



## CITY OF CLEVELAND HEIGHTS, OHIO MINUTES OF THE COUNCIL MEETING OF MONDAY, APRIL 20, 2009

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

Edward Kelley, presiding

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

Council Members absent: None

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

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

Committee of the Whole adjourned at 7:32 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:40 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, Wagner, Wong

The minutes of the Regular Council Meeting held Monday, April 6, 2009 were approved and signed by Mayor Kelley along with the ordinance and resolutions passed at that meeting and added, "We now usually move to personal communications from our citizens, but before, as customary during the month of April it's my pleasure to have Heights Arts here and we have a great day ahead of us. I'm going to ask Peggy Spaeth to come to the podium and start the program. Welcome, Peggy."

Ms. Spaeth stated, "Thank you, Mayor Kelley and City Council Members for inviting us again for our one - two - three - we'll be appointing our fourth poet laureate in five years in Cleveland Heights. First, I'd just like to briefly introduce you and remind you who your past poet laureates were. In 2005 we appointed our first poet laureate Meredith Holmes and in 2006 Loren Weiss and then we had a poet laureate serve two terms '07 and '08 and that would be Mary Weems. Recently someone asked me why Cleveland Heights has a poet laureate? And I think first of all it's because we imagined one. Our residents are very good at imagining wonderful things and then making them happen. Secondly,

the concept of a poet laureate embodies our collective appreciation of the artists who live amongst us. We especially appreciate how they contribute to our community's atmosphere and thirdly, we have a poet laureate for how that position serves us. Poets shine a light on what is common to all of us and illuminate often hidden but essential parts of our collective consciousness. First, I'd like to introduce our outgoing poet laureate, Mary Weems, who will introduce our new poet."

Mary Weems stated, "Just want to say thank you to Heights Arts, Mayor Kelley and in particular Peggy Spaeth. It's been an amazing two years. I've loved having the opportunity to open the lives of communication in Cleveland Heights using poetry and it is my pleasure to introduce my friend and the new poet laureate of Cleveland Heights, Gail Bellamy."

Ms. Bellamy responded, "Well, I feel I should have been dancing up here."

Mayor Kelley welcomed Gail.

Ms. Bellamy answered, "Thank you. I'm delighted to be here, Mayor Kelley and Members of City Council. I'm also very grateful for your support of the Heights Arts and *Heights WRITES* poet laureate program. I believe that the arts are part of the reason why people want to live in Cleveland Heights and so I'm very thankful for Heights Arts and Peggy Spaeth and all the others there who have done so much to contribute to promoting the arts and enhancing the quality of our city. I'm delighted tonight to be here in the company of my friends, Meredith Holmes, Loren Weiss and Mary Weems, each of whom has served the community so well as poet laureate. I'd also like to thank my husband, Stephen, who is a Cleveland Heights' native, who is the one that convinced me that I had to live here and move here in the first place. Also, another Cleveland Heights' resident, Laura Paglin of Creative Filmmakers, who is donating her creative services tonight and former Heights' resident tonight, John Lawn who is our still photographer. Thank you to them as well as to Susanna Niermann O'Neil and Steve Barker for their gracious assistance this evening. I really appreciate it.

Well the fabric of each suburb I think is largely woven by the people who choose to live in it, but Cleveland Heights also has an impressive history and has had the foresight to preserve our legacy with an eye toward the community's future and I believe that it attracts people who feel the same way. And so tonight I would like to read a poem that celebrates that aspect of the city and the title is "The Meat in a History Sandwich".

On the night I first arrive in Cleveland Heights,  
Cedar Hill is slick, shiny as a buckeye in the rain.  
Riding with the realtor, I squint at street signs, am  
tangled in the twists of Overlook and Derbyshire,  
as we meander through the architecture of the past.  
When we stop, I feel like the meat in a history sandwich.  
I imagine those high-rise silver maples as saplings,  
back when horse hooves clopped like rhythm blocks down Kenilworth,  
when the Cleveland Press heralded the Euclid Heights Allotment  
as "The Finest Residential Property in Cleveland"  
and the City and Suburban Realty Company  
was peddling "Real Homes for Real People" west of Superior.

I'm sandwiched in, slathered with the view on both side; seeing peeled-away bark of the sycamore, I recall a relative revealing layers of detail about her high school prom held just over there at The Alcazar in 1942.

All the boys went off to war immediately afterward.  
I envision them ballroom dancing their way to the recruiter,  
marching in swing tune cadence to Glenn Miller's Moonlight Cocktail.

I slide along wet leaves on a quarry-slab of a front walk,  
note that the venerable oak door of the old house has a hairline crack,  
so the past can slip through in either direction. Inside, the heat is cranked up.  
I hear laughter in the kitchen, see somebody assembling sandwiches.  
I smell oranges, coffee, and wool sweaters drying on the radiator,  
steaming the windows with contagious coziness, and all the warmth of home.

Thank you."

Mayor Kelley stated, "Simply, fantastic! What a great start. You really captured the moment of the night. I want to on behalf of council, obviously, thank Peggy Spaeth for all you do, year in and year out, day in and day out. You really make this city such an art-friendly city. I also want to thank Meredith Holmes and Loren Weiss and Mary Weems, the first two-year poet laureate for all you do. Gail, you have some big shoes to fill, but I know you'll be up to the task. We're here to be with you, to do things with you when you're out in the community and just spread the good word. It's just such a great night. I know we all walk out of here with such a nice feeling. It reminds me so much of our Martin Luther King Day program where the community just rallying around and to see a crowd out here that I don't think is mad at us - we'll find out in another minute or two, but it's always nice to have everyone here. I want to thank you. Anything we can do to help you continue the program or if there are other venues that you feel you need to be in, but you're always welcomed here to City Hall. You don't necessarily need an invitation if you want to come back one night and come up with another superb poem or any of the past three of you. You are always welcomed here at Cleveland Heights.

I think if you like you can leave, you don't have to stay. Anybody who is here to root our poets on tonight, feel free to leave. We'll get started with the meeting in another minute or two, so everybody can clear out. Thank you. Hope to see a lot of you and we're here for you. Thank you for everything you've done."

"My name is Fran Mentch, 1413 Lynn Park Drive. That was a wonderful beginning. I'm sorry that the people at home weren't able to listen to Gail, got us off to a good start and talk about preserving our city's legacy and celebrating our future and talking about the arts, because that's really where I'm coming from, my concern about the esthetics of our community. Spring is here. This is the time we all want to fix up our house and our yard and ourselves and if you're like me some of you are going to have a storm door, an aluminum storm door that's going to need a replacement. I want to remind everyone that as we are in the throes of - we're having some problem in the community with our housing and the appearance of our retail areas and our streets and our neighborhoods - but that's all going to be behind us. We're going to be reinvented and reinvigorated, but we do have to, I think, be serious about it and address our concerns.

So one of the concerns I have is about the esthetics of the city. I've talked to the community before about this, about the residential security doors. I would remind everybody that the city has encouraged people to install a full view storm door and not a residential security door because they do give the wrong impression. They give the impression that we are a community that is crime-ridden and it does have an impact on our curb appeal. I had a wonderful conversation this weekend with a gentleman. He was very kind. He was very open and I'm very grateful to him for the exchange that we had. He does have a residential security door. He is moving, but we did talk about his decision to

put on the residential security doors and he said, "I never was worried about crime. I've lived on this street for twenty years. This is really a nice quiet street. I never had any problems. I did it strictly for decorative purposes." He said, "It looks much better than the old aluminum storm door that I replaced it with." And I said, absolutely, there's no question about that. He did say that they were expensive. I pointed out that a full-view storm door is much cheaper than the residential security doors and I said, you're going to be moving and you're going to be selling your house. Do you have any concern about the appearance of this street with a lot of residential security doors? And he said, "You know that was not my intention when I put it up. I did it strictly because I thought it looked nice." I said, did you think it matched your home? He said, yes, I really do - it did to me. I said to him, do you think it's going to have any impact on your effort to see your house and he said, "Well, I do see your point, because there are a lot of them now. I think it could have an impact."

So, if you are someone who is thinking about installing a residential security door, I suggest that you first contact a realtor and ask them their opinion about the curb appeal of your house having that door or more importantly, I think, we all do things - we all make individual decisions, but they have ramifications on larger society and your decision is strictly based on you think it looks nice and you want to put it up because of your feeling that, but if a lot of people on your street do that it does create an impression that there is crime or could have a negative impact on the value of your home or that of your neighbors.

Just a couple facts. If you are really worried about security, home security, you can talk to the police about this. It's not the door, it's how is it installed. How is it attached to your house? Because people can rip doors off, but they can't rip off the front of your house. So, you have to think about this.

It's not the door, it's how it's attached. The other thing is, talk to the police, call the police chief or somebody knowledgeable. A lot of us have police in our lives. Ask them, are most home entries, burglaries down through the front door? Do they get entrance from the front door? Ask them that. Ask them a third question, "What is more effective, having a metal security door, metal type storm door or having an electronic surveillance system or security system? If you do any reading about it, ask the police, that is in fact something that's effective and is a crime deterrent.

My concern is that we want to maintain the curb appeal of our individual homes so that you can save money in the end. These doors are expensive. The other thing is you want to maintain the curb appeal of your street, because when the economy does turn around and people start to buy and sell houses again, it will have an impact and every decision that we make has an impact on our neighbor. Also, you do not know what will happen in the future. It's possible that these doors will not be permitted and then there you'll be having to kind of retro-fit your house. So anyway, so happy spring everybody and I would hope that you'd think about that, that you would replace that old icky aluminum door which we've all seen around town with a full-view storm door. Thank you."

"Jason Stein, 3510 Severn Road. I wasn't planning on getting up to speak, but Fran Mentch was talking about security doors. I have a residential security door, so this effects me. I bought my home with the door already in place. I live over on Severn Road. It's a very nice street and that was actually a selling point for me. I think it was very pretty. It was something that my wife liked. It had nothing to do with feeling that the area wasn't safe. So, I felt I needed to make that distinction that many of us in Cleveland Heights do purchase our homes with those security doors not as a form of security. I live on a very nice street. It is a selling point. It's very nice. Thank you."

## **REPORT OF THE CITY MANAGER**

Mr. Downey stated, "Thank you very much, your Honor. I have just one item this evening. In your packets you received a copy of Bid Document No. 2009-02, that is for the labor and the material to clean catch basins and inlets in the city, approximately 1, 400 this year on a rotating basis. The lowest and best bidder is Alphonso and Sons, in the amount of \$41,300.00. Your Honor, I would request that the bid tabulation and the award of contract be made a matter of record."

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 have no report."

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

Council Member Wilcox stated, "Thank you, your Honor. I have two pieces of legislation on the agenda tonight. The first one is Ordinance No. 33-2009(PD). I am reporting that Ordinance No. 33-2009(PD) is going to be referred back to committee for further discussion, so we will defer that to a future meeting. I next have Resolution No. 34-2009(PD), authorizing the renewal of an agreement with Tim Barrett, Franklin Piccirillo, Catherine Sabolik and Carolyn R. Smith for design and coordinating consulting services relative to the Storefront Renovation Program; providing compensation therefor; and declaring an emergency. The City has, for many years, operated a Storefront Renovation Program in targeted areas to encourage reinvestment and create a positive visual and economic impact in its commercial districts. Recently, Council expanded those targeted areas along Mayfield Road. The Program is funded by our Community Development Block Grant Funds; and by Resolution No. 131-2007 Council authorized an agreement with the individuals I named as a Consulting Team to provide design and coordinating services for the Program; and it is in the best interest of the City and its residents to renew that contract. Section 1 of this Resolution provides the City Manager authorization to enter a renewal of the agreement with Tim Barrett, Franklin Piccirillo, Catherine Sabolik and Carolyn R. Smith ("Consultants") for design and coordinating consulting services relative to the Storefront Renovation Program. The agreement is at a rate of Three Thousand Five Hundred Dollars (\$3,500.00) per project for design services, and up to Five Thousand Dollars (\$5,000.00) per project for coordinating consulting services, the latter at a rate of Fifty Dollars (\$50.00) per hour. The agreement is for a period of one year, not to exceed the sum of Forty Thousand (\$40,000.00).

Before voting on this I did want to mention that if you drive along Mayfield Road, you'll already see some of the results of this work recently opened business in Cleveland Heights, Cleveland Violins has a new signage package and it's very attractive and there are several others that are in the works right now along Mayfield Road. So we are very pleased with these services that have been rendered and look forward to another year of these services.

I offer Resolution No. 34-2009(PD) for passage tonight."

Mayor Kelley accepted Resolution No. 34-2009(PD).

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

Nays: None

**Resolution passed**

## REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Tumeo stated, "Thank you, your Honor. I have two resolutions tonight. First, Resolution No. 35-2009(PSH), declaring the property at 1528 Crest Road to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency. We have two similar properties tonight. This is the first one. This property had the City Manager and the Certified Building Official report to this Council that the residential property known at 1528 Crest Road owned by WM Specialty Mortgage, LLC (it is a bank-owned property) was significantly damaged in a fire on December 24, 2008. It has been sitting there for a while. The City Manager and Certified Building Official have further reported that the present and past owners of the subject property have been cited by the Housing Inspections Department and they have been notified that they either need to repair the house since it is damaged by fire or it needs to be razed. No progress has been made toward the corrections of these violations. It is now deteriorating to a point where it is a hazard to the health, safety and welfare of the public. It is a blighting and deteriorating factor in the neighborhood and it is adversely affecting the value of neighboring properties. Therefore, via this Resolution, the City Council declares that pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights, that the premises owned by WM Specialty Mortgage, LLC known as 1528 Crest Road is in a state of disrepair due to a fire to the extent that it constitutes a health and safety hazard and a blighting influence and is hereby declared to be a public nuisance. This Resolution will authorize the City Manager and Certified Building Official and Director of Law to make sure that the nuisance is abated. I would like to introduce Resolution No. 35-2009(PSH) for passage tonight."

Mayor Kelley accepted Resolution No. 35-2009(PSH).

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

Nays: None                      **Resolution passed**

Council Member Tumeo continued, "The next is a similar situation. This is Resolution No. 36-2009(PSH), declaring the property at 2929 Edgehill Road to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency. This is a similar situation, this is a bank-owned property, the Bank of New York. It is an asset-backed certificate. This is what we commonly call a Toxic Asset. So this was backed by a mortgage. It was foreclosed and then it caught fire. It has been notified, the same as the other. They have been told that they need to bring it up to standard or to raze it. No progress, no response and now it has deteriorated to the point where once again it is a public nuisance. Therefore, via this Resolution the Council of the City of Cleveland Heights determines that pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights, that the premises owned by Bank of New York as Trustee for the Certificateholders CWABS, Inc. Asset-backed Certificates, Series 2006-18 known as 2929 Edgehill Road is in a state of disrepair due to a fire to the extent that it constitutes a health and safety hazard and a blighting influence and is hereby declared to be a public nuisance. The City Manager and Certified Building Official and Director of Law are authorized and directed to cause the nuisance to be abated. I wish to introduce Resolution No. 36-2009(PSH) for passage tonight."

Mayor Kelley accepted Resolution No. 36-2009(PSH).

Council Member Dietrich commented, "I just want to acknowledge the neighbors, the other people who live on that block of Edgehill between Washington and Woodward who really rallied around the family that ended up being put out by the fire. They collected clothing, household items, bedding, all sorts of things. Unfortunately, the family did not ever move back because the property was foreclosed upon, but that neighborhood showed just really good Cleveland Heights community

spirit. So, I just wanted to say something about that.”

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

Nays: None

**Resolution passed**

Council Member Tumeo continued, “Thank you, your Honor. In both of these incidents it’s very frustrating for us because these are both bank-owned properties and so once again we are in a situation where it is not a home-owner whose house has been burnt and they aren’t fixing it. These are just sitting there. The bank doesn’t even respond to us. Okay, so they have lots of properties around the country, but this is just unacceptable. So, we hope that this will put them on notice that this needs to be taken care of. That they need to step up and take care of these houses or take them down or the city will be forced to do that for them.

A couple other things I’d like to point out. I’ve been getting calls, people saying where are we on this stimulus monies that we hope to be getting, some of which we’ve been told we’re getting and trying to figure out the rules. We’ve put up on our website information on all of the programs for which we have applied for stimulus money both state and national. We’ve put up the list of funding that we’ve been notified that we’ve received, not all of that money has yet come with the regulations, so we’ve been told we’re going to receive some money, but we’ve not yet been told what we’re allowed to use it for. And then, also on that are links to all the various programs that are available or should be becoming available. This process is a very rapidly and evolving process. The things change. We have the links there, so you can go and look what’s out there. What we’re thinking about doing. What we have done and what we believe we’ve gotten to keep you abreast of what the city is doing to try and make sure that stimulus money comes in. You may have read the newspaper. We got a hundred thousand dollars from one of the police grants. That grant is only for equipment. We have requested a million dollars for a beat patrol under the stimulus money and some other police monies that are available. We are also applying for those. Once again, all on the website. Take a look at that.

Finally, as I spoke here last meeting and maybe you’ve heard on radio and television I’ve been talking about one way of potentially saving money as a merger between Cleveland Heights and University Heights. I’m very happy. Actually, the response has been very, very positive, not necessarily that everyone thinks the merger is a great idea, but that people are actually talking about ways we can work together more substantively than we have in the past. I understand that Councilman Murphy from University Heights is going to have a meeting on April 30<sup>th</sup> for elected officials from Shaker and Cleveland Heights and University Heights to talk about what some options might be in terms of shared services. I want to commend him for that. I unfortunately am going to be out of the country so I won’t be able to attend but I’m sure that some of our council members when they get the letters will be going. I want to also congratulate Mayor Currin from Hudson and Mayor Kelley from Cleveland Heights. They’ve been leaders in this in trying to get shared services together and I want to stress that we need to continue to talk about all the options. Merger is only one. It’s not the only option. I’m not going to say it’s even the best option, but it is an option and I think all options need to be discussed. Ideas are the currency of progress and the more ideas we have, the more we have to spend on progress. I would like to encourage everyone to keep the discussion going and I’m proud to have been involved in getting it going at a faster pace. Thank you.”

Mayor Kelley added, “Thank you, Councilman. Councilman Tumeo’s point about the stimulus money, having attended a meeting last week (this is not the Mayor’s Report) with a number of mayors. Rest assured, that the City of Cleveland Heights, this council and more importantly our city’s staff are on top of this stimulus money. We are looking for more than our fair share. We have a number

of projects that we would like to have funded. We are aggressively working with our representation, Marcia Fudge, Senators Brown and Voinovich's offices. We are after every penny to come back into this town. After all most of this is our tax dollars at work, no matter how you look at and we are aggressively doing that. We've been pretty successful so far. We have a ways yet to go and it wouldn't surprise me that somewhere down the line and if this stimulus program works out the way President Obama and his staff want it to there may be another round next year or the year after or twelve to eighteen months. We are aggressively looking at money to deal with the challenges in this community and we will have more on that, not just the police issues or housing issues. We had an energy grant we received also. We are in there really doing the work and trying to get more than our fair share in this city and we won't rest until we get to the best point in time. Thank you, Councilman."

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

Council Member Dietrich stated, "Thank you. I have no legislation from this committee tonight, but I do have a couple of items to mention. First, is an announcement of an event that you might enjoy attending. There is a fund raiser planned to help the Coventry SID raise money to put on the two Coventry Street Fairs this summer which will be on June 18<sup>th</sup> and July 16<sup>th</sup>, which are both Thursdays. The fund raiser is going to be on Friday, May 2<sup>nd</sup>. It will be all evening at the B-Side part of the Grog Shop on Coventry. This is called a *Taste of Coventry*. For your \$25.00 that it costs to enter you can eat all you want. You can party with all the people that usually attend this event and at the same time you can support the Coventry Street Fairs. That's Friday, May 2<sup>nd</sup> a *Taste of Coventry*."

I want to speak a little bit about Councilman Tumeo's initiation of this public discourse on the idea of merging Cleveland Heights and University Heights. I've been asked by several people what my opinion is since I'm sure the rest of us sitting up here have and I think some people out there think they have the impression that Mark is sort of dangling on a limb by himself in this. Mark is definitely the person who should take all the credit for thinking about this possibility and for bringing it up. But, I want to say that I am very supportive of having this discussion. I think an in depth exploration of both the idea and all this ramification is worth while and I look forward to participating. Of course, if it turns out that it's an idea that a majority of people don't like, I think we would all respect that, but to squelch a discussion that can lead us to being more financially efficient I think would be foolish. There would obviously be a great deal involved in such a change and so this wouldn't be a discussion that would just take place over a couple months and of course it would ultimately be decided by a vote of the residents of the two cities. The idea certainly speaks to the concept of regionalism and it certainly would allow the cities to provide their services in a more cost-effect way. I thank Councilman Tumeo for being pro-active enough to have the idea in the first place and being courageous enough to bring it to the public. That's all I have."

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

Vice Mayor Evans stated, "Thank you, your Honor. There is no legislation this evening, but I would like to remind our residents that we have a fund raiser that is scheduled for this Wednesday, April 22<sup>nd</sup>. It is the Earth Day Run and the proceeds benefit the Cleveland Heights Youth Scholarship Fund. There is on-the-site registration that begins at 5:30 at Picnic Shelter 2 A & B. The cost will be \$18.00 at the last minute. So, I encourage people who are interested in participating to show up that evening. The 3K walk or run begins at 6:45 that evening."

On Friday, the 24<sup>th</sup> of April, there will be an Arbor Day celebration at the Senior Center at 11:00 a.m. It is a wonderful ceremony that takes place and we encourage people to take part in it.

Looking forward to our Cain Park events. The tickets go on sale through Ticketmaster beginning on Friday, April the 24<sup>th</sup>. So I encourage you to look at the schedule. Plan to be there. It will be a wonderful summer filled with events and it is always nice to participate at Cain Park throughout the summer. That concludes my report.”

Mayor Kelley thanked Vice Mayor Evans and added, “Just to go back to *Taste of Coventry* it is on Friday, May 1<sup>st</sup> not Friday, May 2<sup>nd</sup> but you are more than welcome to go there both Friday and Saturday. The merchants will appreciate your business.”

## **REPORT OF THE FINANCE COMMITTEE**

Council Member Montlack stated, “Thank you, your Honor. There is one piece of legislation on first reading only tonight. It is Resolution No. 37-2009(F), authorizing the reprogramming and reallocation of Community Development Block Grant Funds; and declaring an emergency. It relates to the effort that Councilman Wilcox commented on in terms of Resolution No. 34-2009(PD), the expanded target area for our Storefront Program and this legislation proposes a reallocation of some funds essentially for related activities within the same program set. To help pay for our contract with some outside consultants to help upgrade Mayfield Road and some other areas, it is proposed that the following reallocation of these CDBG funds which were approved in a prior block grant budget happen as follows: Take \$40,000.00 from the Storefront Loans LMI Program and transfer essentially, as I said, within the same program to a Management Consultants’ list for those services; and take \$50,000.00 from the same Storefront Loans LMI Program and transfer that to the Storefront Grants LMI Fund, because we made some of the guidelines a little more flexible for some of the areas that need grants as opposed to lower or no-interest loans. As I said, Resolution No. 37-2009(F) is on first reading only tonight.”

Mayor Kelley accepted Resolution No. 37-2009(F), first reading only and added, “It will probably be back sometime during the month of May if not the first Monday in May.”

Council Member Montlack stated, “That concludes this report.”

## **REPORT OF THE MUNICIPAL SERVICES COMMITTEE**

Council Member Caplan stated, “Thank you. I have one piece of legislation and it is Ordinance No. 38-2009(MS), an emergency ordinance enacted by the City of Cleveland Heights, Cuyahoga County, Ohio, hereinafter referred to as the MUNICIPALITY, in the matter of the hereinafter described improvement requesting the cooperation of the County of Cuyahoga by its Board of County Commissioners, hereinafter referred to as the COUNTY. The MUNICIPALITY has recognized the need for and proposes the improvement of a portion of public highway which is described as follows: The rehabilitation of Monticello Boulevard from Mayfield Road to Taylor Road.

Don’t get too excited about this, because although it’s quite wonderful, Monticello that runs from Mayfield all the way to the city limit is divided into three parts and this is really the third part that will be done, but it is not going to be done until 2011 probably. However, we need to start the process because the county has agreed to pay for 80% and we pay 20% and this Ordinance just starts the whole process of all the things that need to be done. It will work starting from Mayfield Road to Taylor and that is Phase 3 and then from Taylor to Noble and from Noble up to Belvoir. How long that will take, I don’t know, but this first part will probably be done in 2011.

This legislation spells out the parts of who does what. We do some of the parts of the construction

supervision, some of the construction and the County really does the majority of it. I offer Ordinance No. 38-2009(MS) for passage tonight.”

Mayor Kelley accepted Ordinance No. 38-2009(MS).

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

Nays: None

**Ordinance passed**

Council Member Caplan continued, “Thank you. I have a couple of things I want to talk about. One of course, related to Earth Day and you’ve already heard about Arbor Day. It will be in front of the Senior Center and anybody who is interested to come, it’s a very nice program. Usually we do this with children, plant a tree, this time the seniors will come. Someone is going to read a poem - we are into poetry today and this whole week. So if you have a poem and there is something that you want to share I invite you to come. It’s really a rather spiritual thing that goes on with Arbor Day. Earth Day is not just a day and it is not just about a run or planting a tree, it is really about thinking about our whole community and our whole world. Yesterday, in the Plain Dealer there was a whole wonderful little article where to dump your junk without dumping on the planet and it gave all kinds of ways - it’s called a ‘good riddance’ and it gave all kinds of way for you to get rid of everything from when you’re remodeling your house and you want to get rid of the sinks, the cabinets, those kinds of things, if they’re still usable but they are not to your taste anymore what you can do with them. So, you can look up in The Plain Dealer. I encourage you to as I often do about recycling, so I’m going to remind you how long it takes for things to go away. So, if we put things into a landfill, a plastic bag takes anywhere from ten to twenty years to disintegrate. Disposable diapers - 75 years and tin cans take 100 years and Styrofoam never disintegrates. So, I encourage you to step up what happens in your own home and think about recycling in a bigger way. We come to your house and we take it away. If you separate out your recyclables in front of your house on your garbage day and I look forward to you in increasing your efforts in taking care of our planet.

The other thing I wanted to talk to you about just for a minute and that is I saw a little article last week in Joe Frolik’s column and it had a little link and I went to the link and read the article and what the article was about was something that made me really quite proud and I know it made the parents of who it was about, proud also. The Taylors, Phillip and Sarah Taylor live in Cleveland Heights and they have two wonderful daughters and one of their daughters accomplished something quite amazing. She is an attorney and I want to read to you a little bit about what the Washington Post wrote a wonderful column about her. “For most of the country the unanimous decision this month by the Iowa Supreme Court to legalize same-sex marriage was an unexpected and seemingly random victory for a movement that has long-drawn its deepest support from major cities in liberal coastal states. But, for Camilla Taylor, a Chicago based lawyer for the gay rights group, Lambda Legal, it was a logical conclusion to a deliberate seven-year effort to make the mid-western state one of the first in the country to allow same-sex marriage.” It goes on, she was disappointed by the vote in California and Taylor is a married mother who is not gay but calls same-sex marriage, *the civil rights cause of my generation*. She says, “I was brought up to think there is nothing more fulfilling than trying to achieve social change and do something right for society.” And I would like to believe that not only was it her parents’ influence, but that it was also the influence of living in a community like ours who really does believe in justice and fairness for all. And after she won, she said at the end, “Today (and this happened - what she said - came after she first had to win a lower court - then the Supreme Court was on April 3<sup>rd</sup>) dreams become reality. Families are protected and the Iowa Constitution promise of equality and fairness has been fulfilled”. I think she’s fulfilled some of the promise that we believe in, in this community and really I’m so proud to know the Taylors myself. They are activists themselves so I know where she got

some of this. I wanted to share that with you because it is really quite special and a special thing for all of us to dream about maybe even for Ohio - wouldn't that be amazing and that's all I have."

## **REPORT OF THE MAYOR**

Mayor Kelley stated, "It was my pleasure with Councilwoman Caplan and Councilwoman Dietrich, last Friday, to attend Senator Sherrod Brown's speech regarding health care, the status of health care today at Forest Hill Church and it was sponsored by NOVA. It will be rebroadcast on our Channel 20 - actually it's on there right now, not now but on the format. Great speech! I had the pleasure of sitting in his press conference before the speech and he did a great job and we'll see according to him some things come out or begin percolating in committee as early as June and July of this year. I think with the senator and the present administration and the makeup of our Congress now, hopefully we'll see something either later this year or next year, but it is an issue that has been around for a while, but it is an issue that can also help stimulate the economy in many, many ways and reign in some insurance companies, etc., that are simply out of control. We've all seen what's happened with AIG for example and the way they run an operation and so I want to commend the Senator for doing this. We were well represented at the meeting. As I said, Councilwoman Caplan, Councilwoman Dietrich and myself were there and it was always a pleasure to have a US Senator, Senator Sherrod Brown in our town.

That concludes the Mayor's Report. Our next meeting will be Monday, May 4, 2009. This meeting is adjourned at 8:26 p.m. Thank you for coming."

Edward J. Kelley, Mayor  
President of Council

Thomas K. Malone  
Clerk of Council

/mwc