



# CLEVELAND HEIGHTS

## MINUTES OF THE CITY COUNCIL MEETING OF MONDAY, APRIL 17, 2006

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 4:00 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, Steigerwald, Wagner, Wong

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

Council Member Wilcox moved to adjourn into Executive Session at 4:12 p.m. Second by Vice Mayor Montlack.

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, Steigerwald, Tomaro, Wagner, Wong

Topic of discussion real estate acquisition and development.

Executive Session concluded at 6:00 p.m. and resumed into Committee of the Whole at 6:30 p.m., adjourning at 7:23 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:30 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

The minutes of the Regular Council Meeting held Monday, April 3, 2006 were signed by Mayor Kelley along with the ordinances and resolutions passed at that meeting.

Peggy Spaeth stated, "Thank you, Mayor Kelley, for inviting us back to appoint a new poet laureate for Cleveland Heights. The process, which is our second year, and the process that we embarked on was we have a poet laureate selection committee that Heights Arts facilitates and the chair person of the committee is Cleveland Heights poet Kelly Harris. Other members of the committee are John Panza, Bunny Breslin who is here tonight and is a Heights Arts Board Member, Carol Wallencheck, who is also here and is a Heights Arts Board Member and our outgoing poet laureate Meredith Holmes is also on the committee. The committee reviewed poetry by several local poets and then selected three poets to be the finalists. We invited those three finalists to come and meet with the committee and have a conversation and read their poetry and then the committee selected our new poet laureate which I'm going to let Meredith introduce. But, first before we do that, I wanted to thank you, Mayor Kelley, because you've been so supportive not only of the poet laureate project, but of the Sculpture in the Heights project and neither one of those projects would have happened if you didn't facilitate us, you know if you didn't support us, so it's a good case, if you weren't here it wouldn't have happened, so thank you."

Mayor Kelley replied, "Thank you. Thank you for building up my ego."

Ms. Spaeth continued, "And also today, some of you might have noticed we filled the lobby for the sixth year in a row with art from the Cleveland Heights-University Heights public schools - over 300 pieces of art that we hung and sadly it will be our last year because Susanna tells me that you're going to put up new wallcovering, but, I said, "That's okay because next year, hopefully, we'll hang the art in our new space at the library."

"Before I turn this over to Meredith Holmes to give her outgoing poem, I just wanted to speak about Meredith and this is a note that we're writing to her and here you are and with a small gift from Mac's Backs. Meredith, you were such a perfect person to serve as Cleveland Heights' first poet laureate. You were flexible, adventurous, patient and eager. Thank you for your bravery where no woman has gone before. Most importantly, you are a fine poet of whom we are all proud. Your poetry truly did enrich each occasion as which you read. Lastly, Heights Arts also appreciates your generosity in forfeiting half of the poet laureate's stipend. So, on behalf of Heights Arts Board of Trustees, the poet laureate committee and all of your new fans, we thank you."

Meredith Holmes responded, "Thank you. The adventure, she must have been talking about that slam I went to at Studio You. It's really been an honor and a pleasure to serve as the poet laureate of Cleveland Heights. It's been a great thing for me as a writer and I hope it's been good for Cleveland Heights. I think it has. But, I thought city council might be especially interested in hearing a conversation that a co-worker told me about recently. She was in a group of people who are all at that age where they're buying their first homes and they were talking about what city, where should we go - east side or west side - and she said that one person spoke up and said, "Well, why not buy in Cleveland Heights? Who wouldn't want to live in a town that had a poet laureate?" Before I introduce Loren, I'd like to read my last poem that I composed for this occasion, called "Interval."

The watch has wound down,  
It's slender golden fingers, finally still,  
waiting for us to set the time,  
with fleshy thumb and index,  
to begin again.

We invited and polished  
and set cookies on gaudy plates.  
We greeted and enjoyed.  
But now - as we knew  
from the beginning they must -

friends file out the door  
buttoning their coats  
and declaring their intentions  
for the coming season:

Take long walks at night,  
work in the garden  
see more of each other.

Winter's pale and chilly term is done  
and April has won the day  
chasing us toward forsythia,  
mud, and heartbreak.

But still, we'll step eagerly  
into our seats at the bottom  
of the Ferris wheel  
and rising clockwise,  
in our gently swaying cups  
we'll see the park below -  
opulent greenery, children's  
white shoes, flashing  
the odd escaping kite  
all as if for the very first time.

"Thank you. And now I give you Loren Weiss, the next poet laureate of Cleveland Heights. I think you are in very good hands. He is, what I think is an ideal combination, a fairly new poet and a very mature person. Thank you."

Mr. Weiss spoke, "Thank you. Meredith, you're a very tough act to follow and I just hope that we're not all disappointed. I won't be. I'm going to have fun. I love to look out and see happy smiling faces. I guess I've been around a few years. I first started writing maybe fifty years ago, stopped for a number of years and started again about five or six years ago. Here's what I have to say about, "Heights of Achievement".

Up above the lake filled in  
by melting glaciers  
thirty thousand years ago,

our Heights start to climb,  
from atop first rise  
of Allegheny mountains.

Home to over two thousand of  
the finest medical talents on earth.

How many lives will they heal  
when they travel down  
Cedar Hill and Mayfield tomorrow?

Forty-two world renown musicians  
live here, practice, hone their gifts.

Their sound alive in our neighborhoods,  
forecast pleasure to be heard later  
at Severance Hall.

Heights Arts, now celebrates  
our artists at 2163 Lee Road,  
poets' spoken words on verbal pedestals,  
share feelings there in open mic.

Some drink black coffee, write their stuff  
next door at Starbucks, unaware  
Mister Weingberger sat there  
at his drug store register,  
dispensing penny candy to me,  
real Cuban cigars to Uncle Charlie.

Bright new glass, stone, wood, and  
structures clothed still in dry wall,  
spring up in our city everywhere,  
take in rich and diverse talent,  
reach upward. . .  
take us to new heights."

Mayor Kelley added, "Meredith, on behalf of City Council I want to thank you for what was a real exciting year that started in this room and finished for you in this room and a lot of nice stops in between. You really made our city special and different from the other cities and we really want to appreciate you for a great year.

"Mr. Weiss, you've been in this room before to challenge a project or two and I think you were always on the right side because I think you and I had a few discussions. Would you like to introduce your wife who is here with you tonight?"

Mr. Weiss introduced his wife, Lita.

Mayor Kelley continued, "Mr. Weiss, we have a great year ahead of us. I know you'll be with us on Recognition Night at Cain Park in June to welcome the 700-800 people that are our special volunteers. I look forward to seeing you again and again, but this is an exciting thing. It's one more thing that makes our city special. Peggy, thank you for having the vision to do this and our art exhibit outside and what you do to make this a special city. But it's great to have you. Meredith, this is goodbye, but it's really not goodbye because you do live in the city. I'm sure I'll see you on a number

of events, but this is just one more thing that makes our city such a special place to live, to visit, to come and be entertained in. Thank you. Mr. Weiss, you have a great year ahead of you and hopefully~"

Mr. Weiss inquired when Recognition Night was.

Mayor Kelley answered, "June 25th. It's a Sunday night at Cain Park and the crowd will be about fifteen times the size of this crowd here. I loved your poem. Meredith, I loved your poems, too. I understand you went to the school board and some other places, and they enjoyed your entertainment also. But, thank you for a great year. If you'd like, we're going to go on with our business. You don't have to stick around. I didn't mean everybody could leave, but thank you for an exciting year and Mr. Weiss, we look forward to having more. Thank you."

#### **REPORT OF THE CITY MANAGER**

Mr. Downey stated, "Thank you very much, your Honor. I have just one item this evening to make a matter of record. In accordance with Section 179.03 of the Codified Ordinances of the City of Cleveland Heights, I have given notice to the Clerk that the following bank has been designated as a depository of the City's active deposits and that bank would be Charter One Bank. This designation shall commence immediately and end September 30, 2006, when all of the other designations end as well. We'll be back for a complete review at that time again, your Honor."

Mayor Kelley made it a matter of record.

#### **REPORT OF THE DIRECTOR OF FINANCE/CLERK OF COUNCIL**

Mr. Malone stated, "Thank you, your Honor. I need to notify Council that two notices have been received from the Ohio Department of Liquor Control advising that applications have been made by the following: Erdo LLC., d.b.a. Felt Bar & Billiards, transfer D1, D2, D3, D3A and D6 permits from 2261 DLP Limited, d.b.a. Felt Bar & Billiards, 1st Floor & Basement & Patio, premises 2261-63 Lee Road, 44118; and, Fairmount Martini & Wine Bar Ltd., d.b.a. Fairmount Martini & Wine Bar, 1st Floor Unit 2 & Patio, stock transfer D1, D2, D3, D3A and D6 permits, premises 2448-50 Fairmount Boulevard, 44106. Your Honor, I need to make these a matter of record."

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

#### **REPORT OF THE FINANCE COMMITTEE**

Vice Mayor Montlack stated, "Thank you, your Honor. There is one piece of legislation from this committee. It is Resolution No. 35-2006(F), authorizing a renewal of an agreement with Lexis-Nexis Group, a division of Reed Elsevier, Inc., for LEXIS on-line location services for the Finance Department; providing compensation therefor; and declaring an emergency. Lexis-Nexis Group now provides on-line location services for the City's Finance Department. Those services have been provided in good fashion according to the Finance Department and therefore merits renewal of the agreement. Therefore, under Section 1, the City Manager is authorized to enter into a renewal of an agreement with Lexis-Nexis Group, for the provision of such services at fees not to exceed Three Hundred Seventy-five Dollars (\$375.00) per month. Resolution No. 35-2006(F) is presented for first reading for passage tonight."

Mayor Kelley accepted Resolution No. 35-2006(F).

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

Nays: None

**Resolution passed**

Vice Mayor Montlack added, "Thank you. Within a couple of weeks, at least by the time most of you are maybe watching a tape of this program, there will be a primary election in Ohio. That primary day is Tuesday, May 2nd. In many, if not most of the contests, the election for state and county and federal offices will be decided through the primary. It will be at that election that the real contest will be decided, in many cases, especially in most of our cities around here because most cities are either predominantly - or most districts are predominantly democratic or predominantly republican. Not in most cases, but in many. So, therefore, the primary election is the time to make that decision. In effect, this is the time when offices and office holders on the state and federal level, that is certainly including Congress, receive their proficiency tests from the voters. It is the time when you may want to ask yourself are you satisfied with the direction that our nation is heading? Are you satisfied with the decisions made in Congress and by the national leaders? Are you satisfied with the decisions and the policies that are made on the state level, in the general assembly and in the governor's office? That will be of some motivation as to whether you may want to or at least bestir yourselves enough to go cast votes in the primary election. And so you have to ask yourself, in addition to people you may have heard, talking heads on your municipal access channel, railing against policies and practices that are claimed to be extremely harmful to this city, to your community, and to other places like ours. In addition to all of that, who has the ability, the will, the knowledge, the experience and especially the courage to fight for needed changes - sometimes against all odds in these state and federal elections. I hope that whatever your answers are, you will get yourself to the voting places, the polling places for primary. If you have questions, ask your neighbors, do some reading. If you trust some of us up here, call your council people. They may be able to give you some answers. I can tell you that the First Suburbs Consortium recently sent out and received back responses to questionnaires regarding important state policies. We have copies of those and perhaps some other means of answering your questions. Whatever the questions are you ask, whatever your conclusions are, vote in this very important primary election. That concludes this report."

**REPORT OF THE MUNICIPAL SERVICES COMMITTEE**

Council Member Caplan stated, "Thank you. I have one piece of legislation and this Resolution No. 36-2006(MS), authorizing the City Manager to enter into an agreement with WPS Energy Services, Inc. for the continued provision of natural gas services to Cleveland Heights residents and businesses under the City's Gas Aggregation Program; and declaring an emergency. At the November, 2001 election, Cleveland Heights voters authorized the City to establish a Gas Aggregation Program under which the City would offer, through contract with a supplier, natural gas services to the City's residents and businesses at discounted rates. After soliciting and reviewing proposals from potential provider sources, this Council determined to award a contract to WPS Energy Services, Inc. for the provision of natural gas services. By Resolution No. 91-2004, this Council authorized the renewal of the agreement with WPS Energy Services, Inc. for an additional two year term ending October, 2006. It would be in the best interest of the City and its residents to renew the agreement with WPS Energy Services, Inc. for an additional two year term commencing October, 2006. Therefore, be it resolved by this Council that the City Manager is authorized to enter into a Natural Gas Aggregation Supply Agreement with WPS Energy Services, Inc. substantially in conformance with the proposal on file with the Clerk of Council. The Agreement shall be for a period of two years and shall provide for both an annual rate and a variable rate program. The annual rate program shall be based upon a price established by a formula utilizing the NYMEX price at a given point in time agreed to by the City plus an "adder" of \$1.355 per MCF. It is the intent of the program to offer natural gas services to Cleveland Heights residents at discounted rates and, therefore, if the price established by the formula for the second year exceeds the average price for gas services by Dominion during the preceding year, the Agreement will be renegotiated. The program shall be on an "opt out" basis. There shall be no administrative costs. The program shall be offered at no additional charge to

persons moving into the City of Cleveland Heights during the program even though they are outside the “opt out” window, and there shall be no additional charge for persons who move to another residence or location within Cleveland Heights during the program. So you can move and still take that program with you.

Notice of passage shall be given and this Resolution shall be declared an emergency for passage tonight.

“Before we vote on it, I just want you to know that Cleveland Heights has had a rate that’s been significantly less than any of the other aggregated prices for other groups in Ohio. We’ve done really quite well and the variable has done particularly well, but that’s always a little risk.

“I offer Resolution No. 36-2006(MS) for passage tonight.”

Mayor Kelley accepted Resolution No. 36-2006(MS).

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

Nays: None                    **Resolution passed**

Council Member Caplan continued, “Thank you. I have a couple of little announcements. One is that Cleveland Heights has been named Tree City USA. Cleveland Heights has been named Tree City USA by the National Arbor Day Foundation to honor its commitment to community forest. It is the 28th year that we have received this national recognition and next week we will be celebrating Arbor Day and inviting children to participate with us. And so for 28 years (no wonder we’re called the City of Trees in addition to being called the City of the Arts) that’s really great. I’m pleased that we do that.

“In addition to the trees getting leaves and us being a tree city and the flowers are starting to come up and we’re really looking rather beautiful in Cleveland Heights, those orange barrels are also popping up. So, I want you to pay attention to the route you take because you may want to re-route how you go, where you go, because Fairmount Boulevard is being resurfaced. It is now one-lane in each direction on one side of the street, so you can’t go the way you’ve been going. It’s only one side of the street is workable. You may want to find a different way to get around. Euclid Heights Boulevard next week will also begin. You can only go west, you cannot go east between some streets, Superior Road to Berkeley. It’s sort of a nuisance, so find another way to go too. Mayfield Road is open. You’ll see yellow signs and orange barrels in a variety of other places, because we’ll also begin our street resurfacing program. It’s a sign that we’re taking care of our infrastructure and it’s really important that we do that.

“The only other comment I want to make - I always talk about recycling. Noble School was the proud recipient of the - recycling folks went to Noble School this past week and talked to the students about how to recycle and how important it is to care about our land, about our ecology, about our environment and so I encourage you to think about that too. We pick up your recycling materials on the curb. Please put some of that junk mail into a paper bag and put it out and don’t forget to recycle all of your cans and your bottles. That’s all I have. Thank you.”

#### **REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

Council Member Wilcox stated, “Thank you, your Honor. There are two resolutions from this committee tonight. The first one is Resolution No. 37-2006(PD), declaring this Council’s strong opposition to the Communication, Opportunity, Promotion, and Enhancement Act of 2006 (“COPE”); and

declaring an emergency. The United States House of Representatives Committee on Energy and Commerce has before it this bill and is expected to vote on the Bill during the week of April 24th. In its present form this bill would nationalize franchising of video/cable service, preempt local oversight of the public rights-of-way, abolish local enforcement and audit authority without providing sufficient enforcement and audit authority to any other government agency, and substantially diminish requirements for universal service. Further encroachment on local authority to monitor and regulate video/cable service providers using the City's rights-of-way is not in the best interest of the City or its residents and is strongly opposed by Council. Section 1 of this Resolution provides that Council hereby declares its strong opposition to the Communications, Opportunity, Promotion, and Enhancement Act of 2006 ("COPE") presently before the United States House of Representatives Committee on Energy and Commerce in its present form and to any other legislation which would further erode local government control of the use of the City's rights-of-way by video/cable service providers and negatively impact video/cable services provided to the City's residents. Section 2 of this Resolution, provides that the Clerk of Council is directed to forward copies of this legislation to Congressional Representatives Joe Barton and Michael Bilirakis, Chair and Vice Chair of the House Committee on Energy and Commerce, Representatives Sherrod Brown, Paul E. Gillmor and Ted Strickland, Ohio members of the House Committee on Energy and Commerce, and Representative Stephanie Tubbs Jones. I offer Resolution No. 37-2006(PD) for passage tonight."

Mayor Kelley accepted Resolution No. 37-2006(PD).

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

Nays: None                    **Resolution passed**

Council Member Wilcox continued, "Thank you. Next I have Resolution No. 38-2006(PD), declaring May, 2006 as National Historic Preservation Month; and declaring an emergency. *Sustain America - Vision, Economics, and Preservation* is the theme for National Preservation Month 2006, co-sponsored by the City of Cleveland Heights and the National Trust for Historic Preservation.

"Obviously, Cleveland Heights is focused on historic preservation for many years and the City staff has been involved in a variety of projects that help the city to preserve and promote historic resources including assisting residents in research their homes' history, entering original permit data into a database, providing on-site rehabilitation advice, working with businesses throughout the City's Storefront Renovation Loan program. City staff has also worked with many interested parties to assure that the locally landmarked David Berger Memorial at the Jewish Community Center was carefully relocated before the development occurred. The City has also continued dedication to promoting the City's history, architecture and historic preservation through a partnership with the Cleveland Restoration Society to administer the Heritage Home Loan program. It also continues to operate the Historic Center at Superior Schoolhouse. The Landmark Commission has named the Abeyton Realty Corporation-Forest Hill real estate office as a Cleveland Heights Landmark; and presented an award to David P. and Elizabeth A. Shriver for a sensitive addition to their historic home. In the last several years, the City has organized and co-sponsored Schoolhouse lecture series, focusing on promoting Cleveland Heights' rich history and architecture. There is a series of those coming up in April and May including April 27, the *Cleveland Heights' History and Architecture*, May 11, 2006 - *Paint Your Home*, May 31, 2006 - *Researching Your Home's History*, and June 15, 2006 - *Maintenance and Repair of Your Home*. Section 1 of this Resolution provides the Council does hereby proclaim May, 2006 as National Historic Preservation Month, and calls upon the residents of the City to join their fellow citizens across the United States in recognizing and participating in this special observance. I offer Resolution No. 38-2006(PD) on first reading for passage."

Mayor Kelley accepted Resolution No. 38-2006(PD).

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

Nays: None                    **Resolution passed**

Council Member Wilcox continued, "Next, I had a couple comments. The first one I just wanted to echo Vice Mayor Montlack's comments about the importance of voting in the election on May 2nd and I'm always amazed how little turnout we have in this country. We value our freedom, but sometimes we don't want to exercise it.

"I did have another comment to make and this is in response to an article that was in the Sun Press last week regarding a meeting between this Council and our school board concerning the closing of an elementary school in the district. The article seemed to imply that Council had not been engaged in the process and stated that Council in quote, "Needed to be brought up to speed". Nothing could be further from the truth. The article mentions various meetings at which not all of Council attended. For the record, council members, many times along with city staff, have attended numerous public meetings about the elementary school closing including all of the ones that were mentioned in the article. There were also public meetings which council members attended which were not attended by the Sun Press. And here's a news flash, council members report back to the rest of the council about these meetings and council actually discusses these matters at our meetings. In fact, it was because of our engagement in the process and more importantly, because of numerous questions raised by our residents about the process that we felt the meeting with the school board was in order. Although the slant of the article was that council was directing the board to close a particular school, again, this couldn't be further from the truth. Council simply was expressing the concerns of its residents about the process, not directing the final decision. Significantly, the Sun Press quoted one of the school board members at the meeting as saying in quote, "It was pretty obvious that Gearity was not on the table". Then why did the board on March 16th post on its website, along with the community questionnaire the following statement, and I quote, "No decisions about which school will be closed or about boundaries had been made yet." Which statement is true? Our residents deserve to know what schools are on or off the table. Our residents need to be informed about how decisions will be made before they are made. An adverse article in the Sun Press won't stop this Council from continuing to protect the interests of our citizens and to speak out when we need to. That concludes my report."

#### **REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE**

Council Member Evans stated, "Thank you, your Honor. Nuisance abatement is the topic of the next two resolutions. Each of the properties in question has not been maintained for a number of years and both are in a severe state of disrepair. The City Manager and the Certified Building Official have reported that the owners of each of these properties have been cited by the Housing Inspection Department for numerous housing code violations and over several years neither have made any progress toward correcting these violations. As many of you probably realize, we have resolutions that involve nuisance abatement numerous times during the year. We very often do have to spend considerable amount of money, but once the homes are sold a tax lien is placed on the home and the money does come back to the city. The first one this evening is Resolution No. 39-2006(PSH), declaring the proper at 2934 Hampshire Road to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency. I would like to submit Resolution No. 39-2006(PSH) for passage this evening."

Mayor Kelley accepted Resolution No. 39-2006(PSH).

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

Nays: None            **Resolution passed**

Council Member Evans continued, "We do have a picture of the property and I'm not sure the camera was able to pick it up.

"The next is Resolution No. 40-2006(PSH), and Bonnie will be holding a picture of that one. That is a Resolution, declaring the property at 1068 Nelaview Road to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency. I'd also like to submit Resolution No. 40-2006(PSH) for passage."

Mayor Kelley accepted Resolution No. 40-2006(PSH).

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

Nays: None            **Resolution passed**

Council Member Evans continued, "I'd certainly like to thank Councilman Wilcox for making an excellent and accurate presentation of what did transpire at the meeting between the school board and city council members and I hope that our residents will still maintain their concern about the issue and it certainly helps to keep us on our toes so that we know that you really want us to continue to watch out for your interests.

"There was an article in the April 9th edition of the Wall Street Journal that talked about mortgage fraud and this is something that all of us have to be aware of. If you hear of anyone who is in the process of going through a refinancing, etc., talk to them and alert them that Northeast Ohio is probably fifth of all the areas in the United States that has a large amount of mortgage fraud. That determination - those numbers came to us from the FBI so it would behoove all of us to be very much aware that this horrible thing, that people do to people, needs to stop and at least we can do our part by being aware and protecting ourselves and our neighbors. Thereby, it really is a protection for all of our properties and our property values.

"The other thing I'd like to talk about is that Thursday, May 4 at 7:00 here at City Hall the Housing Inspections Department is hosting a meeting. It's that time of year when the kickoff for the housing inspections, the systematic inspections, is going to occur and the area involved this year is south of Cedar and east of Lee. So we want all the residents that have questions to come out to that meeting at 7:00 in the evening. There will be a number of people here that will be available to answer any and all of your questions about your concerns. I certainly would like to continue to wish people a happy, happy week. It's still Passover and I'll see you in a couple weeks."

#### **REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE**

Council Member Tumeo stated, "Thank you, Mayor. I have no legislation tonight, just have a couple comments. First, I'd like to add my thanks to Councilman Wilcox for an excellent statement on the meeting and want to assure the members and citizens that we will continue to stand up for what we think and I for one will continue to attempt to speak truth, to power, even when it's a little bit uncomfortable.

"Second of all, I want to follow on with Vice Mayor Montlack's encouragement that you vote. Often we feel that it's not worth it, but it really does matter. I think my election in the face of running against an incumbent was an example that you can bring change if you get out and work at it. Secondly and I think more importantly, democracy is like a muscle. If it isn't used, it grows weak and eventually you won't be able to use it at all. So, get out there, exercise your muscle, strengthen our

democracy and vote for all the candidates of your choice. Thank you.”

### **REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE**

Council Member Dietrich stated, “Thank you. I have no legislation, but being April, there is a ton of stuff going on and so I am just going to run down about a half a dozen of the things that you can go to in the next couple of weeks if you have time between all the other things that you probably have to go to in the next couple of weeks. First of all, this Thursday, April 20th, the Youth Art Exhibit will begin downstairs in our atrium. Peggy Spaeth mentioned this earlier in the meeting. This is an exhibit of art done by students in the Cleveland Heights-University Heights public schools. The art exhibit will be here at City Hall from April 20th to May 5th. The first night on the 20th there will be an opening reception from 6:30 to 8:00. If you have a child in it or you just want to come and see the kind of artistic work that our public school students can do, join us in the atrium on the 20th.

“The next day, Friday, the 21st of April, Cain Park tickets go on sale. It doesn’t seem possible that it can be Cain Park season already but it’s coming up and this is the online ticket sale at Ticketmaster. So you can start doing that this coming Friday.

“The day after that, April 22nd, Saturday, being Earth Day, it’s also the Doan Brook Watershed Partnership cleanup. The Doan Brook Partnership is something that Cleveland Heights, Shaker Heights and Cleveland collaborate together on and it’s for the stewardship of the Doan Brook which you may know as Shaker Lakes. The cleanup starts at 9:00 a.m. Nine to noon, this Saturday and you can meet either at the Nature Center and/or at Rockefeller Park in Cleveland and there you’ll be given trash bags and other things that you need; gloves, to join in the pickup and there will be prizes at the end for the most interesting trash. So, be environmental on Earth Day and join the Doan Brook Watershed Partnership at the Nature Center or Rockefeller Park.

“I want to talk a little bit about civility, because I have to give you my bi-weekly update on the Civility Project. Actually, we’re in a little bit of a holding pattern with the Civility Project right now because we are in the midst of our slogan and logo contest. Until we have chosen the winners, you won’t be seeing too much else for the next couple of weeks. The contest is for a logo and/or a slogan for our Civility Project. You can enter the logo part, the slogan part or both and the way you enter is just very, very simple by turning in your idea for a logo or a slogan on an 8x11 piece of paper with your name, address and phone number at any branch of our libraries. The deadline is May 1 and so it will be after that, that you’ll be beginning to see the real ‘PR’ for this Civility Project after we choose what is going to be our standard bearer. Then, the next day after the deadline, which is - the day after the deadline is May 2, and that is not only voting day, so after you vote, you’re invited to come to our first public civility speaker. We’re having Deborah Plummer, who is the Diversity Coordinator at the Cleveland Clinic and she is author of the book called, *Racing Across the Lines*. Deborah Plummer will speak at 7:00 p.m. at the community center. It is May 2nd. Everybody is invited, it is free. This is the first really big public event that the Civility Project is holding so we hope to see everybody at the community center on May 2.

“Finally, this is sort of in keeping with what Councilman Wilcox said about our talks with the school board about which school they’re going to be closing. Just so that you can be kept informed of what’s going on, there are two dates coming up in May that have to do with the school closings, May 1st - the school board meeting will be a presentation and a discussion of the possible scenario for closing - what would happen if this building is closed versus that one. That is at 7:00 p.m. at Wiley on May 1st and two weeks later on May 15th, there will be a dialogue where the school board will hear community input - I think for the final time - on the school closing and again, that is May 15th, 7:00 p.m. at Heights High. There is a lot to keep you busy and we hope that you’ll be an active citizen and join in on any or all of these events coming up. That’s all I have. Thank you.”

## REPORT OF THE MAYOR

Mayor Kelley added, "I, too, want to spend a minute on the meeting that we had with the school board - that was my first time in thirteen years when I read the Sun Press, I wanted to know what meeting that reporter actually was at. That story was totally out of line. It was totally out of character. It was not reported the same meeting that I was at. For the record, we were the ones who called the meeting because of the fact that there were a lot of information out there that wasn't consistent - which was in other venues and we wanted some answers to some very simple questions. This council has always supported the school board and our schools and probably will continue to some extent in the future. This reporter, I spent almost forty minutes with him on the phone Friday night discussing his story and what the lack of consistency in the story. He told me on Friday night that he had made it very clear in previous stories that Gearity was not on the table. I challenge him to provide that information to me today or sometime today either by fax or by telephone or some other measure. As of the close of business today I did not hear from that man and going back over previous Sun Press articles this year [I] never saw that information. So, I've talked to the editor of the Sun Press and will be talking to her later on this week to try to get that story straightened out. Just a little bit of fact and fiction and who goes which way and whatever, but I think the reporter in this case really did this Council, this city and our residents a disservice in placing that article in the paper in that manner and to make a quote that if anybody has been reading the Sun Press, they would know what the status of the schools are. It was a complete farce and a complete - even though it was said at the meeting by a school board member, it was totally inaccurate and totally not the right thing. We called the meeting. We wanted some simple answers to some questions so we could better understand the process. We have been to all the meetings. We were at a joint board meeting. We were represented by a council person, a staff person. I was at the March 15th meeting where, along with a number of staff people, where the paid consultant said, "The school board (all five) have not made up their mind and every school is on the table". Councilman Wilcox has correctly seen on their website that all the schools are being considered. We just wanted simple answers to simple questions. That's what it is about. The Sun Press did a very disservice to this city council and to this city and to anybody that's involved with our schools in any form or fashion, including the people that work that, including the school board. This issue is not over by a long-shot. So, we'll get some answers with some clarity out of this issue.

"This meeting is adjourned at 8:20 p.m. Our next meeting will be Monday, May 1, 2006. Thank you for coming."

Respectfully submitted,

Edward J. Kelley, Mayor  
President of Council

Thomas K. Malone  
Clerk of Council

/mwc