve better. And I'm just going to ask you for now and in the future, to tout what we deserve and how we can better be. You brought up Tower City and you said well gee wiz, they also have a Dollar Store. Well that Dollar Store has been there a long time. Also last week, Tower City implemented curfews. One of the problems with Tower City is that the stores that are left cater to the very people they're saying can't come in. They're catered to the kids. They're catered to the element that the area says is no good. My area is not that area. I have walked my dog up my street for 30 years, three dogs. Without ever a fear that some car coming down Glen Russ Lane was going to jump out and grab me. That's the kind of community I feel I live in. We deserve everything that is out there. We deserve every single inch of it. I just hope that you'll tone your rhetoric, we are not low income people. You live in the same area, so I just hope that does.

Getting out to 58 seconds, so, the most important thing that was done in the Justice suit that people don't come out to vote. So if you really want to prove anything tomorrow, no matter which candidate you choose, vote and get up off your rear-end. Thank you.

Mr. Larry Germovsek – 1395 E. 260. I've got a couple items I want to talk about. One, we have a couple of people come up here tonight and said that nothing is done for the children in their community. But actually, I'm very involved with the Police Athletic League, most of you know me, probably all of you know me. That same person that came up here to complain, we probably spend 75-90% of our dollars in her neighborhood, okay. So I get a little bit upset when I hear that we're never doing nothing for the children in their neighborhood, where in fact, the Police Athletic League has put all their effort in those neighborhoods, we have for the past seven years. We have open gym, if anybody wants to, you can come out to the Euclid Sports Plant every Saturday and Sunday night between 6:00 – 9:00 and you can watch the children from those neighborhoods playing basketball, hanging out. All they've got to do is pay \$5 a year, belong to PAL and follow our simple rules. Our rules are real simple: you don't swear, you respect one another and you don't sag your pants. Boy, three tough rules aren't they. Okay, but then we get accused of, I don't know where double dipping came in, but we have officers there for their safety, for these same children, but we're constantly criticized by this same person that's never attended one of our fundraisers and has never participated in any of our programs, okay.

The next item, police cars. I remember former Chief Maine asking this Council, Council President, for nine police cars. He was told it wasn't in the budget. He was allowed to purchase I think six, one came on a government grant, that made seven. You bickered over two police cars up here tonight. What was your comment back then Council President Gudenas? Your comment was and I'll repeat it, I don't know why we have to buy cars all the time, my car lasts ten years, why should we have to buy police cars every two or three years. Well guess what, my cars last me ten years too, but I don't drive them 24/7, okay.

The other thing, you asked us tonight, not to be political, but when one of your boys stood up here for three minutes criticizing the Mayor for the full three minutes, you never turned the switch off. If you want to play by the rules, then enforce all the rules? Is this how you're going to act all the time? Shame on you. I wasn't even going to say a word tonight, but when I saw that past performance, it appalled me after everybody else came up here and respected this podium and nothing was done to stop that person.

Shore Cultural Centre, I got an idea. I'm not going to say the other word because we know what happened the last time, okay. Let's put it on the ballot. Let's see what the citizens in this city really want to do with that building. I'm all for a petition to put it on the ballot, to either keep it or tear it down because you know what folks? I get people coming up to me constantly thanking me for bringing up that subject of Shore Cultural Centre and they don't like the building no more than I do, but they don't want to have the FBI chasing their tail if they come out and publicly ridicule it, okay.

On that note, all I'm going to say is, you're right, everybody needs to show up and vote tomorrow and vote your conscience. Please, I mean, it upsets me when I hear stuff, people talking about the Police Athletic League, we do nothing. We spend over \$100,000 a year on the children in this neighborhood and it is all through fundraising efforts, so don't tell me we don't do nothing for the kids in this city. Thank you.

President Gudenas – I will add that the Police Athletic League is doing a great job and City Council and the Administration certainly supports all the efforts. Your comments about my statements on the police cars are completely wrong.

Ms. Regina Hauck – 116 E. 197 St. That's my home address, not my work address. I want to bring that point up because there are people that come to this podium and they don't give their home address. There was a speaker that said their address was on E. 260<sup>th</sup> Street, but I will guaranty you that person will be voting at E. 200<sup>th</sup> Street tomorrow. So I think that we need to enforce the rules and people if they are going to speak, and they are speaking their own personal opinions, they should not be giving their work addresses, they should be giving their home addresses.

The other thing I wanted to say is when the topic of the police cars came up earlier, a resident related the cost of the police cars to the cost per person in the city. I thought that was very good. So I just did a quick calculation and the cost of the DOJ law suit cost \$12 per person. I want to thank you for spending that \$12 on my behalf, because that was the best \$12 you ever spent because you tried to defend my right to vote for people of this Council. Unfortunately we lost, but, I want to thank you for spending \$12 on my behalf.

Councilman Delaney moved to rise and report. Councilwoman Walsh seconded. Yeas: Unanimous.

#### COUNCILMEN'S COMMENTS

Councilman Lisy – I made my announcement that I'm not running for Council in the future and this evening was a good example of why. There is so much mis-information that is fed to the public that we're always doing damage control and it is hard to move the city forward.

Department of Justice law suit. Actual cost, \$488,000. No where near the \$750,000 or \$600,000 in the papers. Why is that type of information getting out there? It was, again, mis-information. Yes, there's additional costs with the Department of Justice law suit, but early on, we did not bring the Department of Justice law suit against the City of Euclid. They came at us. The administration did not call for it, we did not call for it. They came to us. Originally the administration and council were all on the same page. We were all fighting the Department of Justice law suit. We were incurring those expenses together, especially during the budget hearing when we set aside the \$535,000 for the law suit. We were working together. We probably would have won it if we continued to work together.

I disagree that it was a no win situation. I spent weekends going over all the data. The data I saw showed that there was no polarized voting in the City of Euclid. What I'm going to do is have a public service announcement, or cable program describing all the data that I went through and why I thought we had a case to win.

With respect to Shore Cultural Centre, there are thousands of people who use the Shore Cultural Centre a day. There's a Charter School is Shore Cultural Centre. Many organizations pay rent with the Shore Cultural Centre. That is completely overlooked. Director Will, thank you for all the information that you presented. It should bring close to \$200,000 in revenues this year, the Shore Cultural Centre. That's revenues that people who are using the facility are paying. Granted the expenses are going to be about \$270,000, so we're running at a \$70,000 deficit. But with all those people using the Shore Cultural Centre, I think that's a wise investment especially when it is the Red Cross, the Hunger Center, WIC, the churches, Upstage Players. These are activities for our residents.

What I really don't understand is why this became a political issue and why so many people are opposed to it and they add up all the cost of the culinary school. Most of those costs for the culinary school were to make it ADA compliant and for safety. Well, if I was a member of that Charter School, I'd be a little upset that you allow me to move in that building and not have it ADA compliant. The Charter School was there before the culinary school. No one raised a flag with the culinary school, but everybody that against the Charter School and in favor of the other side, they're out hammering the Shore Cultural Centre. That's the political issues that bog the city down and don't allow the city to move forward.

It is frustrating when you actually see the numbers and you see that this could be a viable project. That we could really help. The reason I looked up all these numbers is because I wanted to know if we're running in the red, how can we save money. I want to see what the Department of Justice costs really were. By the way, if we did not go to trial, we would have saved only an additional \$115,000, not \$600,000 or \$750,000. Only \$115,000. We would have had to do the remedial order. We would have had to abide by the Department of Justice's rules. We would have had to, the Federal Judge, we had to do that anyway. To say that's its Council's fault because we fought this is ridiculous.

We want to see the city of Euclid move forward, but we really have to put all this petty fighting behind us. We really have to work together as a team for the betterment of the city. There are so many other issues. I sit up here and my heart went out to the Mitchell family. That's what we should be focusing on. We should be finding activities. I'm excited about what PAL does and keeps kids off the

street and they are working with kids. We should be emphasizing what we're doing with those activities. Unfortunately we get stuck in all these other petty arguments that really don't help us move forward. Thank you.

Councilwoman Mancuso – I'm going to keep this short and sweet. I couldn't agree more with my colleague. I'm not going to digress and get on the topic. I'm going to say to each and everyone of you, go out and vote tomorrow. Vote your conscience. Vote for the issues and the people that you think will best represent you and forget about the political rhetoric everyone of you. Thank you and good night.

Councilwoman Walsh – I'd like to make a couple of positive comments. Sam Calabrese, with all the other things he did was once an Upstage Player and we'd like to think that we helped him in his scouting. This week, you can go down to the Grovewood Salvation Army if you live in Euclid and you can register for the Coats for Kids program. You need a proof of income. You will get coats for your children under 12 as long as the supplies last. You will get a food voucher from the Salvation Army and a toy for every child in your family under 12, that will be in December. Just today, we interviewed 650 families to help with that process. It will be the rest of the week, 9:00 until 3:00.

I don't want to dwell on the bad, and tomorrow is an important day. But we stand up here and we loudly tout decorum. In this envelope is over 100 newspapers that were picked up off of lawns yesterday and they're not very nice newspapers and the decorum of the person was not even good enough that they could put their name on it. I don't believe in pointing fingers at somebody if I can't prove who did it. I don't care who did it. You did it against everybody and you did it against yourself.

I also want to talk about the decorum of whoever chose to walk through what I consider my turf, Willo Arms and distort some things in people's minds. I have been in Willo Arms more often in the past two years, than the past three council persons. Last Friday I heard some pretty good distortions. And I asked the lady, have I been there and she said, oh yes. Have I helped you? Oh yes. Have I tried to take care of the building situation? Oh yes. Then I asked her if she ever met a certain person and she said oh no. But she had all these facts about this person because somebody walked in Willo Arms and chose to spread the venom.

I heard today that Howard Hannah has moved out of Euclid or will shortly be moving out of Euclid because all of their real estate offices will either be in Willoughby Hills or Lyndhurst or South Euclid. What does that say for our city? Tomorrow is an important day no matter who you choose to vote for. Tomorrow I ask you, use your vote, don't let others use it for you. Think for yourself. I will continue to serve Willo Arms until the March election and whoever gets elected there, I will be proud to help that Council person. Please, go out and vote tomorrow, thank you.

President Gudenas – I'm going to backtrack a bit. Again, to remind everybody regarding what's going to happen in March. This current city council, based on the Judge's order will stay as your council members until April 4<sup>th</sup>. So these terms are being extended. The next City Council's term will start April 5<sup>th</sup> and go through November 30, 2009. Equally important, you will have a new Council President next year. It means that I cannot run for this position, so you will definitely have a new Council President and all of Euclid residents will be voting for that. That remains an at-large position throughout the City of Euclid.

One thing that I've had the opportunity to see firsthand is the extent of the problem that we face with our housing stock here in the City of Euclid. It is one thing to be up here and talk about 600 vacant homes, the foreclosed and abandoned homes. Then it is another thing to walk on a street and see 12 on one street that are vacant and abandoned and then another six that are for sale. Then you see the residents working very hard to take care of their property and in good shape, but then there's abandoned homes just down the road and for sale homes. It seems an insurmountable problem in certain cases. I remember on one street, at least one-third of the homes were for sale or vacant. It was a bit depressing for me. The extent of the problem in many areas, in fact all parts of the city is a significant problem that we have to address and address much more aggressively. This city council will certainly be in business through March and we'll certainly have an administration that's already working on and needs to address these issues, but sometime very soon, we've got to get specific on what we're doing with these problems.

We've worked out a partnership with Neighborhood Housing Services. We really have no idea how far they've gone so far. We have a line of credit with the County Treasurer, we don't know how far that's gone so far. We've been trying to get our Euclid Development Corporation more involved and the rehab and repair of our homes. We haven't heard much about that. Same with other non-profit groups and other banks and the Department of HUD. We passed legislation to work with them to acquire some of their properties at half of the mortgage amount. And yet we're still not doing all that much. We have a lot of things in place, but I think it is time to speed things up. I'm going to ask this city council very shortly to convene some special meetings to bring everything out on the table on

what is being done, what needs to be done, put some timetables, specific goals behind it because our problems are going to be very large. Equally important when we do our budget next year, we need to look at the sidewalk problem. I have seen so many bad sidewalks in all parts of the city. Until you get the chance to walk all over, I think we're going to need to make a bigger investment on the city's end of it. We normally require the homeowners to pay 100% of the cost. In some cases it seems like they're not going to be able to afford it with all the other repairs we're asking to be made. I think the City of Euclid is going to need to make a bigger investment just in basic things. If we're asking our residents to take care of homes and people to invest in the vacant homes and rehab them, we're going to need to invest more in our neighborhoods. These are going to be important issues that are coming up. At the same time, hopefully we can solve them as long as we can work and address them as soon as we can.

Councilman Delaney – Thank you. It is astonishing to see a lot of the convoluted facts, just flat out inaccurate. To cross paths with a tone that escalates to meanness. I share my colleague, Councilman Lisy's concern. Things that were pointed out about the budget, things that were pointed out about our city buildings and services. When I first got involved, became an activist, walked out, met people, it was for the Shore Cultural Centre, it was about ten years ago. I came to Council meetings and I offered to help with the Council, the Administration, meet with the Mayor and I did. Through grassroots efforts we did good things there.

My first year on Council and I believe that when I ran, many people knew what I was about, we had a need for a new senior center and we took care of that. We identified a location. We began the planning, we built it. It was spearheaded and led by the Council President Ed Gudenas. It took about two years, many pieces of legislation. We also put up a new golf course clubhouse that took many pieces of legislation, \$3.8 million. We're going to collect an amount of money, but yet we have to spend a lot of money.

The culinary school at Shore had to address a lot of building issues and those were taken care of but yet they were neglected up until we had that end user. Now, I'm always available for anybody who wants to talk to me. I would tell the officer that I bet I talk to more people about the cultural centre than you do. I'm sure that by coming to the podium and arguing policy that's already been voted on and in law and exists is counter productive. I think for the 50 students that will be using that school year in and year out, it is going to prove to be a very, very good investment in our city building. That file goes to the end, we work on a new project.

The same concerns of the people who bring this negative criticism and these inaccurate numbers about what it costs, what we spent, why we did it, and every week after week explain it. Our new plans are to be to spend capital money on our new projects. What will that be? A renovated police station? A new police station? That's going to remain to be seen in the budget. So, that energy could be brought to council to explain what it is that our needs are, what do we need to be addressing next. We need to take the file, put it in the back of the file cabinet. There is no where in Euclid, Ohio you cannot shoulder in, do something for the good of the city and make a difference.

We always get a little tense the night before election, we always have a council meeting the night before an election and the law suit is another issue that never seems to miss an election day. We have had law suits every year I've been on Council. When it began, it was not our policy that brought that law suit, we defended the city. We agreed when we sat around the table, we wouldn't talk to the press, we would be on the same page, we agreed to hire the legal team to do it. But wouldn't you know, things were leaked to the press, there was obstruction of our defense. There weren't information being shared between the two entities that were supposed to be working together to accomplish the goal of defending our city and our charter. Quite frankly we can throw numbers in the air. I don't care what term you're on, if its \$400,000 and \$600,000, next term you're going to see something for \$1.2 million and \$800,000 and another \$200,000. We're always going to collect a lot of money, but yet we're going to spend that money and we're going to reconcile our budget. Those are really just some of the basics to understand. When that need is identified and there's consensus built and your legislative body votes for it, it is law. So, I would encourage every person in Euclid, Ohio whether you're a registered voter or not, to get involved. To come, to find out what you can do, whether its volunteering, whether its being part of the solution, put your name on, put yourself out there and work hard. Thank you very much.

Councilman Gruber – I just start out kind of light and congratulate Mayor Cervenik on being named Citizen of the Year by the American Legion Post 343 on Arbor. Congratulations Mr. Mayor. Also, earlier we gave our Eagle Scout award. His grandfather was Bill Mabel, just for a little information, former Ward 4 Councilman Bill Mabel, that was Mrs. Mabel that was up there with him.

Also congratulations to Mr. Slogar and his appointment, a former ward 4 resident, now three, but maybe one or two, anyway. And also, my unscientific night before election poll as always declares Howard Hannah the winner with yard signs. So Howard Hannah is winning the fight with yard signs.

A couple comments on some things that were said about trying some retail at the Euclid Square Mall. That would be nice, everybody likes retail even though they are traditionally low paying jobs. In the last couple of months this Council was privileged to seeing some openings of some things that are remanufacture or rebirth of our hard line industry such as metal working over at H.C. Stark where 130 employees were either hired or transferred in here. They had a job ad in the Plain Dealer which I know we don't see to often any more, but it was good high paying jobs. Also the robotics firm from Lincoln Electric. Robotics for all over the world are going to be made right here in Euclid. We are reforming the mix along with Powdermet, one of the leading manufacturers of his brand of material in the world. So we do, we are putting some new stuff in that really makes a big difference.

Decorum in this room, cell phones should be shut off all the time and visiting and socializing and seeing your friends, that should be done in the hallway. Don't come running in here and talking because we can hear everything up here with the shape of the room. If you're think you're saying something and maybe you can hear us too, so that might not be good sometimes and I'm deaf in one ear and I can still hear you. So, please keep your socializing out in the hallway.

Also, the remarks about the demographics. I'll be glad to provide that information. I have been here 45 years walking my dog, five dogs, and I've seen more abandoned homes. Abandoned homes don't spend money. We love seniors dearly. Unfortunately they're on limited incomes, they don't spend money the way they used to. 44117 zip code and I will be mailing that information out to the individual that is talking about it. The demographics don't lie. You can maybe fight with the census bureau, I know there are some folks out there that like to fight with the government and talk about rules and stuff, so maybe they can get a hold of somebody in Washington to change the numbers on the census for us, that would be good. But it is the work at home people. I've even seen homes that got tax abatement now going into foreclosure. So they didn't pay taxes or their home mortgages. It's the truth, it hurts, sorry. Upscale shopping is not Marc's, but if that's what we want on Euclid Ave., work towards that. With that, again, get out and vote tomorrow and I appreciate the time. Good evening.

Councilwoman Minarik – A couple of things. This is the October issue of Inside Business. It is a great article on Lincoln Electric, John Stropki the President. But a really cool paragraph, it is talking about the corporate strategy is to make all, I was thinking about this when we were discussing the employee situation. A corporate strategy is to make all employees accountable to demand extra effort and then to reward that effort by sharing profits and guaranteed continued employment. Lincoln Electric is so incredible that an update of the Harvard study was published late last year and what they've done is the Harvard Business School is using Lincoln Electric as a showcase for all of what it is doing. So if you can find a copy of the October issue of Inside Business, it is really inspiring what this company is all about and how it is going global and yet it calls Euclid home.

The second thing I wanted to know is we've been talking about city buildings. I was going through the 2007 budget that I have here. Where is Old City hall listed in the budget in terms of maintenance, expenses? Where does that fit into the budget does anybody know? Utilities?

Director Johnson – There is no specific cost center for Old Euclid City Hall. The utilities and the maintenance of that facility are included in the general fund operating budget.

Councilwoman Minarik – So we don't know what it costs to upgrade that building and we don't know what it costs to maintain it then?

Director Johnson – No.

Councilwoman Minarik – That's interesting. Then, I sent off an e-mail regarding crack sealing coming out of block grant last week. I did not send it to you Director Pietravoia, I sent it to Mr. Sonnhalter and Mr. Gliha. My understanding is that \$50,000 had been budgeted from capital for crack sealing this past summer. But we can't use capital for crack sealing, it has to come from a nother source. Can we use the municipal beautification money that is allowed in block grant so that we can give Director Gulich \$20 million to seal our streets, no I'm just kidding. Can we at least give him because we have no crack sealing this year. Crack sealing, I learned, this is from Mr. Gulich's department, this is very cool. It is the second step. Once you regrade the street, the next thing in maintaining the street is crack sealing. It doesn't look pretty, but it actually extends the life of the street. We got a really great deal on 260<sup>th</sup> because of the crack sealing program that allowed, was it the County or the State that re-laid that street. Because we had maintained it so well, they didn't have to replace it when they normally do so we got a really good deal on that. We really need to do crack sealing, so back to you Director Pietravoia, can we do that with municipal beautification money?

Director Pietravoia – I will look into your question. My initial response is probably not one that you're going to want to hear. But it is my understanding that block grant dollars cannot be used for things that are considered routine maintenance. We've been spending the municipal beautification dollars on things that are capital improvements that have an extended life span. Things in the right of way like sidewalks, curbing, new driveway aprons, things of that nature, we're able to do. Things that are routine maintenance are typically not funded by a block grant. Let me look into it further. Those dollars are always in big demand, as most of you know and we do try to leverage them for private sector projects whereby spending some muni beaut money in the public right of way, we can leverage more private sector dollars.

Councilman Langman – There's been a lot of things said this evening and my colleagues addressed most of those. I do want to say something about Shore though since I haven't talked a lot about it. It can be debated, should be debated, and we did have that debate. If you're going to express the idea that the building is not worth having, then come up with an alternative plan. The only thing I've heard is don't invest the money. Well what do you want to do? To demolish the building, it is not going to be done for free. It is our building, we would have to pay for it.

It has been brought up that that building has been starved for capital investment almost since the day we purchased it. That's not the case with Old City Hall and that's not the case with the Historical Society or the Historical Society annex. So, yes, we can debate what are we going to do with the building. I've talked with my colleagues on council, I've talked to the administration, the building needs work. The idea that, don't do anything with it, bring it down, then understand that it is going to cost a tremendous amount of money for the city to demolish that building.

The second thing I heard tonight is that somehow the DOJ is responsible for population loss, businesses not coming here. Ladies and gentlemen, the City of Euclid topped out in population in the early 70's at 72,000 people. We have been losing people ever since. We will continue to lose people. I'm going to share with you an anecdote that kind of illustrates what was going on during the trial versus what people were really concerned about. During the time of the trial, I received four telephone calls from residents in the DeVoe area. Their issues had nothing to do with the DOJ, how many people sat on Council, the make-up of Council or anything like that. They were concerned about the empty homes in their neighborhood. They were concerned about riff-raff in their neighborhood. Each one of those four told me that they felt that they may have made a mistake buying a home in the City of Euclid. Now three out of four of those folks were African-American. The quality of life in our neighborhoods is the main issue. They don't care what the Judge did or is going to do. That's what their main concern was. If we don't address that, then we can debate about Shore or about how many police cars we're going to buy, it is not going to make one bit of difference. Those are the real issues that we try to address each time we sit up here. Granted this is a stage and there is some posturing going on, but we all try to work very hard to work with the administration and to work with each other to move the city forward. With that, I'll just urge everybody to get out there and vote tomorrow and with that I'll make a motion to close.

#### ADJOURNMENT

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

President Gudenas – Mayor Cervenik, good luck tomorrow. To Euclid residents, both of us will be seeing many of you all day tomorrow. With that we are adjourned.

Attest:

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Clerk of Council

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President of Council

