



CLEVELAND HEIGHTS

MINUTES OF THE COUNCIL MEETING OF MONDAY, MARCH 17, 2003

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, Hicks, Kelley, Montlack, Wilcox

Council Members absent: None

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

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

Council Member Wilcox moved to adjourn into Executive Session at 7:15 p.m. Second by Council Member Evans.

Edward Kelley, presiding

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

Council Members absent: None

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

Topic of discussion included litigation.

Executive Session concluded at 7:25 p.m. and adjourned into Committee of the Whole.

Committee of the Whole adjourned at 7:35 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:45 p.m.

Edward Kelley, presiding

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

Council Members absent: None

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

The minutes of the Regular Council Meeting held Monday, March 3, 2003 were approved and signed by Mayor Kelley along with the ordinances and resolutions passed at that meeting.

"Good evening everyone My name is Christine Stouffer, 2435 Canterbury. I'm president of the library board. Mayor Kelley, Members of Council, on behalf of the board of library trustees I thank you for the opportunity to be here tonight. This project began back in 1998 with the planned renovation of just the main library building. When the availability of the Y building became apparent, the library board through Steve's vision saw it as a golden opportunity to increase programming and to better serve our community. Soon after the building was purchased the library did several things. We met with the community and we listened. We learned how the community wanted the additional space to be used. We prepared a proposal, complete with a model and we brought it to the community as a bond issue. That bond issue was approved by 72% of the voters in November of 2001. We were elated and saw that mandate as the beginning of a new era for the library in this community, but the project soon became bogged-down in controversy. However, the library board has tried to remain focused on what we heard from the community. We heard that additional programming was desired, much of it should be geared toward children, and much of it in the after school hours. We believe that this translates into a vision that will have a major impact on all of the residents of Cleveland Heights and University Heights. The time that has past, since November 2001 when the bond issue passed has been very trying for the board of library trustees. We want to fulfill the vision of the library as shaped by the vision of the community. Now, the walkway in dollars represents only about 5% of the total project cost. Yet, it seems to be the stumbling block to our moving ahead. We see Council's willingness to consider the right-of-way issue of the walkway right now as a significant step forward. It shows your understanding and support for our renovation project and will help to get the project back on track. We understand, that the design issues of the renovation, as a whole, and the walkway in particular, still remain within the purview of the Architectural Board of Review and that is the way that it should be and we believe that with design consultant, Paul Ricciuti on board, the ABR's concerns will soon be resolved. Once again, Mayor Kelley and Council, we thank you for your support of the library and what it represents to this community."

Mayor Kelley stated, "Thank you Christine. You're allowed to clap for her since there may be people [here] to speak on other issues and why don't we stay focused on the right-of-way issue of the walkway, so if there is anyone else that wants to speak on that issue please raise your hand and be rest assured that if you spoke last time you're more than welcome to speak again, but you were quoted and you are in our minutes from the meeting and you do not have to speak again. We did have you well-recognized in the minutes. We all do read our minutes. It's not necessary that you do speak again. We did read the minutes of the meeting but if you do feel it necessary you're certainly allowed to speak again, but I would appreciate it in the spirit of my good friend, St. Patrick, that you do take the night off."

Vice Mayor Montlack added, "And sometimes we even listen while you're speaking the first time."

"Good evening. My name is Annie Lopez, 2525 Wellington Road. I'm an educational psychologist and the program development coordinator for Heights Parent Center. As you consider granting the air rights over Lee Road so a bridge can be built between the two buildings now owned by the library, Heights Parent Center urges you to keep the focus on the programming that will become possible with these buildings linked. The library has developed an inspiring vision to serve the residents of Cleve-

land Heights and University Heights. As Steve Wood explained so well two weeks ago, libraries are much more than just books. Heights Parent Center's particular focus in this project is on family literacy. Our goal is to provide a place where parents and children interact, play together in a meaningful literacy-rich-environment. Our planned/learned village will create several pretend settings such as a grocery store, restaurant, a laundry where parents and children will play together and learn to recognize the everyday opportunities to promote literacy. Equally as important, we want to have a fun-destination that encourages adults to play with children because it is within the context of this relationship that learning takes place most effectively. Parents will bring their children to story hour. They will then cross the bridge to play together in the activity center. They will be able to access community resources on the library's referred data base or they will browse in nearby shelves full of parenting books and other resources. They will learn about parenting discussion groups that will be held in the meeting rooms across from the main library. This is a fluid vision that cannot exist without the bridge. What will achieving the vision do for our community? It will expand the variety of activities available to the children and their parents or care givers. The library will become a destination where parents and children have fun together. It will be a place that puts value on learning. It will help children that do not attend formal pre-school programs gain skills to prepare them for success in school. It will be just one more reason that families with young children will want to live in Cleveland Heights. Thank you for your role in moving this vision forward. We urge you to grant the air rights and then assist the ABR to resolve the design issues appropriately and in a timely manner. Thank you."

"Hi. My name is Tom Rask. I live at 3125 Corydon Road. Mayor Kelley, Members of City Council, and this is also addressed to the Architectural Board of Review. In commenting on the library's request for air rights to the proposed walkway I'd like to say that the concept for the expansion of programs is forward-thinking. It will no doubt have a positive impact on the community. It'll be great to be able to read about a drawing technique or crafting paper sculpture and then go into the Heights Arts Collaborative and actually participate in a hands-on activity. It is exciting to think about reading a play and then seeing a performance of the playwright's work at Dobama. I was happy to learn that the former YMCA was to have a new life breathed into it. Loss of business on Lee Road is never good and the negative effect that can have on neighboring businesses is something we all need to be concerned about.

Having attended several board of library trustees meetings in the past year, I would like to compliment the library staff members who so ably and energetically described programs that they have taken to the schools and elsewhere in the community. It's obvious that the staff is motivated by confidence in their professional knowledge and enjoy a job well-done. From the beginning of this expansion project my concerns have been about the long-term success of the library. When City Hall initiated the visioning process in 1999, I participated on a Designed and Natural Environment Task Force. Clearly, many of the core values stated by the task force as important to the community have presented challenges to the library project. Values encouraging more walkable neighborhoods, designing to a human scale, greater use of natural materials, reducing energy consumption through natural day-lighting and other energy efficient techniques have not been evident in presentations by those responsible for this project.

We get only one opportunity to do this right. We need to pay attention to the details and not make regrettable decisions in our excitement to complete the renovation. The walkway is a response to the current traffic conditions on Lee Road. The walkway has been estimated to be 7 to 10% of the total project cost. It seems to have dominated 90% of the discussion. Members of the Architectural Board of Review have said that if the walkway is not carefully designed, it will serve Dobama patrons only about 50% of the time due to the library's closing hours and security needs. To date, Architect Dan Meehan has been paid over \$800,000 of a projected \$1,094,000 fee, but after seven reviews with ABR, there is little

sign of progress. Additional funds totaling \$25,000 were contributed by City Council and the library for design consultant services. We thought we were finally making progress regarding the design concerns brought forward by the ABR at a special meeting on February 5. Following a charette in council chambers on February 13th, Library Director Steve Wood canceled the design consultant's presentation to the ABR, stating that he felt the library board needed to slow things down a bit. Instead of addressing basic design considerations for the two buildings, now we are here tonight discussing air rights.

The library bond issue passed with 72% of the vote, but the money is from 100% of the taxpayers and we should expect better results. If air rights are granted for this extraordinary intrusion into public space, City Council should promise the community to follow through on its visioning initiative for more walkable neighborhoods and completing the traffic calming on Lee Road from Silsby to Fairmount. Granting air rights is Council's acknowledgment of an extraordinary traffic problem and therefore should provide a solution that is long overdue. We cannot continue to destroy our community to accommodate increasingly larger vehicles and growing traffic congestion. If we as a community do our job right, I look forward to the day when I can go into the library, open a book on greater urban architecture, step outside and see an example right here in Cleveland Heights."

"Members of Council, I am Steve Wood, Director of the Cleveland Heights-University Heights Public Library. Two weeks ago I spoke with you about the vision we have for the renovated and enlarged main library. I described the partnerships we have in place with the Heights Parent Center, Dobama Theatre, and the Heights Arts Collaborative and I described how those partnerships will bring increased programming to the residents of Cleveland Heights and University Heights, especially to our children and especially after school. But the main library renovation is more than just a walkway and the programming vision. It is the enlarging of space for children so that they have more room to work and study. It is the enlarging, indeed the creation of space for teens where virtually none existed before. It is the reorganization of space for adults to bring, finally, the fiction and non-fiction collections together to make better use of lounge and study space and to provide a much quieter environment for everyone using it. It is the development of a new and better organized space for audio visual materials, some of the most popular items in the library and it is more computers to meet the needs of our customers.

The renovation will also provide more and better meeting rooms and a much more functional lobby and circulation area. In addition, for the first time since 1987 there will be new paint and new carpet through-out. Close to a million visitors come through our doors every year. We maintain the building well, but we have become shabby and our community deserves better. With our design consultant Paul Ricciuti we are rethinking the use and relationships of all interior spaces because that will drive a new exterior design for the main library. We're moving as fast as we can but creativity never seems to move quickly. I apologize to our community for all the delays, but with luck, the final product will be worth the wait.

I want to thank you, Mayor Kelley and City Council, for your steadfast support of the library and what we are doing. I firmly believe that without that support we would still be debating the value of the walkway rather than being poised to consider what it looks like. With your support this evening, we will be back on track and in the correct position to bring a new exterior design which includes the walkway to the City's Architectural Board of Review. That's good news for all of us. Thank you very much."

James Redhed, 3236 Redwood Road, stated, "I know I spoke to this issue two weeks ago and I just have one different kind of comment about it, that as elected officials I would like you to think about. We keep hearing about this overwhelming public support, and yet increasingly distressed, at the way people in favor of this project use statistics. I've been to some of the meetings that Director Wood has described. They were not thronged by large numbers of people. One of them in fact included a total of

nine other than the library board members. This is prior to the vote for the bond issue. Last time, as I recall, there was only one person who did not have a vested interest in this project who spoke in favor of it. I wonder how much true public support there is out there for this project. And as I said last time, I'm not opposed to the project, but I want a good project as Tom and others have spoken to and I just don't have that kind of confidence at present and I wonder if a lot of the comments that have come out of the community are reflecting that lack of confidence. So, again, I just encourage council to hold to a good plan and I also would just wonder why I keep hearing that this step of voting tonight is necessary to move forward? The last meeting, I heard this has nothing to do - will not interfere with any of your other processes in place. Why then is it being done? Why do we not wait until we have a plan to hold this vote? Thank you."

Eileen Beal, 3205 Meadowbrook Boulevard, stated, "I would like to apologize to Council for coming up here in my workout clothes but I just returned from the aging society of American National Council on Aging Conference and I spent five days sitting down and this is my first chance to get to the gym and I'm going to do that tonight. The reason that I am speaking before Council tonight is because much of what I heard at the conference in Chicago over five days was a crisis in senior housing: housing for elders, housing for seniors, affordable housing. I would like to make a plea simply for my community which wants to hold and retain its seniors, I suspect. As you plan for the city's growth I ask that you include more housing for the elderly and I as most geriatricians also would be included in this. I'm not saying ARRP's elderly, the fifty plus. I'm talking about people 65 and plus and I'm really talking about people in their 70's and on. We're all going to live much longer than our grandparents and our parents are going to live. In terms of senior housing I'm not talking about the three-story town homes that are being built in our community and are being marketed as empty nester homes - another catch phrase is 'aging in place homes'. I defy you to find any 76-year-old who wants to live in a three-story town house. These are what I see being built and being marketed as 'aging in place homes' for the citizens who want to remain in our community. These are not homes for elders, for people who want to age in place in the community. What I'm talking about, I suspect, is one and two bedroom apartment-style condos or dwellings, residences, whatever you want to call them, that includes services such as congregant meals, on-site medication administration, transportation, recreation and activity programs that truly meet the needs of Cleveland Heights' aging population and that will allow these residents, 'us', you and me to age in place in the community that we love, we want to stay in. That's it."

Mayor Kelley responded, "Eileen, if you have any materials that you received at the conference or any websites, if you can share that with me, I'll be more than happy to give that to our planning staff. That would be great."

REPORT OF THE CITY MANAGER

Mr. Downey stated, "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 need to notify Council that two (2) notices have been received from the Ohio Department of Liquor Control advising that applications have been made by the following: KS Klub Inc., d.b.a. B Side Liquor Lounge, new D1, D3, and D3A permits, premises 2785 Euclid Heights Boulevard, Lower, 44118; and Lee Payne Inc., d.b.a. Bobs Place, transfer D2, D2X, and D3 permits, from African American Coventures Inc., premises 2911 Mayfield Road, 1st floor & basement, 44118. I need to make these a matter of record."

Mayor Kelley made them a matter of record and referred them to the Public Safety and Health Committee of Council, the City Manager, and the Director of Law.

REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Evans stated, "Thank you, your Honor. I'd like to present Resolution No. 39-2003(PSH), recognizing March, 2003 as American Red Cross Month; and declaring an emergency. Whereas, in 1943 Franklin D. Roosevelt proclaimed the first Red Cross Month to recognize the tireless and brave efforts of the American Red Cross volunteers who assisted our armed forces and their families during World War II; and today nearly two thousand Red Cross volunteers and staff members serve the greater Cleveland community by tending to victims of floods and other local disasters, helping families communicate quickly with military personnel when emergencies occur, and serving as instructors in first aid and safety education. This Council wishes to join with other communities throughout the nation in proclaiming March, 2003 as American Red Cross Month. Therefore, be it resolved by the Council of the City of Cleveland Heights, Ohio, that the month of March, 2003 is hereby designated as American Red Cross Month in the City of Cleveland Heights in recognition of the contributions of Red Cross staff and volunteers in assisting members of this community and this nation during times of war and natural disasters as well as providing everyday services. Section 2 is notice of passage and Section 3 declares this to be passed as an emergency measure. I'd like to submit Resolution No. 39-2003(PSH) for passage this evening."

Mayor Kelley accepted Resolution No. 39-2003(PSH) for passage.

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

Nays: None

Resolution passed

REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE

Council Member Dietrich stated, "Thank you. I have three short items to take care of tonight. First of all I have on second reading for vote tonight, Ordinance No. 31-2003(AS), of the City of Cleveland Heights, establishing salary schedules, position classifications and other compensation for officers and employees of the City; and declaring an emergency.

As I said last time, due to our conservative budgeting for this coming year in response to the dreary economy we're raising salary levels by only two percent (2%) and that's what's reflected in this legislation. Contract negotiations with the fire and police departments (the unions) have recently concluded and they will also be getting wage increases this year of two percent (2%), three percent (3%) in 2003 and four percent (4%) in 2005. In addition, the City is trying to lessen the effect of the rising healthcare costs and prescription coverage. Healthcare costs have risen twelve percent (12%) and prescription drug costs over twenty percent (20%) last year so we're trying to offset this through higher co-pays for doctor visits and for prescription drugs. A change in our salary schedule will be that the employees will pay eighteen dollars (\$18.00) for each doctor visit where they used to pay ten dollars (\$10.00). They will pay five dollars (\$5.00) for generic drugs and before they paid nothing and they will pay twenty dollars (\$20.00) for name brand drugs instead of the five dollars (\$5.00) that they used to pay. This will go into effect as of April 1, 2003 and it is being passed as an emergency. I offer Ordinance No. 31-2003(AS), Second Reading, for passage."

Mayor Kelley accepted Ordinance No. 31-2003(AS), Second Reading for passage.

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

Nays: None

Ordinance passed

Council Member Dietrich continued, "Council needs to appoint two people to serve on a Housing Council that was created in April, 2001 to do an annual review of all properties that are within Community Reinvestment Areas of the City and to forward a report on that to the Office of Tax Incentives at the Ohio Department of Development. The two people that Council will vote on tonight are Donalene Poduska and Jacek Ghosh who are both members of the Citizens Advisory Committee. I offer Donalene Poduska and Jacek Ghosh for appointment tonight."

Second by Council Member Caplan

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

Nays: None

Appointments passed

Council Member Dietrich concluded, "Finally, I have one more board appointment to make which is to the CAC, the Citizens Advisory Committee and this is a replacement for George Gilliam, for if you were here a couple of weeks ago, we appointed him at the last meeting to our newly created Board of Zoning Appeals alternate. Taking Mr. Gilliam's place on the CAC, I would like to offer the name of David Watson, who is a resident of East Fairfax Road, a business owner, a baseball coach, a husband, a father and I move that we appoint David Watson to the CAC for a term ending December 31, 2003."

Second by Council Member Wilcox.

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

Nays: None

Appointment passed

REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Caplan stated, "Thank you. I have no legislation this evening, but I do have a couple of announcements. This past weekend, beside it being beautiful and everybody was outside already, working in their yards, studying to see whether bulbs were starting to come up, there was the Robinson Hockey Tournament at our Community Center. There were literally hundreds and hundreds of children playing in the hockey tournament and probably thousands of parents and family members attending. It was exactly what our community center was designed to be. The place was humming, couldn't find a parking space, people had to walk a little bit in beautiful weather and everybody was there; seeing-talking to each other, families were together, doing healthy kinds of things. It is exactly what we wanted. We waited a long time for the community center to be built because there was a lot of controversy about how it looked. It reminds me of another controversy we're having now. But, the end result is absolutely wonderful and if you don't go there sometime you're missing something. Just go over for an hour to see what's going on there. There is always something and it's always entertaining. So, it was a wonderful event. It raises money for jerseys and equipment so lots of children can play hockey and most of all it brings the people from this city together. It is what makes us a community. It is what makes Cleveland Heights home and along with that you will probably by Monday receive a new Focus. You know every three months you get this fabulous magazine in your mail. It's wonderful, it talks about housing. We have all these wonderful townhouses, some of which do have first floor bedrooms and so that people that want to live on a first floor and not climb stairs can do that. It also has all kinds of other information - about the arts. Our arts' agenda for the coming several months and about signing up for some of the things that are going on in this community. Do read it. There are all kinds of interesting information in it. Last, don't forget this coming Monday, is the Reaching Heights program at Severance Hall and if you haven't gotten your tickets, please do this. Call up. It's \$10.00 a

seat or it could be \$20.00. There isn't even a charge to mail it out. There is no handling cost. Come see the kids in this community perform and you'll really understand what we're all about. Ten Dollars - it's at 7:30 on Monday, do try to do this. It's a time when you can rejoice in living here. That's all I have. Thank you."

REPORT OF THE FINANCE COMMITTEE

Council Member Wilcox stated, "Thank you, your Honor. I have two pieces of legislation from the Finance Committee tonight. The first one is Ordinance No. 34-2003(F). This is legislation regarding our cable television rates that is charged by Adelphia. Pursuant to federal law, the City may review certain rates changed by Adelphia to ensure they do not exceed the maximum permitted by law. The rates have been reviewed and the maximum rates initially submitted have been determined to be higher than those permitted by law and they have been adjusted accordingly. However, should note, that Adelphia has charged below these maximum rates in any event. An example is the permitted basic tier rate which was submitted at ten dollars and seventeen cents (\$10.17) was only allowed to be Nine Dollars and seventy-five cents (\$9.75) per month has been charged at only Eight Dollars and fifty cents (\$8.50) a month. What this legislation does is adjust those rates and adopts the rates that are now in place for Adelphia.

This is Ordinance No. 34-2003(F), Second Reading, disapproving the Maximum Permitted Basic Tier Cable Television Rate proposed by Adelphia in the FCC Form 1240 for the time period July 1, 2002 through June 30, 2003; approving a corrected Maximum Permitted Basic Tier Rate as prescribed in the "Revised 2002 FCC Form 1240" for rates effective July 1, 2002 through June 30, 2003; approving Adelphia's actual Basic Tier Cable Television Rate effective July 1, 2002; disapproving maximum permitted equipment rental, service and installation rates; approving corrected maximum permitted equipment rental, service and installation rates as prescribed in the "Revised 2002 FCC Form 1205" for rates effective July 1, 2002; approving actual equipment rental and installation service rates charged by Adelphia effective July 1, 2002; and declaring an emergency. I offer Ordinance No. 34-2003(F), Second Reading, for passage tonight."

Mayor Kelley accepted Ordinance No. 34-2003(F), Second Reading for passage.

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

Nays: None

Ordinance passed

Council Member Wilcox continued, "Resolution No. 40-2003(F), authorizing an agreement with Dalene M. Pride to conduct audits of certain Ohio Bureau of Motor Vehicle records; providing compensation therefor; and declaring an emergency. Council has previously authorized the City Manager to enter into agreements with Dalene M. Pride to conduct audits of certain Ohio Bureau of Motor Vehicle Records to determine if the vehicles owned by City residents were correctly allocated to the City's taxing district. As a result of those services the City has received substantial additional revenues from registration fees for vehicles which had been erroneously allocated to other taxing districts. Our Director of Finance has recommended that we enter into a similar contract with Dalene M. Pride for audits 2002, 2003 and 2004 Bureau of Motor Vehicle Records. It's determined that Dalene M. Pride is well qualified to perform such services, and the terms of her proposal are reasonable and competitive. Section 1 authorizes the City Manager to enter into the agreement to conduct audits in the years 2003, 2004 and 2005 of the previous year's Bureau of Motor Vehicles records for the City of Cleveland, to detect erroneous registrations, at a cost of Three Dollars and fifteen cents (\$3.15) per registration. Section 2 is the notice of passage and Section 3 declares this to be an emergency measure. I offer Resolution No. 40-2003(F) for passage."

Mayor Kelley accepted Resolution No. 40-2003(F) for passage.

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

Nays: None

Resolution passed

Council Member Wilcox continued, "I just had one report to give and that is that our note sale took place last week for the improvement of the ring road. We authorized the notes at our last Council meeting, that was 3.5 million dollars. These notes were sold at a coupon rate of two percent (2%) and actual interest costs of 1.33% of premium was to pay part of the cost of issuance. At least the City has taken advantage of the low interest rate environment which will help us out in our finances.

I had one final comment and that is to congratulate the boys' basketball team at Heights High for another final four appearance this weekend and wish them and Coach Capelletti good luck."

REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Council Member Hicks stated, "Thank you, your Honor. I have several pieces of legislation this evening. First, I have Resolution No. 41-2003(MS), authorizing the City Manager to file an application and enter into an agreement with the Ohio Department of Natural Resources for the purpose of acquiring funds through the Division of Forestry's Urban Forestry Assistance Program; and declaring an emergency. The City Manager is authorized to file an application and enter into an agreement with the Ohio Department of Natural Resources for a grant under the Department's Urban Forestry Assistance Program for the purchase and planting of trees in the City, and to take all actions necessary to comply with the terms of said grant, if awarded, including the provision of matching funds and/or in-kind services. The grant agreement and all related documents shall be approved as to form by the Director of Law. Your Honor, I offer Resolution No. 41-2003(MS) for passage tonight."

Mayor Kelley accepted Resolution No. 41-2003(MS) for passage.

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

Nays: None

Resolution passed

Council Member Hicks continued, "I have Ordinance No. 42-2003(MS), authorizing the City Manager to enter into an agreement with Bob Ross Buick, Inc. for a GMC Sonoma pickup truck for the Public Works Department; providing compensation therefor; and declaring an emergency. The City Manager is hereby authorized to execute any and all agreements necessary for the purchase of a GMC Sonoma pickup truck from Bob Ross Buick, Inc., through the Department of Administrative Services Cooperative Purchasing Program, in accordance with the requirements of Section 125.04 of the Ohio Revised Code and this Council's Resolution 115-1988. The purchase agreement shall provide for payment for said vehicle and options in a total sum not to exceed Fourteen Thousand Fifty Dollars and seventy-five cents (\$14,050.75) and shall be in a form approved by the Director of Law. Your Honor, I offer Ordinance No. 42-2003(MS) for passage tonight."

Mayor Kelley accepted Ordinance No. 42-2003(MS) for passage.

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

Nays: None

Ordinance passed

Council Member Hicks continued, "Thank you, your Honor. I have an addition to the agenda, Resolution No. 44-2003(MS), approving a Change Order with E. B. Katz, Inc. for a contract for heating, ventilation and air conditioning (HVAC) work for the Community Center; providing compensation therefor; and declaring an emergency. The description of work will be to adjust the original contract amount by an increase of \$65,413.41 due to a change in the scope of work, as set forth in the request for Change Order submitted by E.B. Katz, Inc. and approved by the City's Capital Projects Manager. The original contract sum was \$1,199,000.00 and with this addition the new contract sum will be \$1,264,413.41. Your Honor, I offer Resolution No. 44-2003(MS) for passage tonight."

Mayor Kelley accepted Resolution No. 44-2003(MS) for passage.

Roll Call: Ayes: Dietrich, Evans, Hicks, Montlack, Wilcox, Caplan

Nays: Kelley

Resolution passed

Council Member Hicks concluded, "Thank you, your Honor. I have a couple comments I'd like to make. I know that last Friday - it's a little dry tonight. We received a statement saying that Heights Families for Equality is filing a ballot initiative that will create a domestic partner registry in the City of Cleveland Heights and then one of the statements by David Caldwell reads that, 'Our City Charter gives the people the final say, when any piece of legislation - normally we loan that power to our City Council, but the people can take it back by rejecting any legislation Council passes. That's why we're going directly to the people of Cleveland Heights because in the end it's their views (the people of Cleveland Heights) that will determine our success.' The Heights Families for Equality is correct. I respect their right to go out and get a petition to put an initiative on the ballot. It's interesting that they were formed last year, however, to counter an initiative ballot that the Families First Group was out trying to collect signatures. And that particular petition initiative was not successful and somehow the non-success of that petition has translated into the thought that the residents of this community will vote positive and in favor of domestic partner registry thus creating Cleveland Heights to be the only city in Ohio, Indiana, West Virginia, Kentucky where many of those places and the State of Ohio can come and register their homosexual relationships. I don't believe that to be the case and I will not interfere in anyway with the petition process, but I want to promise the residents that if it does go on the ballot I will be campaigning vigorously against it and that at the same time that our school levy will be on and three of our council members will be up for election and two or three of our school board members will be up for election, this will be one where no one will be able to hide and everyone will be able to voice their opinion. I look forward to that day in Cleveland Hights. Thank you."

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Vice Mayor Montlack stated, "Thank you, your Honor. There are two pieces of legislation. The first is Ordinance No. 29-2003(PD), Second Reading, As Amended, for a vote tonight. This is an ordinance authorizing the City Manager to enter into an agreement with the Cleveland Heights- University Heights Library Board of Trustees to permit the Library to construct and maintain a bridge/ walkway over Lee Road to connect the Main Library building and the former YMCA building; and declaring an emergency. The library board has submitted plans for review by various City Boards, Commissions and permitting authorities for expansion of the Main Library facility. The plans for the expansion have been approved by our City Planning Commission. They have not yet received necessary approval by the Architectural Board of Review and other boards as well as the permits required by the Building Department. The proposed expansion includes a bridge/ walkway over Lee Road and the library as part of the process has asked Council for approval of the use of the space within and over the City's right of way over Lee Road for the purpose of the bridge/ walkway connecting the two buildings con-

tingent upon approval by the other City Boards, Commissions and/or permitting authorities. Under Section 1, if approved, this ordinance would authorize the City Manager to enter into an agreement with regard to the things that I have just discussed to permit the library to construct and maintain a bridge/walkway (if it is approved and built) above Lee Road. Under Section 2, this ordinance would conform with the draft agreement which presently is on file with the Clerk of Council, and among other things, that agreement would include provisions that the project shall be contingent upon the library receiving all required approvals from the City's Boards and Commissions and other necessary permitting authorities, and that construction of the bridge/walkway be substantially commenced within eighteen (18) months of the date of this agreement as authorized in the legislation. The agreement provides that the bridge/walkway shall not impede traffic or other users of the right of way and shall contain the appropriate indemnity, maintenance and insurance provisions deemed necessary by the Director of Law and City Manager, and approved as to form by the Director of Law.

This is the second reading and the second time that substantial members of the public have come out to voice their opinions. The first time, which was a couple weeks ago, at the end of that process the public voiced its opinions. I did indicate that I would give some explanation of the legislation when it came up in committee for the committee report and at that point approximately 99% of the public exited the room - which is par for the course. So, I won't beat you over the head with this, but I'd like to quickly summarize some of the thoughts on this because we've heard some of them already from some of your comments. First of all, this legislation does not interfere with or take away any rights or any responsibilities more importantly from the Architectural Board of Review, and certainly from our building department in the permitting process. It is very important to understand that all aspects that are within the Architectural Board of Review's jurisdiction remain with them. This is a group of three independent citizens of Cleveland Heights, as though there were any other type of citizen found in Cleveland Heights, and they certainly adhere to the highest standards of our architecture and have pursued that so far in this process. The City's consent to a right of way, if it is provided here, does not endorse the status of the project, it does not indicate that a bridge or walkway as presented thus far to the ABR is the appropriate part of the project nor does it endorse any other aspect of the project. Speaking for myself, I have complete confidence in the ABR to go forward and make its decision, independent of any outside influences. That's the way it should be in our form of government, starting with our confidence which we repose in the City Manager and in the other boards and commissions that also come forth from our Charter. I think I'll stop at this point and see if any other council people have any comments."

Mayor Kelley accepted Ordinance No. 29-2003(PD), Second Reading, As Amended, for passage.

Council Member Caplan commented, "I know that it's been frustrating for everyone, that it's taken such a long time to get the building of the library in its expansion and we're not even there yet. But I think that we're looking at a building and a center for this community in a different way than our community center - that it's going to last a very long time - 50 years, 75 years, and so a lot of thought and a lot of preparation up front really does make a difference and really will in the end have a better product. That's really what we want for the whole community. I see giving the air rights in many ways as tacit approval to having [the] walkway and I am in favor of that and not because I'm worried about the traffic. I am a little concerned about the weather. We do live in a northern climate. We had, I think, 49 snow events this year in Cleveland Heights. It was almost 100 inches of snow. I think trying to go from one building to another in the snow and cold weather is difficult and then we get the heat in the summer. But the bigger reason for having the connection is because it is a connection. It's a connection between programs. It's a way for people to move back and forth without the impediment of putting on a coat [and] going outside. It makes working from one side to the other almost seamless. I think this can be very creative. I hope that it's going to be creative. I hope it's going to be beautiful and I look forward to it being a very long wonderful addition to our community. Thank you."

Council Member Dietrich added, "I want to say a little comment about this. I do believe in public process and I also want to say that I know and respect and like many of the people who are opposed to this walkway. But I feel like there has been so much public process. To the point - people have been listened to, I feel, to the point where a design consultant was hired, partly with city money. I don't want to postpone it any longer. I don't think that the public process of this has progressed lately and that I don't feel that the people that are opposed to the walkway have spoken with one voice about what they want. The other part of that is that I have great trust in our Architectural Board of Review and I think that they will make a good design decision. Something that you may not know is that we do surveys. We give a survey to everybody who appears before certain boards like the BZA, Planning, ABR. The surveys that come back from residents who've gone before the ABR are stunning. The ABR is so highly thought of by the people that appear before it and the adjectives that come back to describe them are like, 'highly qualified, professional, helpful'. I just think that they will be able to do their job on this just as well as they've been doing it with all those people who have answered the survey so positively. As for the term that this is a monument to unsafe streets. There are plans, and they are in the future, and they are still unformed, but for Lee Road to be redone from Silsby to Fairmount and traffic calming, will be a major part of that. Increase in traffic is everywhere and I don't think by us doing this walkway we're renegeing on our responsibility to have our roads be safe. I think that the opportunity for collaboration between the library and the Heights Arts Collaborative and the Heights Parent Center and Dobama is simply an opportunity that we cannot let slip by and I'm afraid that we will. I think the campus-type configuration will provide wonderful programming for the cit and it seems to be exactly what people were asking for in the visioning process. I certainly remember our extreme frustration over the months and months that the community center was lingering in the Planning Commission and I think that also came down to a matter of balancing the pros and cons. That, 'yes', that building is huge. But what goes on inside is so worth it for us as a community and I think the same thing will be true of the library and the Y once they're together, so I am all for this."

Council Member Wilcox stated, "Thank you. When 72% of the voters approved the library's vision for an expanded library and a cultural arts complex there was no final architectural design for the project. This is no different than when the city voters approved the new community center. That is because the voters did not go to the poles to approve a specific design but rather to support a concept and a vision. While I realize approval of the air rights is the first step the city has taken to approve that concept, it is an important step. Also, I recognize that the ABR and the Board of Zoning Appeals still have work to do in reviewing this project and the library board itself has to proceed with the design phase in an expeditious fashion so the construction can begin as early as possible. I hope this clear message of Council will be the impetuous needed to finally move this project forward. While I recognize some in the community may not support the idea of a walkway at all, I am sure that with all the talented people working on this project the final design will be of the quality the community expects. I want to also assure to everyone that is concerned about safety, the city will do everything it can to address any perceived or real safety issues on Lee Road related to this project.

Finally, I believe this is an important project for the city. The visioning committee recognized it as such in its report to council. When completed this project will provide an unique and exciting gathering place both as a library and cultural and arts center which will bring our entire community together from children to seniors. It will be another one of those tremendous assets which make our community a desirable place to live."

Council Member Evans added, "I just wanted to reiterate what I believe Nancy said, and that has to do with the traffic concerns on Lee Road. I'm sure many of you know that has been a concern of the council for probably ten years, we've been discussing it. We've had other groups come in and try to help us through that and try to figure out what we can do to calm the traffic down on Lee Road. That'll

be an ongoing process and hopefully sometime before the next year we will have the answer to that. So, having a walkway over Lee Road will in no way negate what needs to be done for these streets. As we all know, it's a cross street. A lot of people use that street. There are a lot more cars out these days and there are a lot of people that have a need to come through the City of Cleveland Heights and that is one of the main streets in which they can go through Cleveland Heights."

Council Member Hicks said, "I don't want to seem like the only one not voting for this because that never happens --"

Mayor Kelley jokingly added, "Let me refresh your memory."

Council Member Hicks continued, "I will be voting for this. I like the bridge idea. I'm not an architect and I guess it's good that I'm not and I don't have a say in that because I probably would have approved the first design, but I too have confidence in our Architectural Board of Review. I'm not as confident or as encouraged as Council Member Wilcox is because I don't believe that whatever is the final design will be something that everyone likes. The community center that Councilwoman Caplan talked about during her report, that is used so well and everyone loves - but there were people that hated that design at the end and were wondering what were those two round turrets out of the end of the center. We got through that. People may have grown to like it, but nothing is ever something that everyone will like or love and that is just the world we live in. Thank you."

Mayor Kelley added, "Let me say, that I'm definitely voting for this but let me tell you how we got here today. A few weeks back Steve Wood in his capacity as the Director of the Library made a phone call to me and asked me how City Council could consider the air rights issue? I told him I would bring it up to Council and told him that in order for us to consider this he had to officially ask for it, which he did. That is how it got on our agenda and that's how it got on our docket and that's how things are done around here. No special favors - no special interests - Steve followed the proper procedure and my guess is he acted on behalf of his board. So, that's why it's on our agenda and that's why we're considering it. It was done in a proper fashion in a proper way. So that's why it is here. It was done in two readings. It wasn't rushed through or passed through or anything special. It was done the same way everything else got through. As a matter of fact, maybe it was done a little extra, because it took two readings instead of one, because about 97% of things come here through one reading. It took a little bit longer.

Furthermore, I did work with the PDQ folks this summer. I sat down with two members of the PDQ folks and I said to them at a breakfast meeting at Tommy's, 'What really needs to happen from your point of view?' They said, 'Please get Steve Wood to hire a design architect to move the project forward.' Not only did I work with Steve to make that happen, the city stepped up to bat and it's paying for half the fee of the design architect. So, we have been involved in moving this forward. So, certainly tonight, we are working with the library board and the library folks and whether the PDQ folks want to admit it or not, we were working with them also to move this forward, to get a design architect on board and we are anteing it up to the tune of up to \$25,000 of city funds to make this project better. And we think it can be better. It's about more than the bridge, it's about doing something right for our community [and] have something that sets us apart from every other community in the State of Ohio and elsewhere. This is a vision that makes our community better than every other community around and I'm proud of that and I'm proud of Steve's vision. I'm proud of the library boards' sticking with this, in the view of unbelievable pressure, phone calls, e-mails, you're doing this wrong, you're doing that wrong, getting battered in a job that you volunteered for (a seven year commitment) wow - that's a lot, but you should be applauded for doing this and moving it forward and I'm proud to be the Mayor. To incorporate Dobama, the Heights Arts Collaborative, the Heights Parent Center, that cer-

tainly is visionary. Most libraries, in Strongsville (I hate to mention cities without getting into trouble. Ed, don't quote me, please, I have friends that are mayors in these towns.) Solon, Westlake, they don't think of these things. But, that's what makes Cleveland Heights such a special place, why we all live here, why we all stay here, why we raise our families here, why we work here, why we retire here, why we want more empty nester housing or senior housing as Eileen Beal says - this is what separates us from all these other cities and why we want to stay here. Sure we've had a battle over this - some of us. But it is a better project, it will be a better project. Our community center, if you have any doubts of why our community is so great, go to our community center any day of the week and see what happens there: young and old, male and female, black and white, Catholic, Jewish, Baptist, whatever, playing together, doing things together, cooperating together, seniors with young kids, our intergenerational garden, playing together, working out together, everything happens at our community center. And that gave me a lot of gray hairs, it gave Ken a lot of gray hairs, too, but some of them I think you had before. It was great. Certainly, we're supporting the air rights and it came to us in a proper fashion. Mr. Wood, as the library director, made a request verbally and then officially in writing and if anybody wants to find the letter, it's addressed to Mr. Downey and was done way before this process and it was done right. I'm proud to vote for this and move it forward. I have all the confidence in the world of our ABR and I have all the confidence in Tony Carbone and our building staff in following the letter of the law and this will be one fantastic project for what did you say, Bonnie, fifty years/seventy-five years, this is going to be a great project. I don't care if 50% plus one person voted for it, the people have spoken. It's time to move on. Let's get it on and get it done."

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

Nays:

Resolution passed

Vice Mayor Montlack continued, "The second piece of legislation is Resolution No. 43-2003(PD), authorizing the City Manager to enter into an agreement with DeSota Berkeley Improvement, Inc. for a loan under the City's Commercial Revolving Loan Fund Program and a rebate grant under the Storefront Renovation Program; and declaring an emergency.

This applies to a parcel in a site that is sometimes called the Cain Park District at a point where several roads converge with Euclid Heights Boulevard somewhat close to Lee Road. It is occupied by a synagogue at this point and there have been plans formulated to take a portion of this site under completely secular operation and to renovate and upgrade that portion and thereby provide a new and revitalized anchor to the community.

The group that has stepped forward, DeSota Berkeley Improvement, Inc. has applied to the City for a loan under the City's Commercial Revolving Loan Fund Program, one of the block grant funded programs that is involved in this legislation. They have also applied for a rebate grant under the Storefront Renovation Program to assist in the renovation of the commercial property located at 3246 DeSota Avenue. The project will eliminate a blighted condition in the Cain Park Village Neighborhood. This Council is determined that making the requested loan and grant would be consistent with both of those programs and would be in the City's best interest. I would add to that personally that we have over several years spent a great amount of our city's resources including our personnel, focused on this neighborhood, on the streets of DeSota, Altamont, Beechwood, because these are streets with some housing that has been problem housing and we've gained a lot in the last few years. We've improved the neighborhood but we're only in the middle of the process. Under this legislation, which reflects the excellent work of our staff here, is authorizing the City Manger to enter into an agreement with DeSota Berkeley Improvement, Inc. for a loan under the City's Commercial Revolving Loan Fund Program and a rebate grant under the City's Storefront Renovation Program for that site. The Commercial Revolving

Loan shall be One Hundred Sixty-five Thousand Dollars (\$165,000.00), with interest and payments as follows: (i) One Hundred Thousand Dollars (\$100,000.00) of the Loan shall bear interest at a rate of two and one-half percent (2.5%) and shall be repayable in monthly payments of Four Hundred Forty-nine Dollars (\$449.00), with the first three years deferred, and a balloon payment (that is all the amounts of principal and interest that has not been paid up to that point) of Forty-five Thousand One Hundred Twenty-seven Dollars (\$45,127.00) due in Year Fifteen; and (ii) the remaining Sixty-five Thousand Dollars (\$65,000.0) of the Loan shall bear no interest and shall be payable in a balloon payment in Year Fifteen. The Loan shall be secured by a second position on the building and shall be contingent upon the submission of a landscaping plan for the property and its approval by the Director of the Department of Planning and Development. Now for the other part, the rebate grant under the Storefront Renovation Program, will be Twenty-five Thousand Dollars (\$25,000.00) with the terms of the Program as outlined in Resolution No. 20-2003. Notice of this resolution is given and this resolution in on for passage for tonight, Resolution No. 43-2003(PD).

I would like to make just a few additional comments and I mean just a very few. Preservation and revitalization of this site is so very important that the use of our block grant funds in my opinion is warranted to compliment the other city vitalization efforts in the neighborhood. The use of the funds and the purposes envisioned by those funds will be entirely secular. They will not go for any religious purpose and in the process of planning, assuming all the other pieces fall into place, you have to have certain kinds of agreements that involve the present owners of the site and folks who are interested in becoming owners. But in addition to all that, there will be good communication with the neighborhood and the neighbors to make sure that whatever is done here will be a win-win for everyone concerned.

Mayor Kelley accepted Resolution No. 43-2003(PD) for passage.

Council Member Caplan stated, "Thank you. For those people who don't know, we're lucky enough to get about two million dollars a year in federal dollars that we can use for block grants. Those dollars allow us to do some things in this community which are of a particular aid to the community that we couldn't do with operation-kind-of-dollars. As the state takes away money from local municipalities, as federal dollars and other ways start diminishing, finding dollars to do those things that are really necessary to keep a community viable become harder and harder to get hold of. Consequently, this two million dollars is very important to this entire community. We use it in a whole lot of programming. A lot of the people who are sitting here [tonight] represent organizations that get some of those dollars and it's really important. One of the things that we've done through the past several years has focused on this particular neighborhood in addition to others. On DeSota alone we have bought two houses. We have totally renovated them and because we believe that owner-occupied housing is better for a community, those houses were renovated - they're doubles. One had a third floor and we made that third floor into a loft, so it could not have three different families living in it anymore and we sold both of those houses to owner-occupants. We have invested an enormous amount of money at Euclid Heights and Lee which abuts this property. We need to continue to invest in this community and we need to invest in this particular site and I think this is just another part of the puzzle that keeps this particular area moving upward from where it had kind of fallen a few years ago. So every year we see various kinds of improvements, on how the lawns look, how the quality of behavior is in the neighborhood, and this is just another piece of the puzzle and I think it is our responsibility as well as having the ability to take care of another part of this neighborhood. I think this is really good legislatin and I'm really happy that another organization is looking at coming into this and will bring new energy and new enthusiasm to this part of the community. Thank you."

Council Member Hicks stated, "Thank you, your Honor. I want to first say that I will be voting for this legislation. I want to commend our planning and development staff for their outstanding work

with coming up with a way to help this religious institution by finding out that if a wholly secular, 'wholly', the w - h - o - l - l - y secular entity or institution was within the religious institution, that there would be a way to give block grant dollars. I think that the ingenuity behind in bringing commercial within residential neighborhoods will be something that we need to look at, and look at on a case by case basis. But I think, that as a precedent, it will be interesting to see how these guidelines that were developed for this particular project can be used for other religious institutions or other projects that involve religious institutions that might have wholly secular institutions within it. Thank you, your Honor."

Vice Mayor Montlack stated, "I want to add – just to make sure we're all clear. My approach on this is a little bit different in that I'm not looking - I'm not on a mission (you should excuse the expression) to see how funds can be used right up to the line, in terms of activities of a religious group. My focus is on the neighborhood and the particular opportunities that are presented in this case for a strong anchor for the neighborhood and it is beyond the staff-generated guidelines on the use of block grant funds in situations like this that I really focus and looking always at what are the best uses for the block grant funds. Because, these are by definition, like all our other funds, scarcity sources. So when you have scarce sources, the issue usually isn't, 'Is this a good project?' Because, you're usually faced with twenty potentially good projects and you have to decide, 'Now where are you going to put these scarce resources? Which of those projects makes the most sense?' Every time you make a decision, you're by definition, second guessing yourself because some other project is going to come down the pike and you may vote yes or no as one resident I hope sarcastically put it, 'that's what we get paid the big bucks for'. Thank you."

Council Member Hicks stated, "Thank you. It has to be clear that we can't look at one particular instance or neighborhood and create a program when there are equally viable projects in neighborhoods that could use the same type of dollars and so I really hope that when we are voting for this, that we are not voting just for a project, we are creating a process that other people will be able to use. That is what I'm hoping happens."

Council Member Evans stated, "I think it's important for us to realize that it's really important for a built-out older community, such as this, to utilize creativity so that we can enhance certain areas and continue to grow in a way that's certainly different than new communities are able to grow."

Mayor Kelley added, "I notice that there are some members of the DeSota Berkeley Improvement Corporation that are here tonight. I want to remind you of our discussions about improving the landscaping here. I would like to see a generous landscaping plan and as we talked, hopefully having something in there in the fall because it does need some landscaping. I know you have a lot of other things on your plate, but landscaping would send a clear message to the community that something new and vibrant is here and again that would send a great message to the community over there. There has been a lot done by the city and by the schools. I don't want to forget what Boulevard has done to dramatically improve [the area] over there and has spent a lot of money. So, as our conversations have centered around the landscaping (I know you do have a landscape architect as part of your congregation) I'd love to see you follow through on our discussions that we've had, at least with the plan and something in the fall - I'd love to see that."

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

Nays:

Resolution passed

REPORT OF THE MAYOR

Mayor Kelley stated, "I'd like to announce my two selections to the Housing Council appointments. They will be Diana Woodbridge, who is the executive director of the Home Repair Resource Center and to my right, Councilman Dennis Wilcox. I would like you two to serve and I would like to announce that the Planning Commission, in its wisdom, has appointed Russell Baron to serve on that Council. Those five people will serve on the Housing Council.

I, too, would like to congratulate our boys basketball team, our men's basketball for a certainly exciting season. I feel two more wins are right around the corner, come Friday night and Saturday night in Columbus and I certainly think they'll meet the 8th best team, Brookhaven, in the final game in Columbus and beat their collective tails and bring home another state championship to our great city and we look forward to bringing them to Council, win, lose or draw to honor them for a great season and obviously we will be honoring Coach Cappelletti for his 500th victory, but we figure we'll wait till it's 507 or 508 - for his winning this second state championship.

I, too, want to announce that great Reaching Heights benefit which will be next Monday night at 7:30 p.m. Great tickets are still available at \$10.00 and \$20.00. You can call Severance Hall box office at area code 216-231-1111 and if you want information about the benefit dinner, please contact Reaching Heights' directly at 216-932-5110.

Our next meeting will be Monday, April 7, 2003. Thank you for coming. Good luck to our friends and family at the library as you move forward through the process. Thank you for coming. We are adjourned at 9:09 p.m."

Respectfully submitted,

Edward J. Kelley, Mayor
President of Council

Thomas K. Malone
Clerk of Council

/mwc