



CLEVELAND HEIGHTS

MINUTES OF THE CITY COUNCIL MEETING OF MONDAYM APRIL 3, 2006

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:15 p.m.

Edward Kelley, presiding

Council Members present: Caplan, Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox

Council Members absent: None

Staff present: Carter, Czaga, Downey, Gibbon, Malone, Mannarino, Niermann O'Neil, Ruane, Wagner, Wong

Topic of discussion included general information pertaining to the City Manager's weekly memo.

Committee of the Whole adjourned at 7:30 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:41 p.m.

Edward Kelley, presiding

Council Members present: Caplan, Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox

Council Members absent: None

Staff present: Carter, Czaga, Downey, Gibbon, Malone, Mannarino, Niermann O'Neil, Ruane, Tomaro, Wagner, Wong

The minutes of the Regular Council Meeting held Monday, March 20, 2006 were approved and signed by Mayor Kelley along with the ordinance and resolutions passed at that meeting.

"Good evening everyone. My name is Kasey Greer and I'm a resident of Cleveland Heights, 3264 Rumson Road. I'm also here tonight as the Director of Heights Community Congress and I'm here because of the occasion of National Fair Housing Month. I note on your agenda, that you'll be passing a resolution, so I first and foremost want to say thank you to all of you. Believe it or not, there are communities in this very region that don't pass fair housing resolutions and I'm very proud to be a resident of Cleveland Heights, because we are the leader in fair housing. April is Fair Housing Month and for those of you who aren't aware, there's a recent publication from Ms. Sue Nigro, who is one of our Board Members of Heights Community Congress, and it's called the St. Ann's Audit - Personal Reflections and this is a very brief, but very informative writing about the

very first fair housing audit that was every performed in Cuyahoga County. So, I'm very pleased to be able to show this to you this evening [displaying book]. This is being used as a fund-raising tool for Fair Housing for HCC, but I wanted to make sure that you all got a copy of this as well. It's something to be very proud of and the word is getting out throughout the country. We're actually doing research right now to see if we were actually the first Fair Housing Audit performed in the country. I think we are the first in the state, but we're looking to see if we're the first in the country. I just wanted to share that with you. Again, I thank you for passing the resolution and I'm sure Councilwoman Dietrich will say some more at a later point in this meeting, but I just wanted to say thank you on behalf of Heights Community Congress. So thanks,"

Mayor Kelley responded, "Thanks, Kasey. It's nice to see you. Nice to have you here tonight."

"Good afternoon, Council. My name is Joseph Adolphus. I live at 3499 Randolph. I was here about six weeks ago concerning a sewage backup problem that had persisted for years and had not been remedied. Mr. Downey said, speak to him in regards to that, he was unaware of the issues that befell me, so I notified him and there was a somewhat swift response, but the end result of the dye testing and the camering of lines to determine what the problem was, basically ended up, the total solution was removing two gutters out of the down spouts. That's basically what they've been doing over the last thirteen years and it hasn't solved my problem. Alex basically said that's he's been to the house on numerous occasions when there was rain. I have informed him that there has been times when there has been no rain and I've had sewage backup into the property. By disconnecting, I think, I don't know if it was the home inspection about six years ago - I was cited by the city for city code violation for not having my gutters in the down spout. So basically, you corrected my problem, yet, and still you're violating the city building codes. In addition, I didn't particularly like that solution of basically disconnecting the gutters from the down spout, because you put the diverter ramps that are approximately this long [showing length] and if you have a substantial amount of rain that water will have a tendency to gravitate back toward my walls in my basement, and they'll become damp, the paint will peel off, if they're painted walls, if there is paneling behind there, there is no telling what will precipitate as a result, mold or whatever could more or less be a result. The storm sewer - I wanted to be there when they did this work and basically they accommodated me in that respect and they determined that some of the gutter drains that were connected to the storm sewer, which went out to a pipe that dumped in the ravine deposited in my sanitary lateral and probably more than likely there are other residents' gutters that are tied into their sanitary laterals which was probably what contributed to the pumps failing from overload situations and what not. So when Alex told me that, you know, during rain situations, I said, "It could rain ~". If I had an answer, okay, basically to determine when I would walk through my door and I would have sewage in the basement, you know, it would be all good, but I don't know that. The primary issue was a response to the pump station, and I hope and pray that the city - I don't know if they've gotten rid of the electrician that took his time getting there to respond to the alarm on the pump station. I hope that particular situation is solved, because that was a major contributing factor of my issues. You know, failure to respond in a timely manner. And to me, which is probably 30 minutes after the alarm went off - not hours. That is - and then basically I think they ran a camera down one of the down spouts or one of the down spouts [sic] and it ended up in the septic tank. I'm not going to get into whether I agreed or told them not to do it, but there are other residents that - you know that was part of the initial thing that they were supposed to do in this particular project was either to remove the tanks or crush and fill. I know three residents that, that didn't happen. If the council needs proof of that I will supply that. I was really - Alex basically said that he feels that this problem has been rectified. So, at this particular point and time, I would just like the city to give me something. Basically, I'm ready to move and by law I have to disclose this

little issue I have. Okay. That was created only after the city connected me with the service lateral to the sanitary. So all that I want at this particular point and time is some kind of documentation from the city, basically Alex stating that he felt assured that the problem was solved, to state that the city has done what it could do to rectify my problem. Now, that's basically what I'm here to request. That's all that I have to say tonight. Thank you."

Mayor Kelley responded, "I appreciate you for coming. I think Mr. Downey will jump in, in a minute. But, if I understand correctly we have been following what's been happening on your property with Alex and Mr. Downey since you were here, I believe it was about two months ago. Talking to Alex almost weekly, I know that we've put in about 80 man hours into your project and we know there are still issues with your septic tank and I want to highlight, 'your', and I want to ask Mr. Downey, 'if you need to comment any further'. I don't think we're going to be giving you any letters. From the city's point of view, we just don't do that. I don't think as a matter of state of business or as a legal matter. But go ahead, Mr. Downey."

Mr. Downey stated, "Your Honor, my first point of business would be to have a meeting with Mr. Adolphus, if he's at this point now, to see just exactly what he is requesting. But obviously, anything like that where the city would be attempting to give some kind of assurances would have to be approved by the law department and we could only give assurances for what is in the public domain. There are numerous pipes running in and around Mr. Adolphus' property and we can't guarantee all of those. We'll see what we can do. We'll work with him to try to see what we can do to help him as he tries to sell his house."

REPORT OF THE CITY MANAGER

Mr. Downey continued, "Thank you very much, your Honor. I have no formal report this evening."

REPORT OF THE DIRECTOR OF FINANCE/CLERK OF COUNCIL

Mr. Malone stated, "Thank you, your Honor. I have no report tonight."

REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Dietrich stated, "Thank you, your Honor. I have two resolutions tonight from this committee. The first is Resolution No. 30-2006(CRR), authorizing the City Manager to accept a grant from the Western Reserve Area Agency on Aging on behalf of the City of Cleveland Heights Office on Aging, and to execute the grant agreement; and declaring an emergency. In the past years, our Office on Aging has received grants from WRAAA for transportation, socialization and other support services for older persons in our community. This year the City Manager is authorized to accept an award from the Western Reserve Area Agency on Aging in the amount of Twenty-six Thousand Seven Hundred Thirty-five Dollars (\$26,735.00). This is to provide transportation services to older people living here and this is van service in Cleveland Heights and also to medical appointments and things like that outside of Cleveland Heights. We would be passing this as an emergency and we certainly thank the Western Reserve Area Agency on Aging for the help that we're able to provide our senior citizens as a result of this grant. And we especially thank them for giving us the same amount that they did last year in this day and age where it seems most things that we're getting are cut. So, I offer Resolution No. 30-2006(CRR)."

Mayor Kelley accepted Resolution No. 30-2006(CRR).

Roll Call: Ayes: Caplan, Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox

Nays: None **Resolution passed**

Council Member Dietrich continued, "I have Resolution No. 31-2006(CRR). This relates to what Kasey Greer was just talking about as far as Fair Housing Month. Through this Resolution we are joining with the United States Department of Housing and Urban Development ("HUD") and other communities throughout the nation in the observation of "Fair Housing Month"; reaffirming the City of Cleveland Heights' commitment to open housing; and declaring an emergency. Since 1965, this city has been, as most of know, in the forefront of fair housing. We have continually and consistently approved and encouraged the concept of fair housing throughout the City and actually throughout the entire Cleveland metropolitan area. Thirty years ago in 1976, the Council that was there at the time established a Nine-Point Plan which was to prevent resegregation in Cleveland Heights, and to develop programs with residents, community organizations, the Board of Education, the business community, and other institutions to promote integration. Since that time, the City has created and operated numerous programs to continue integration, and to educate and persuade residents of the benefits of integrated neighborhoods. By this Resolution we join with other communities in the country in observing Fair Housing Month and through that we reaffirm our commitment that we established over 40 years ago to fair housing in Cleveland Heights and throughout the Greater Cleveland area. I offer Resolution No. 31-2006(CRR)."

Mayor Kelley accepted Resolution No. 31-2006(CRR).

Roll Call: Ayes: Dietrich, Evans, Kelley, Montlack, Tumeo, Wilcox, Caplan

Nays: None **Resolution passed**

Council Member Dietrich continued, "I'd like to just comment on this a little bit further. This is an issue sort of dear to my heart because I've been a member of the Heights Community Congress Board for the past eleven years and as Kasey told us a good portion of HCC's work and mission does involve fair housing. It's something that some people think has been solved. That, oh we have no problem with fair housing anymore, that's all been taken care of, but what's actually happened is that the problem has become a little more subtle. It's not quite out there the way it was 30 or 40 years ago where people are very clearly steered towards neighborhoods that might be more African American, more white, but problems with fair housing do still exist and the audit that HCC conducts show us that problems still exist. In our town we don't want anybody to even be subtly steered. We want people to buy and rent in any neighborhood that they'd like to live in. Just want to let you know that if you out there feel like you are a victim of steering or you know anybody who is and it can be racial or otherwise, it can be because you have a disability or what your family status is. You can call the city, you can call Heights Community Congress and their number is 321-6775.

Along the same lines a little bit, I just want to say that we had a very successful Home Buying Seminar in the city last week. There was so much good information given on that, that you might want to watch a rerun of it on Channel 23. So, I just thought I would tell you that the Home Buying Seminar is going to be rerun this month and it will be on Tuesdays, Thursdays, Saturdays and Sundays at 10:00 a.m., Wednesdays and Fridays at 4:00 p.m. and Mondays at 8:00 p.m. We had many wonderful comments about the city from people who are new home buyers here and they were given very good advice from places like the Home Repair Resource Center and from our staff. That might be a good thing to watch.

Finally, I want to remind you that this Saturday, April 8th is the Spring Egg Hunt at Forest Hill Park. Saturday morning at 11:00. You have to be there absolutely on time because about 600/700/800 little children will be scrambling for eggs and it will be over by 11:05. So, if you have a child that wants to hunt for eggs be there at 11:00 this Saturday, Forest Hill Park. That's all that I have."

REPORT OF THE FINANCE COMMITTEE

Vice Mayor Montlack stated, "There is no report tonight, your Honor."

REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Council Member Caplan stated, "Thank you. I have two pieces of legislation tonight, but I did want to comment about something about the Fair Housing piece and that study that was done was also supported in a variety of ways by the League of Women Voters. At the time, it was in the early 1970's, I think, and at the time I was active with the League of Women Voters and it was the first time I had ever heard about the issue and Sue Nigro came and made a whole presentation about what was going on and what were some of the issues and it raised the awareness of everybody in our community about fair housing. So, League of Women Voters was a big part of that also.

The first ordinance I have is Ordinance No. 32-2006(MS), first reading tonight. This is a new ordinance. An Ordinance, adopting and enacting a new Chapter 941, "Use of Public Rights of Way by Service Providers", of the Codified Ordinances of the City of Cleveland Heights; and declaring an emergency. Increasing demand is being made on the City's streets and rights of way to accommodate facilities of utility companies, telecommunications providers and other service providers. It is in the City's best interest to manage the occupancy and use of the City's streets and rights of way by utility companies, telecommunications providers and other service providers to the extent permitted by the law. Therefore, be it ordained by the Council by this Council that this Council hereby adopts and enacts a new Chapter 941 of the Codified Ordinances of the City of Cleveland Heights to be entitled "Use of Public Rights of Way by Service Providers", a copy of which is attached hereto as Exhibit "A" and it's quite thick so I won't read it to you. If you are interested you can come to the City and you can certainly get a copy. Notice of passage shall be given as decreed and it will be declared an emergency when we do pass it.

Some of the things that are included in it, so that you understand - there are definitions of what all of these things mean; such as what affiliate means, cable operator, cable service, etc. The beginning [section] is Scope of Chapter; Definitions. The next sections are: Consent to Occupy and Use the Public Right-of-Way; Annual Registration of Service Providers; General Public Right-of-Way Use Regulations; Location, Relocation and Removal of Facilities; Notice of Work, Routine Maintenance and Emergency Work; Construction Permits and Standards; Recovery of City Costs in Managing the Public Right-of-Way; Cable Television Franchise; Private Facilities in the Public Right-of-Way; Miscellaneous Provisions; and, Penalties and Other Remedies. So this is a new area for us as we're looking at new kinds of technology, "WI-FI", new kinds of promoting other kinds of communication systems. The city is being in the forefront of paying attention to what needs to happen in our public rights-of-way. I offer Ordinance No. 32-2006(MS), first reading tonight."

Mayor Kelley accepted Ordinance No. 32-2006(MS), first reading only for the evening and added, "Just one quick question for Mr. Gibbon, if someone would like a copy of this, do you suggest they come to the law department, would that be an easier way?"

Mr. Gibbon replied, "Yes, that would be fine. We do have it."

Council Member Caplan continued, "Thank you. Now, I have Ordinance No. 33-2006(MS). This one is in response to the fact that we've been doing an enormous amount of sewer work in this community and we're an aging community. One of the things that makes a community attractive is that it has good public infrastructure and strong police safety. With those two things in place we are ready to work on economic development and to encourage businesses and people to come and live in our community. However, we live in an aging community and the sewers under those streets are old and the federal government and the state government has required that we upgrade our sewer system so that water that is dirty water is put in one place and we just heard about one of the problems of water merging together and storm water can go into the lake. It's not a good thing for sewer water and storm water to merge. So we really need to be mindful of delivering sewer water into the new sewer systems that are being built all over the community and you know where they are. We've been talking about sewers for a very long time and this one has to do with that.

This is Ordinance No. 33-2006(MS), amending Ordinance No. 164-2004 and subsection (b) of Section 911.01 of the Codified Ordinances of the City of Cleveland Heights to establish local rate charges for sewer maintenance and capital improvement to be charged in the City of Cleveland Heights; and declaring an emergency. It is necessary to make significant improvements to the City's sewer system to meet State and Federal environmental standards and Northeast Ohio Regional Sewer District requirements. Additional improvements are necessary to correct certain identified deficiencies in the system such as inadequate capacity and deteriorating lines. Current revenue is inadequate to fund these necessary capital improvements. It would be therefore, in the best interest of the City of Cleveland Heights and its residents to increase the local sewer fee for non-homestead properties by Three Dollars (\$3.00) per 1,000 cubic feet of water consumed, with no less than Fifty Percent (50%) of the increase being dedicated to capital sewer improvements. Therefore, be it ordained by this Council, that Section 1, Subsection (b) of Section 911.01, Local Sewage Charges Established; Computation and Billing of Local and Sewer District Charges, of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended so that henceforth said Subsection shall read as follows:

(b) The local sewer charge shall be Ten Dollars and Five Cents (\$10.05) per 1,000 cubic feet of water consumed, (The \$10.05 includes the new addition of the \$3.00 - it had been at \$7.05 and now we've just increased it by \$3.00 so it's \$10.05 for 1,000 cubic feet of water consumed. One thousand feet of water is approximately what an average family in Cleveland Heights uses per month.) as shown by the records of the Water Department of the City based upon actual water meter readings.

You have an updated water meter reading system so that the water meters are read electronically by someone who drives down the street and reads them electronically.

Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights. I offer Ordinance No. 33-2006(MS) for passage tonight."

Mayor Kelley accepted Ordinance No. 33-2006(MS).

Roll Call: Ayes: Evans, Kelley, Montlack, Tumeo, Wilcox, Caplan, Dietrich

Nays: None **Ordinance passed**

Council Member Caplan continued, "Thank you. Actually, I think that goes along with our needing to take better care of our environment. There has been a lot of talk about global warming, about how we're damaging our community - our larger community - and by taking care of our water supply and by recycling so that we don't continue to put our waste into the ground. It's part of the way that we individually can make a difference. I talk about it a lot and I'm going to continue to talk about it more. I'm astonished by how few people really do recycle, although we're considered to be a very strong city in recycling. People are pretty good about those blue bags, cans and the bottles, but we're medium okay about newspapers, but we're really not good about all that mail that comes and all those magazines. I implore you really to take better care of our community, of our world, by paying attention by what comes into your house and what goes out and where it goes. You can recycle. It's astonishing how much you can recycle if you pay attention. Go to the grocery store and ask for paper bags for your groceries and put your mail that you're going to throw away into those paper bags and we will take it away and we can sometimes even sell it. We're not paying \$41.00 a ton then to go into a landfill, so I encourage you to recycle. I encourage you to pay attention to how much water you use so that you can reduce your water bills if you pay attention and don't let the water run continuously. Fix those leaky toilets. It's our responsibility and I think we really need to be paying attention. We're in a serious place in our world and that's all I have. Thank you."

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Council Member Wilcox stated, "Thank you, your Honor. There is one item on the Planning and Development Committee and that's held over from our last meeting. It's Calendar No. 3098 from the BZA meeting that was held March 15th and Councilwoman Dietrich attended that meeting and I'm going to ask her to read this."

Council Member Dietrich stated, "This is Board of Zoning Appeals Calendar No. 3098. It's actually a little bit complicated to explain. I hope I do this in a way that anybody who wants to understand it can understand it. David Goodman and Cynthia Langmack who own a home at 3217 East Scarborough Road, in an 'A' single-family district, requested a variance from the accessory use regulations of the Zoning Code, to permit a 6'-tall privacy fence in the front yard.

It's an odd lot. This is actually the first house east of Lee Road on Scarborough. So, what constitutes the actual front yard, is the part that fronts on Lee Road.

The Zoning Code allows maximum fence heights of 3' in a front yard. A public hearing was held. The Board of Zoning due to the location of the house on the lot, there is no other significant yard area that could be fenced in for private use and that the applicant did want to limit access to this exposed yard to discourage trespassing and littering and also to reduce the noise that was coming from the traffic on Lee Road. The BZA issued a variance, but they did not issue a variance for a 6'-tall fence as requested, they issued a variance for a 4'-tall fence. We are approving that with an additional condition on that part of it which actually the BZA talked about (I don't know why it wasn't written in here) but this is something that did come out of the BZA meeting that along the neighbor's driveway just to the north of the house, it's actually a house facing Lee Road, that the fence would be allowed to be 5' feet tall in a section that goes from the neighbor's front setback all the way to the applicant's house, and that's because this portion is much more like a backyard or a

side yard, it doesn't face the corner - this portion isn't something that people will see. So, they are allowed to have 5' there. We also had one other condition that we added to this: The applicants were required by the BZA to set the fence back from Lee Road, a distance roughly commensurate with the setback of the homes in the northerly direction from them on Lee Road. Because the applicants have been willing to increase the transparency of the fence, we are putting a condition on it that the fence could be set back 20' from Lee Road. That really allows the applicants to fence in about 20 more feet of their yard than they were granted by the BZA. The design of the fence, this is still the BZA condition was, the design of the fence, particularly with regard to opacity, shall be approved by the ABR with input from staff and there shall be a landscaping plan adequate to staff's satisfaction.

In case this isn't clear to anybody, what is ending up being approved is a fence that will be 4'-tall but at least the top foot of it will be like a lattice or some other transparent fencing and that they will be allowed to go as close as 20' to the Lee Road sidewalk because of the odd shape of their yard and the odd location of their house on the lot. With all that, I offer BZA Calendar No. 3098 for approval tonight."

Second by Council Member Wilcox.

Mr. Gibbon added, "My understanding, your Honor, is that it's being approved with the conditions that Councilwoman Dietrich has read into the record."

Council Member Dietrich questioned, "Did I do it correctly?"

Mr. Gibbon replied, "Fine."

Roll Call: Ayes: Kelly, Montlack, Tumeo, Wilcox, Caplan, Dietrich, Evans

Nays: None **Resolution confirmed**

Council Member Dietrich added, "Could I just comment, that this is another one of those cases where the BZA really did work very hard to come up with a solution in an odd situation that would be workable and in fact, it was such an odd situation that we came up with a solution that we thought was even more workable, but really being there I really did appreciate how hard the BZA worked on this case and how thoughtful they were about it. That's all."

Council Member Wilcox stated, "I just want to add the thanks to Richard Wong and Jevon Hull and our staff for helping us discuss this on several occasions and hopefully come up with the right solution. Other than that, I just want to wish everybody a Happy Passover and a Happy Easter and that concludes my report."

REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Evans stated, "Thank you, your Honor. There is no legislation this evening, but I would like to remind our residents that Saturday, April 8th, is the Community Home Remodeling Fair and it's scheduled to begin at 9:15 and end at 1:45 p.m. It is an information-packed morning and part of the afternoon which starts with advice tables involving individuals being able to drop by the different tables. One that may be of particular interest to a number of people is titled "Grind All" which involves a way to level sidewalk blocks. There are about nine different architects that will be available from 9:30 to 1:30. You might want to call ahead to schedule a time to consult

with them and perhaps consider bringing a picture of what your concern is about your property. You can call 381-6100 to schedule in advance. If you choose not to do so, being able to have a meeting with an architect that day, would be on a space available basis. Then there are about nine workshops that are scheduled from, three are scheduled from 9:30 to 10:45, another three are scheduled from 11:00 to 12:15, and another three are scheduled from 12:30 to 1:45. These all would probably meet the needs of a number of our residents, because there are such a variety of topics. So, I would advise you to give the housing department a call or look at - I believe it was all in our last Focus magazine, as well.

The other thing is, you probably have been aware that there have been a number of foreclosed properties that have created a lot of concern for a number of reasons. One of the reasons that there was a lot of concern was that the properties seemed to take so long to turn over - not only seemed to, but they really did take a long time to turn over to another owner - to take more than twelve months, sometimes years to see these properties change ownership. It was to our advantage that the First Suburbs Consortium took it on as a project and as a result the county sheriff's department has been able to increase the weekly sales from 85 to 260. They have improved their equipment as well as increased their staff to deal with the number of increased sales. By May, they expect to be able to do 300 sales a week and we think it's very much to everyone's advantage to see these properties resolved in a much sooner manner. We certainly want to extend a hearty thank you to the First Suburbs Consortium and that completes my report."

REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE

Council Member Tumeo stated, "Thank you, your Honor. I have one ordinance tonight, Ordinance No. 34-2006(AS), amending Section 3 of Ordinance No. 24-2006, "Wage and Salary Ordinance amending Section 3 of Ordinance No. 24-2006, "Wage and Salary Ordinance", to incorporate the terms of the labor agreement with the International Association of Fire Fighters representing Fire Department employees for the time period through March 31, 2009; and declaring an emergency. This ordinance will enact the contract that has been agreed upon. The terms are as follows: There will be a three percent (3%) increase in salary for 2006, three percent (3%) for 2007, and three and one half percent (3 1/2%) for 2008. Members of the union will contribute to the cost of health care, they're joining the same structure as the rest of the city's employees, an annual deductible and a ten percent (10%) co-pay for medical services have been instituted. The co-pays for office visits and prescription drugs are going to remain they same as what they have been. There will be a \$25.00 co-pay for doctor office visits, \$20.00 co-pay for brand drugs and \$5.00 for generic. I would like to introduce Ordinance No. 34-2006(AS) for passage tonight."

Mayor Kelley accepted Ordinance No. 34-2006(AS).

Roll Call: Ayes: Montlack, Tumeo, Wilcox, Caplan, Dietrich, Evans, Kelley

Nays: None **Ordinance passed**

REPORT OF THE MAYOR

Mayor Kelley stated, "I just want to let everybody know that Council did have their annual retreat. Already it is here and gone and we covered a variety of subjects from soup to nuts and we will be working hard in the next few months with staff to handle a variety of issues that are near and dear to our hearts, but overall we will continue to make sure the city is financially viable, that the services that we continue to rely on; picking up the garbage and making sure your excellent police

and fire services are there, going the extra mile in recycling as Councilwoman Caplan has talked about are consistent. We will continue to make sure our children and our seniors are well-represented in the community as far as the athletic endeavors. Cain Park will continue to function as one of the most beautiful places to partake in the summer, whether it be for a play for a concert or our arts festival. We will also continue to have excellent relationships with our schools, whether it be the public schools, the private schools or the parochial schools.

So rest assure if anything happened at our retreat, as did many things, it reinvigorated this city council. We welcome Councilman Tumeo and his ideas to the table. He certainly wasn't bashful and we are working very hard to continue to make sure this is the number one city in Cuyahoga County, if not in the state of Ohio for you to continue to live in, to visit and to work in and we will continue to do things to help increase our tax base, whether it be the income tax base or our excellent housing base and I felt that we had an excellent retreat and we will continue to move forward and tackle these very challenging issues. Some of us which are heaped on us by our representatives in the government in Columbus. Some of us have been heaped on us by our not so friendly people in Washington, DC, with the budget cuts that happened to us as far as block grant money. But rest assure, this council and staff - really, we recommitted ourselves - not that we needed to be recommitted to making this city the most desirable place for people to live and work in, and I was very proud to be part of that retreat, as I think everybody was who is up here, as was our city staff and again we were very happy with the output of our employees and we will continue to strive and do things in a more efficient way and deliver the services even better than before. And if you're not sure about that, just look around the city in the next few weeks as we spring into spring and start getting everything ready for the summer season and open up our parks and our swimming pools and don't forget the orange barrels which will be in almost every direction east - west, whether it be Euclid Heights, Meadowbrook, Fairmount and a variety of streets in between and we did not forget Scarborough for those people who call me all the time and leave those nice voice messages on my machine without your name or phone number, but we will be doing Scarborough and you can leave the adjectives at home, but we will be doing Scarborough.

I want to thank everyone for coming tonight. Our meeting is adjourned at 8:23 p.m. For those of you who want to go home and watch the great basketball game, you'll be home in plenty of time. Our next meeting will be Monday, April 17, 2006. Excellent Passover and Easter season for those of you who will be partaking in them."

Respectfully submitted,

Edward J. Kelley, Mayor
President of Council

Thomas K. Malone
Clerk of Council

/mwc