



# CLEVELAND HEIGHTS

## MINUTES OF THE COUNCIL MEETING OF MONDAY, JULY 7, 2003

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 5:30 p.m.

Edward Kelley, presiding

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

Council Members absent: Caplan

Staff present: Carter, Czaga, Downey, Malone, Niermann O'Neil, Ruane, Steigerwald, L.Wagner, R.Wagner, Zins

Mayor Kelley excused the absence of Council Member Caplan.

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

Committee of the Whole adjourned at 7:15 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:33 p.m.

Edward Kelley, presiding

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

Council Members absent: Caplan

Staff present: Carter, Czaga, Downey, Malone, Niermann O'Neil, Ruane, Steigerwald, L. Wagner, R. Wagner, Zins

Mayor Kelley excused the absence of Council Member Caplan.

The minutes of the Regular Council Meeting held Monday, June 23, 2003 with one correction noted was approved and signed by Mayor Kelley along with the ordinance and resolutions passed at that meeting.

Mayor Kelley stated, "Before we move to personal communication from the citizens, it is my pleasure to introduce our former congressman, Dennis Eckert, who is here tonight in a different role."

Mr. Eckert stated, "Mayor and Colleagues on Council, having served in public life as long as I did and I admire all the stories written, of course - even just this weekend about everyone is in Iowa or New Hampshire. I say let's go to some strange far-away place to see democracy in action, all they have to do is just come to Cleveland Heights. It's not unlinked to why I'm here. Any community, Mayor and

Members of Council, who have the courage of its convictions to recognize that for all of us, our wealth is in our families, our wealth is in our neighborhoods, our wealth is in the intellectual capital of job creation and turning inquisitive minds into value-added members of our community as we take children to adulthood. The Growth Association, for far too long, had been widely perceived as probably mostly a collection of white business leaders who defined Cleveland as that patch of territory bordered somehow by Ninth Street, by West 6th Street, by Jacobs Field, and the lake, as its domain. The reality, as the Mayor and Council knows is that the real wealth of all of our communities is in job creation in each of our neighborhoods and that's why early in my tenure at the Growth Association what we wanted to do is not to shine the light of controversy on progressive communities but to shine the applause of public review in the communities which welcome job-creation, which have a visioning plan and a planning process that doesn't as someone once said, 'if you don't know where you are going any road will get you there', but sends us all down paths that enable us to create wealth and opportunities whether it is intellectual or physical or financial wealth.

The community award that I wish to present to Cleveland Heights tonight is not something that was just picked out of a hat. It was, Mr. Mayor, a competitive process in which dozens and dozens of colleague communities of yours all across Northeastern Ohio (for this is a program done in conjunction with the Akron Chamber of Commerce) in which we looked and worked with individual cities to find those communities that valued job-creation, wealth opportunities in creating economic hope for ourselves and for our kids. We called that the Business Friendly Community Award. It's no surprise to me that Cleveland Heights is in the first group of, I believe, just three communities throughout the entire six-county region of Northeast Ohio to be so recognized. You have a plan, you have a vision and most importantly, Mayor and Colleagues, you had the courage to act upon it. Not sometimes without some controversy, but most importantly with the consistent and purposeful design that we in the business community need to do something that we seldom do and that is to say, 'thank you'. Thank you for being a community that we know has been challenged but has met those challenges. Thank you for a Council and a leadership in City Hall that has been constant in its purposefulness in fulfilling that vision and executing that design and most importantly on behalf of almost 17,000 business members of the Greater Cleveland Growth Association, thank you for serving as an example for other communities to try to achieve this level of excellence that Cleveland Heights has so recently achieved. Since this announcement was made just literally a few weeks ago, more than fifty of your other colleagues, Mayor, have stepped forward to say, 'gosh, how do I get one of those?' So we seek to, as John F. Kennedy once said, 'a rising tide lifts all boats'. When the community asks which communities get it, in terms of growing wealth, and creating jobs, we now have the capacity to say, 'let them look at Cleveland Heights'. Let them look at Solon and at Eastlake, the first of our three communities to achieve this distinction. Because you are doing it well, we hope that other mayors and other councils will have the courage of their convictions and to execute the vision that you have worked so diligently upon for long before, then maybe many of us can remember, and indeed for your predecessors as well. So indeed, on behalf of our 16,700 members of the Growth Association, many of whom are either residents here in Cleveland Heights or whose businesses are in Cleveland Heights we want to say thank you. Thank you for caring. Thank you for being committed and thank you most importantly for being dedicated to creating wealth in our neighborhoods and on each one of your streets. Thank you for doing your job."

Mayor Kelley said, "I know we all have something to say, but I'm going to let the Vice Mayor begin."

Vice Mayor Montlack stated, "I'll keep it brief because it looks like we have some matters of business to take care of tonight. First I would like to say congratulations to the Growth Association because they have shown that the words of Dennis Eckert, they have selected as their leader, one who gets it and who understands that equitable redevelopment throughout our entire region is absolutely

essential. Secondly, I would like to say that this award has special significance in that of the three cities selected two of them are older built-out existing communities. Communities that have a diverse population and which are digging deep to redevelop and revitalize themselves. And again, that shows for the Growth Association a real appreciation and concern. There is so much more but I'll just close by again saying, 'thank you'."

Mayor Kelley added, "Thank you, Vice Mayor. And the Vice Mayor has served as the chair of the Planning and Development Committee and a member of the Planning and Development Committee during the tenure of his time, so let's give him a warm hand for this work."

Council Member Evans added, "I would just like to say thank you, thank you to the Growth Association for acknowledging our commitment to be the best that we can be. Thank you."

Council Member Hicks stated, "I want to say thank you very much for the award. As I read it when Mayor Kelley gave it to me, it says, 'For outstanding economic development and for a positive business climate.' And although we accept it, we couldn't have done it without our staff who the business people work with and create that business climate, so I want to thank you and accept it on behalf of the staff of the City of Cleveland Heights who does the great job that they do."

Council Member Dietrich added, "I feel honored that our city would be praised by somebody of Dennis Eckert's stature and I think that this is a fitting time to remind people to support our local merchants and shop Cleveland Heights."

Council Member Wilcox added, "And again I would like to thank the Growth Association and Dennis Eckert for this award. Also, I think we should recognize some of our staff members who may be here tonight. Of course, the City Manager and our Planning Director Richard Wong and our Assistant Planning Director Kim Steigerwald who does all the work behind the scenes. I would just like to say some people may think in years past [this] might have been unusual for Cleveland Heights to get this award but I think it's important for the vitality of our residential community that we have a strong business community as well and we on Council understand that very well. So, thank you, again."

Mayor Kelley said, "I usually always have a word or two to say and I'm almost speechless. It is overwhelming to be recognized by our former congressman, Dennis Eckert, in his role with the Growth Association. You've really taken the Growth Association to new heights. We're looking forward to what you are going to do with the convention center."

Mr. Eckert replied, "So am I."

Mayor Kelley resumed, "The lakefront project - you know I'm on the RTA [Board] and you're really helping us out in the Euclid Corridor Project. We've not seen that leadership in the Growth Association before. It is great to have you there and I want you to continue on. It is great for the city to receive this award and it is great for me to look at my fellow mayors in the eye and kind of chuckle at them because they didn't receive it. It's nice when you deal with the Westlakes and the Rocky Rivers and tv cameras are running and I'm successfully insulting the west side of Cleveland but it's a great award to win but we really deserve and I mean that from the bottom of my heart. Three hundred million dollars worth of new development in the last 5 \_ years means a lot to the city because it has been good, clean, productive development whether it be Zagara's, whether it be the new housing, whether it be what's happening at Severance - a brand new post office to get rid of that forsaken post office on Lee Road. Just about everything we've done has been a major improvement over what had been done before. We're not done yet, ladies and gentlemen, we have more to do. Bob Downey deserves more

credit than any of us up here, as our City Manager, he is sitting right there [pointing him out].

Any inner-ring suburb, as the Vice Mayor will tell you, there are financial issues. Tom Malone, our finance guy has put together some deals on a shoestring that have made it work by creatively using tax increment financing, modest tax abatement in this city and other means. I think Tom should get some credit for what he has done coming over from Fairview Park. If I'm not mistaken you are a life-long Cleveland Heights resident so you really understand Cleveland Heights."

Mr. Malone responded, "Thank you. Yes, I do."

Mayor Kelley continued, "Kim Steigerwald, Kim step out and be recognized, don't be hanging back."

Mr. Downey said, "This is the lady that does it all, right here."

Mayor Kelley continued, "And when you do 300 million dollars worth of development you certainly grow the tax base, whether it is for the schools, the library, or the city or the city income tax. It makes a difference and that's why you don't see what's happening in some of the other cities in these financial times. We've been able to continue essential city services and improve on them. Our parks look greater than ever. Our swimming pools are greater than ever. We have the best dog-gone community center going. I'd love to have an indoor pool there but maybe we'll get to that some day. We keep doing it. We're on the cutting edge. We'll continue to be on the cutting edge - expect no less from your city people.

Again, Dennis Eckert, thank you very much. I see the award is only valid for a 3-year period,. So three years from now we're going to defend it and we're going to keep it back. Thank you very much from the bottom of our hearts, really. We're going to take a picture with him."

David Caldwell, 3406 Bradford Road, stated, "Now, about that library bridge -. I've never actually spoken at a council meeting before but today, obviously, I've come to speak. I felt compelled to speak out for the first time in my decade as a Cleveland Heights' resident. A group of citizen legislators have come to City Council with enough petition signatures to advance legislation by our City's initiative process and so I'm here to talk a little more about what the fuss is all about. I'm a member of the committee of the petitioners that submitted an initiative to Council on June 23rd and as a member of that committee my role under the City Charter is to represent not only myself but the other 4,921 of my neighbors who signed the petition. I talked to hundreds of those people myself while gathering signatures and so I take my responsibility to represent them very seriously. And so I will talk a little bit about what those neighbors said, I'll also talk about how it came to be that we started talking with our neighbors in the first place. Since I've never spoken at a Council meeting before (by the way I practiced in advance) I'm a little nervous and I want to let you know that I have a bunch to say and I hope you'll bear with me. It's only every twenty years or so that a group of citizens submitted a successful initiative in Cleveland Heights. I've got 4,921 people besides myself for whom I am speaking. If we gave each of them a minute we'd be here until -"

Mayor Kelley interjected, "My term would be up."

Mr. Caldwell continued, "Friday morning - now. So I'll be as brief as I can but I want to do those petitioners justice. Last spring the same members of council (with the exception of Bonnie ) sitting here today cast an historic vote to make Cleveland Heights the first city in Ohio to give its gay and lesbian employees the opportunity to get the same employee benefits offered to their married co-workers and I

think we all ought to give this Council a round of applause.

I was of course proud and happy when I heard about that vote and as you know a lot has happened since that day. Immediately after that vote was cast something happened that I thought was very strange for a progressive, diverse city like Cleveland Heights. A vocal minority of residents cried foul. They told Council and all of us that Council was wrong. On April 15, 2002 one person from the Family First petition committee told Council that you ought to and I quote, 'Focus your work on the regular hard-working tax payers living in Cleveland Heights, the silent majority that live decent lives.' They told us that most people in Cleveland Heights opposed Council's pioneering action. They told us you were paying off a political debt to the gay and lesbian community. And they told us they would go to the ballot box to roll things back to where they were. They wanted to make sure that gays and lesbians who worked for the city couldn't take sick time if their partners became ill. They wanted to make sure that the partners of gay and lesbian employees had to purchase health insurance on the open market as if their partners were just roommates or friends and I was shocked. We live here because this is a welcoming community where everyone gets a fair shake. Is Cleveland Heights not what I thought it was? Now originally I didn't move here to join this city, right, I moved here for college, but I loved it here. Even after work obligations took me out of this community I wanted to come back and I did. And a few years ago after my wife, Amy and I (she's actually back there - she moved) got married and we started shopping for our first home we barely even looked outside this - our adopted city. So I was stunned. But then a strange thing happened, it turned out that there were a lot of others that felt like I did and we found one another and decided to do whatever is necessary to defend that benefit's ordinance. We thought the most important way we could make sure our neighbors would stand with us was to do a revolutionary thing. We decided to talk with them and ask for their support. And so we did. Over a hundred volunteers ventured out into our community and engaged our neighbors and then an even stranger thing happened, voter after voter, door after door, my neighbors told me how appalled they were that there was a group of people trying to impose their particular religious beliefs on Cleveland Heights. Thousands of our neighbors told us we could count on them to stand with us when the election happened and hundreds said they would do even more than that. They would assist us in this campaign to defend the ordinance either by coming out and working with us or by writing a check to help finance our work. This community really was the community that we - and I - thought it was all along, but it wasn't going to stay that way unless we stood up for what we believed and so by November we had over 2,500 voters from across Cleveland Heights ready and willing to support Council's action and who we knew supported equal protection for gays and lesbians and our City has successfully fought off the challenge to the benefits ordinance. So we took an important step towards equality, at least for our public employees, but there are many steps to go. The leaders of last year's citizen efforts gathered on snowy evenings, in January, culminating with a meeting for which we missed the Super Bowl - we are a gay group after all and we discussed whether our mission had been accomplished and we decided not yet. Each of us had learned how it was that we could be effective participants in government. We had been through the experience of motivating very large teams of volunteers to engage our neighbors in discussions about their values and about their views on government policy. We had been through that experience together. I got to know most of the people in this room at that time. So we knew that all of us could count on one another in order to help make that happen again and that there was more to do.

Our city, also as many of you undoubtedly remember, had a gaping open wound from the benefit fight. Opponents of the benefit's ordinance had claimed that Council had defied the will of the people in order to give someone - I suppose us right - some sort of special interest payoff. They felt cheated by Council and the county election board and they certainly weren't shy about saying so. Our election is going to heal last year's breach. Right now we have a vocal minority of residents who want to devalue the lives and relationships of the gay and lesbian members of our community. They say that

you, our elected representatives, are out-of-step. They say worse things, that you conspired to deny them their right to vote. We think it's important to take the next step together as a community. Elections are the way a democracy settles these disagreements. We've been going out and engaging our neighbors again and asking them to come out and have their say on this legislation and we've learned that we have a quiet majority that wants to settle this fight once and for all by standing up and being counted. I personally know that I speak for thousands of people when I say that I look forward to the day that there is no longer a debate about whether the people of Cleveland Heights want to value and protect my neighbors' lives and their relationships. I mean I'm talking about people like Kelly and Deb, Doug and Brian, right, Nancy and Fran. These are peoples' lives, not lifestyles. I know the Reverend Hicks says he's not against Kelly and Deb and their daughters Claire and Audrey. He is just against changing laws to protect them. Reverend Hicks and I couldn't disagree more about that. But he and I do share one thing in common though. Each of us is able to take for granted over a thousand state and federal rights that Kelly and Deb can't access because Reverend Hicks and I both have the right to get married. Reverend Hicks wants 2-year old Claire and 4-month old Audrey to hear a resounding, 'no'. Our city doesn't value your family and I think that's unacceptable for my community and so I'm very much in favor of changing laws to protect my neighbors and their families. The view we ought to protect everyone equally is gaining ground everywhere, on Cleveland Heights City Council, thank you for last year. In Vermont, across the lake in Canada and yes, even in the Supreme Court. And for the first time any of us can remember the people who are trying to deny basic protection to gays and lesbians are on the run. Now a group of citizens who have worked thousands of volunteer hours and thank you, are saying that Cleveland Heights ought to create a domestic partner registry.

Creating the institution, domestic partnership in Cleveland Heights is a first step toward recognizing that all families deserve basic family protections. They deserve the right to visit one another in the hospital. They deserve the right to inherit from one another if one of them dies. A surviving partner ought to have the legal right to plan a deceased partner's funeral and I know all of you on Council understand when I say they ought to have the right to share employee benefits the same way that my wife and I or city employees can. Fifty other cities in the country have created the institution, domestic partnership, to help address these problems and don't worry I'm not going to list them. I'm nearly finished. I just want to mention that we've learned a lot about our community engaging in almost 10,000 one on one conversations with Cleveland Heights' voters over the last year, about how they feel about their gay and lesbian neighbors. That to me is an amazing number. Even looking at the number of people we have here tonight, right? Imagine how large a crowd 10,000 people are. We could pack every room in City Hall to the gills and they wouldn't all fit here. Having a two minute conversation with each one like we have would take someone eight hours a day, five days a week for two months. That is how much work we have done so far and we are prepared to do a lot more. We're very proud that both the people of Cleveland Heights, our neighbors, by signing the petition and you, our elected representatives have shown such leadership on this issue. We're looking forward to continuing our conversations with you, our representatives, with opinion leaders around the community and with all of the voters here in Cleveland Heights. We've worked very hard so far and we already have half of the votes lined up in order to win this election because people have promised them to us. We haven't stopped for a minute. We're looking forward to talking to more and more of our neighbors of why this legislation is necessary and how it will benefit all of the residents in Cleveland Heights including my wife and I who want to live in a community that values everyone.

So, we know if those conversations happen we're going to win this election and the argument about whether Cleveland Heights really values everyone is going to be over and all of our unmarried families will have the opportunity to feel a little safer. I hope all of you are very proud about what you did last year. I know we are. I hope all of you are proud of this motivated engaged group of citizens, this gigantic group of residents who have come out tonight to talk about this and you helped create this

group and we thank you for it. We wouldn't have found each other without the visionary step that you took last year. I especially hope we make all of you proud in November. I know I'm proud to live in this community and I know that after the election I'm going to be even prouder."

Donna Boswell, 1908 Woodward Avenue, stated, "My great grandfather John Spence actually was the first president of the incorporated Village of Cleveland Heights. My roots go back to before there was a City of Cleveland Heights. He helped to build the school buildings, he helped to form the first council. My family has always been here and I anticipate that I will always be here. I'm not up here because I'm gay or lesbian. I'm not up here because it's a gay agenda or a lesbian bill. I'm up here because I live with a man and we are dedicated to each other but we are not in a financial position to bear each others debts - very simply, very plainly. And yet, I want very much to be able to have some of the acceptance as a totally heterosexual couple might be able to have in this city. One of the silliest things that we deal with to help make ends meet, we have a roommate. Because of Cleveland Heights Council laws, we can't take another person in even though our house is large enough by the housing code to have four more people living there. If we could have one more person living with us we are spouses and we are mates and we will be for the rest of our lives. But we can't have one more person because the law does not recognize us as a married couple living in the same bed, having lived together for many, many years. So as far as I'm concerned I don't care who is gay or who is lesbian, who is heterosexual or not. There is so much to this than anybody's sexual preferences. This could help so many people, not just me, not just the people in this room. Now, I noticed on the statement itself of the domestic partnership registry, no place does it say a gay couple, no place does it say a heterosexual couple, and no place does it say a lesbian. It says both individuals, two people who want to live together committed to each other in what ever form that takes. This is not a gay agenda. This is not a heterosexual agenda. This is an agenda that we all can have equal recognition. Thank you very much."

Katie Alex, 2616 Mayfield Road, stated, "My name is Katie and I'm a graduate student at Case Western and I live in Cleveland Heights. I started working with Heights Family for Equality in April and I had never done anything like this before as many of you know. I collected over 600 signatures myself during the petition drive because I care about this a lot. I talked to countless people from neighboring cities who wanted to sign the petition but couldn't because they don't live here and they were very impressed that something like this was going on in Cleveland Heights. But most of the people that I talked to do live here in Cleveland Heights and it has been amazing to me to see what the people of this city are like. The average voter that I talked to was not only more supportive than I thought they would be but they also showed more of a desire to be informed on what's going on in their city. A lot of folks had questions that prompted great discussions about the benefits of the registry. Many people wanted to read the entire ordinance and I stood there and watched them do it. I encouraged them to read the ordinance so they knew what they were signing. Nearly everyone who would hear us out became a supporter after they actually discussed the issue. Some who were initially opposed because of some of the specifics of the registry changed their mind when they heard the rationale that had gone into detailing the ordinance the way it's drafted. I would like you to hear this rationale as well. The three concerns that I've heard other than those based solely on homophobia are that the registry will somehow cost taxpayers money and uncertainty about opening the registry up to non-residents and opposite sex couples. I'd like to add that the last two provisions I've never heard from a voter. I only know of their concerns, because I've read literature passed out by people who oppose the registry. The opposition is making all these ominous noises about cost and administration and our communities mora future in an effort to confuse the voters. I just want to make it clear that the voters are not going to be confused. They are not going to be successful in confusing our voters. Like I said earlier, these voters want to be informed and involved and that's why we have so many people here today. We're also not going to let that happen because we'll be going out and talking to voters as much as we have been in the past. Will this cost us any money? No it will not. The text of the initiative being certified today specifies

that the City Manager is supposed to set the fee paid by the domestic partners that register, such that the registry pays for itself. I've heard from some people that our definition of domestic partner might interfere with the city's employee benefit's ordinance which also uses the term domestic partner. Our ordinance is written explicitly not to interfere with that ordinance. It uses very plain language when defining domestic partner and other terms before defining any of the terms. It states, 'as used in this ordinance', and then proceeds to define the terms. We had our own lawyers look over this ordinance from start to finish and we also consulted experts on the laws of our city as well. We're proud of our officials for passing that law last year and we wouldn't do anything to interfere with it.

When I had conversations with voters, many of them wanted to make sure that this includes opposite sex couples as well as gays and lesbians. Some find that they themselves were in long-term relationships with an opposite sex partner and would like to be able to use the registry. However, some people have expressed concern about opposite sex couples being able to register as domestic partners. The answer is simple, domestic partnership is not marriage. For starters marriage confers thousands of federal and state rights. Domestic partnership is something different. It models the kind of relationship that already exists here in Cleveland Heights. Domestic partnership is a family relationship not a spousal relationship. It's a situation in which two adults are living together as a family and are not related by blood so they can already be family. Some of them are senior couples with a widow or a widower. They've entered into a new committed relationship but they can't afford to get married again because they are surviving on meager fixed incomes and they would lose social security survivors benefits or pension benefits from the deceased spouse if they got remarried. Do you think they ought to have the right to visit one another in the hospital? We do. Other opposite sex couples choose not to get married for religious reasons or a host of other reasons. Many of these are raising children together. Aren't they families? We think so. We want to make it easier for all the families of Cleveland Heights to live their lives as who they are. We've also been asked why there is no residency provision in our registry and why people who do not live in Cleveland Heights should be able to create domestic partnerships here in the city. Some have even suggested that allowing domestic partners from outside Cleveland Heights to come here and create a record of their relationship might be illegal and this is exactly the kinds of things that we need to make sure our voters are informed about. First I want to point out that the vast majority of domestic partner registries in the United States are not restricted to only residents. So we are very confident that it's not illegal. More importantly there are very good reasons that municipal registries aren't limited to residents. Peoples' lives touch our city in countless ways. People outside Cleveland Heights have family relationships with patients living in our elder care facilities. People outside Cleveland Heights work here or patronize our businesses. They may for example choose to belong to a gym here in Cleveland Heights and want to get a family membership. Being registered with the City as domestic partners will make it easier for them to be recognized as a family while they are in our city. We don't think that anyone whose life touches our city ought to be shut out from these protections. We want the registry to actually be useful to Cleveland Heights' institutions like our elder care facilities and our employers that want to rely on it for establishing family status under their family policies. It wouldn't be useful, if their non-Cleveland Heights' employees, were unable to register their families. That's why our proposal is written like almost all other registries without a residency requirement. Sometimes people are afraid of things that are new. The nice thing about these registries is that they are not new, just new to Cleveland Heights. We know, because they're not new, that they're not hard and that they make a real difference in real peoples' lives. The most important thing to keep in mind when examining the ordinance is that we have put a lot of thought into the details of this registry. We spent the time to make sure that we were proposing an ordinance that would be as effective as possible and recognizing all the families in Cleveland Heights and then we went out and talked to the voters to see if recognizing these families is something that they want to do. What we give you now are signatures from almost five thousand people who know what the registry is about and think that it'll be great for the city that they live in."

Rita O'Connor, 1478 Middleton Road, stated, "I've been a citizen of Cleveland Heights for more than thirty-five years. I'm glad I didn't wear red today I would have clashed with everybody. I'm hear to talk from the bottom of my heart and the top of my head. The only thing I've written down is what people before me have said to help me a little bit. I've read all the literature and articles in the newspapers about the registry. I'm also a nurse and so whenever there are medical things involved in anything I read up on it. The horrible things that happen to especially homosexual males as a result of their lifestyle and their sexual things is terrible. The life span of a homosexual male is forty-one years according to the Center for Disease Control. I think there are four things that usually take their lives, one of course is AIDS, one is alcohol and drug abuse, one is violence against a spouse, and I can't remember the fourth one. Anyway it doesn't matter. I heard something very gross that you didn't even want to think about and I won't say it here because it's too gross. Mayor Kelley or Jimmie Hicks, if you want to hear it later I'll tell you in private what happens - [laughter from the audience] it really isn't funny [addressing the audience] it could be one of you that is present right now. What happens to the male rectum as a result of their lifestyle and that's all I'm going to say, but it really grossed me out. If somebody talked about getting a fair shake, I don't think I'm getting a fair shake. I don't think that people that believe the registry is wrong are getting a fair shake. I do not know the bible as well as a lot of other people so I will not be quoting the bible. I won't be quoting morality. I feel bad for all of you who do not know about the homosexual political agenda. Maybe nobody in here is involved with the homosexual political agenda - maybe your are. However, what I've been hearing is the year 2010, amongst other things the homosexual political agenda - not you as an individual, but the political agenda wants to lower the age of sexual consent to fourteen or twelve. I don't remember the number. You can laugh. I was at the polls on election day and I had the green flyer and I overheard many, many conversations with our citizens and what was stressed is the elderly which even if this registry goes through they can't still can't get married because they will still lose their social security as far as I know. I might be wrong. Also, about visitation in the hospital. I had a friend whose daughter was dying in the intensive care unit. I could go up there anytime I wanted to visit this child. But the real reason is to get one step closer to legalizing the union of two women or two men (that in marriage like heterosexuals) are legalized in marriage - that's the bottom line. Now, I'm against that because it's going to weaken our society even more than it already is and I realize 50 % of the homosexual unions end up in divorce. There are reasons for that too. It has nothing to do with the homosexuals. I don't believe that children living with homosexual parents will not be affected by this family unit. I don't believe that for one minute. We are in America. We all deserve rights. But what you want or what the homosexual political agenda wants - they are impinging on what I want. I also know that people are threatening to move out of Cleveland Heights if this gets any worse 'cause they don't want the hassle.

My husband had a boy scout troop at St. Louis Parish, I'll tell you this, and someone who works with the homeless, Brian Davis, he's been on tv this past week. He is a member of our parish and he came in and wanted to get rid of the boy scouts that have been there for 24 years. My husband was a scout leader for 15 years. The pastor wanted everybody to put their things on the table. They had a homosexual representative there who lives in our parish. They made a fool out of him. In the end they didn't get rid of the boy scouts because of his proposal [but] the leaders and the kids did not want to put up with the bull crap. They did not want to put up with the hassle. They went to another parish - another scout troop and my husband, boy scout troop that's been in existence for 25 years is no longer there because of this one person who said we need to get rid of the boy scouts because they don't accept homosexuals. My husband's troop has a kid of a homosexual in his troop. The father who was married and a homosexual ( I don't know how you do that but he was and they had the kid) they were married, they worked with us. The kid went as far as he wanted to go. There was never any problem, but this one person who represented all of you, came to our parish and got rid of the boy scouts and my husband is broken hearted and I'm broken hearted because I made sacrifices for 15 years so he could be the

leader and go on scouting trips. I don't think that's fair. I think you are impinging your beliefs on me. I read everything that was in the paper the last two days that 7,000 people were talked to. That's not everybody in Cleveland Heights. There are a lot of people that think like me who don't want it because this is one step in the door to legalizing marriage and I read Mayor Kelley's quote where I want to do it right, 'I don't want to make any mistakes'. Last year with the medical insurance he wanted to do it, I believe, so that his political career would go up a few notches. And you can smile at that."

Mayor Kelley interjected, "Rita, I get paid \$8,900 a year to do this here. My political career is going nowhere."

Mrs. O'Connor continued, "But you're not going stay in this --"

Mayor Kelley continued, "The easy thing for me to do is to do nothing. I have a family of five and I haven't seen them since six o'clock this morning. My guess is I'll get home about 10:30 tonight when they are all sleeping."

Mrs. O'Connor said, "I've been up since five because I start working."

Mayor Kelley continued, "For \$8,900 a year - let's move along and finish your comments, if you would please."

Mrs. O'Connor said, "You didn't rush anybody else so please don't rush me."

Mayor Kelley said, "Finish your comments please. I'm not rushing you"

Mrs. O'Connor stated, "I want to commend Mr. Hicks and you have my husband's and my hundred percent support."

Council Member Hicks added, "Thank you."

Mrs. O'Connor continued, "You're welcome. The bottom line is the gay agenda is nothing but trying to legalize marriage in this country. I'm sorry, that's what I believe and that's what a lot of people believe and I think the people that signed that petition were hearing something else. They don't know the full story. They don't. Like I said, you're imposing your beliefs on me. We don't want to devalue anybody. I don't want to devalue anybody. Like I said, I'm a nurse, I'll take care of anybody that comes in contact with me. I worked in the emergency room and by god, there are tons of homosexual males in the emergency room everyday and they end up with colostomies, they end up with cancer, and they end up dead. That's all I have to say. Thank you."

Marianna Stein, 2727 Lancashire Road, stated, "I'm speaking now because I spoke once before. I still believe that as long as they are responsible people and responsible parents and the children are not being harmed. There are people who go to church continuously and yet go home and abuse their wives and still commit crimes with underage children so I believe that as long as they are responsible and the children have a positive loving honest home that we should not ostracize people. And by the way the speaker before me said that she was a nurse, well I worked at University Hospital back in 1963 and 1964 and in Florida in radiology and I think that if someone is going to catch something whether they are with a male or a female it's just going to happen. We do need to still be mindful of safe sex and being responsible. But to ostracize somebody just because of their choice is, I think, wrong because I believe still as I did before that nobody chooses to be ostracized at the age of twenty or more that we should be mindful or at least the medical people should be mindful of checking hormones when the children are

born and to make sure whether there are some things needed that need to be done and not take them at the age of twenty or whatever and then start ostracizing them. Thank you very much.”

Mayor Kelley said, “I think that I’m at the Dr. Ruth show for a while here.”

Peggy Clason, Minister at the Unitarian Universal Society of Cleveland, 2728 Lancashire Road, stated, “My husband and I celebrated our 40th wedding anniversary this past weekend and all of a sudden I felt a wave of sadness. I thought about my lesbian and gay brothers and sisters and how they cannot have a legal marriage ceremony and I support the registry. For me it is a justice issue.”

Crystal O’Connor, 3221 East Fairfax Road, stated, “I was not going to get up here. I had no idea what I was going to say, but I just wanted to throw out a few things off the top of my head, maybe Rita could take them in. And, Marianna, you gave me and my children some bread one day, so thank you very much.”

Mayor Kelley asked, “Just one day?”

Ms. O’Connor continued, “Yes, that was the only day I met her until now. I don’t have the exact statistics but I think one of the greatest killers of women in this country are spouses or boyfriends so maybe, Rita, you might want to work on the stalker laws, maybe that could be something you could help people with. Another thing that I would like to say is that I am divorced and I have two children. They both attend Fairfax School and I was out on the last election day and I was there all by myself with one of the opposition and I was uncomfortable like I am now and I wanted to leave but I did decide to stay because I felt that this was my territory. This is where my children attend school and I chose to stay for a couple of hours and it was hard work and it meant a lot to me and it means a lot that my children are growing up in a community like this. I grew up here and my mother always taught me about basic human rights and peoples’ feelings and I think this is a great way to teach the children in the City of Cleveland Heights about the same thing. Thank you.”

Mayor Kelley said, “Another familiar face.”

“Some of us just can’t stop talking. My name is Betty Lau. I live at 3149 Corydon Road. I’m a lifetime Cleveland Heights’ resident. I’m also a member of the Cleveland Heights Commission on Aging and one thing I want to speak to is that this is not a homosexual agenda issue, this is an issue of people who have needs to be recognized as a couple and that certainly speaks to the needs of many older people who for one reason or another are not able to marry, usually for financial reasons. What really brought me up here today though is the letter I got from American Express today which surprised me and pleased me. It has to do with covered persons under the automatic flight insurance. ‘Covered persons include the basic card member, each additional card member and each of those card members’ spouses or domestic partners and dependent children under twenty- three. Domestic partner means persons of the same or opposite gender who either (1), can provide documentation of registration of the domestic partner relationship pursuant to a state, county, or municipal provision or it can meet the following qualifications’ and those are very similar to those that we have in our ordinance. I think that this is just one example among I’m sure hundreds if not thousands of ways in which a domestic registry would benefit our residents. Thank you.”

Mayor Kelley stated, “Leave it up to American Express to hear what’s going on in Cleveland Heights.”

Denise Nice, 3801 Montevista, stated, “I’ll be very brief. I find it very difficult to take this propo-

sition and actually the organization supporting it very seriously and I'll tell you why. The reason for that is because when I read the proposal I see that it can be very easily - we're talking about families. I hear a lot of talk about families but I see in this proposition that this can very easily be dissolved with a certified notification letter sent to the city and it only takes ninety days. Now, to me, you don't dissolve a family with a certified letter and you can't make a new family in ninety days. So for me, it is difficult to take this seriously when people are talking about families. The only way that I can see that this is something serious is the discussion that perhaps this is a foot in the door for more national agendas that involve specifically gay rights. That's it. Thank you very much."

"Good evening, Mr. Mayor, Members of Council. My name is James Redhed. I live at 3236 Redwood Road. I was not really going to speak about the issue tonight. As I was standing outside the door here, as soon as Rita finished her comments, a gentlemen who knows who he is, said somewhat under his breath, clearly audible to people around him, 'gas the bastards'. He's wearing an orange shirt. I know him from last year. We had multiple conversations, relatively pleasant ones most of the time. That concerns me. I don't know how many people in orange shirts share that. There are a number of people here that I have talked to. As all of you know I walk a lot in Cleveland Heights. It's a walkable city and I've run into a number of circulators in this process. We've had interesting conversations. I also share Rita's concern about what people are being told. Among the things that I have been told are, 'It will make money for Cleveland Heights, because they will charge more to the out of city residents than to the in city ones'. That was at Taylor Road Academy, May 6, on election day. On Euclid Heights Boulevard, it will provide benefits to people who can't otherwise get them. I gave serious thought for a time to signing the petition just so I could mount a legal challenge against it because of the falsified basis for it but decided not to. When I see all the snickers and snide comments from people against others expressing their opinions that concerns me too, is this really about equality or is this really about an agenda? Thank you."

"I'm Laura Marks. I live at 2893 Hampshire Road. I've been busy collecting signatures, getting information out to people, writing letters to the editor of the Sun Press. I think this issue is really important and I think it's really important that we all get facts out there correctly on both sides of the issue. I think it's important that we not bring in our fears and our wildest dreams. It's a very, very simple issue that we're presenting. The domestic registry doesn't confer any rights to anyone. It doesn't impose anyone else's rights. I hope that we'll stick to that. It will give people information upon which employers, hospitals, can make decisions on how they want to treat people. It's a very, very simple thing that doesn't - and if we will stick to the facts instead of throwing out our fears and throwing out our hopes of having this being more grandiose than it is we'll be able to heal the city. And I would particularly ask Reverend Hicks if he'll make sure that on his side of the campaign if he will try to divert people from the fear mongering. Thank you."

"I am Joanne Siegel. I live at 2205 Lamberton in Cleveland Heights over in the Fairfax neighborhood. First, I want to say I've had an opportunity to explain what's going on to my nine year old child. At first I wasn't going to tell him where I was going for these meetings and what am I doing and I thought, well, he's got to learn that not everybody thinks the same, not everybody has the same lifestyle and we need to accept people as they are. People have had their reasons not to accept other so called people different from themselves in the past. They have been very vocal about it. Now it's not politically correct, but they still have their feelings. I will use Jewish people, African-Americans, America Indians, Amish, I can go on, it's just not politically correct anymore, to not accept these people. But now there is another group that we can verbally not accept. Righteous sounding reasons to attempt to deny these people just basic rights that all the rest of us have. Basically the opposition to me sounds so familiar. Thank you."

"Hi, my name is Willow Andrews. I live at 2591 Idlewood Road. My reason for coming up here (which I'm very nervous about) is because tonight I was talking to my four year old son and my six year old son, when I went to drop them off at my in-laws because my husband is out-of-town on business. My oldest son, 6 years old, asked me where I was going and I said I was going to City Hall and he asked me for what for and I told him what for and he said, 'Mom, are you still out helping people?' And I said, 'Yes, I am, I guess you could say that.' He said, 'Okay, that's good.' That should let us know the six year old can look at this issue, which I have explained it to him in great detail and explained it to him because it came up when playing at a little girl's house around the corner from me and explained it to him in great detail and for him to say, 'Well, that's a good thing.' It makes you wonder, the fact that he hasn't had the opportunity to have his view, his perception of how the world should be tainted, because it is all about love and that's what a family is, it's all about love."

Doug Braun, 3579 Randolph Road, stated, "It is good to see everybody here, all the council members and all the people who are for the proposed ordinance and actually some of the people that are against it. I remember Rita O'Connor was at the same polling place I was on at election day and actually sort of by coincidence the next week we went out canvassing and I actually was at her house and I canvassed - and her husband said I remember you, do you remember me? It sort of took me a second but in spite of the fact that we disagree we are all human beings and I think that if we can all have our chance to vote on election day we can express our own opinions and from my experience - okay, I'm not as good as Katie. Katie got 600 signatures. I only got 200, which means I probably talked to about 280 people. It's just sort of a guess based on how much people supported us, sort of the ratios. I actually had a very good time talking with people. Talking to individuals is how we are going to win. It's not some massive media campaign that has high powered tv ads. It's talking to people. There was actually an interesting fund raising letter I received, actually my partner and I both received individual copies. One was from Councilman Jimmie Hicks, who has a fund raising letter that's been out in a couple mailings. The first one was to the DeWitt Family and the second one; two weeks later, came to our house all addressed to the Braun Family, so I just want to thank Reverend Hicks, thank you for recognizing my family. A domestic partnership is far from marriage. It is not marriage. Whether or not it is part of the homosexual agenda only time will tell. Cleveland Heights has always been a wonderful place as far as I'm concerned to live. I've lived here roughly since 1984 when I came here for a job at Case Western Reserve. This ordinance will help people. University Hospital offers domestic partner benefits, Case Western Reserve does, the company I work for, Benjamin Rose Institute (I'm a social worker and I also work with nurses who don't worry about - well never mind). When we have talked to people at their doors or at the grocery store or on Coventry, we have always said the word gay. Now, politically correct in a political correct way we're supposed to say gay and lesbian but sometimes it's just hard to get people's attention with lots of words so I said things like have you seen our gay petition. And of course it is not just for gay people but when people are rushing past you, you have to make it quick to get their attention. Cleveland Heights has always been wonderful.

In 1995 I worked with the Council to add sexual orientation to the different sections of the city ordinances. Back in October of 1983, Cleveland Heights added sexual preference to their ordinances as far as not discriminating against people who they were hiring, So, this is not anything new. 1983 was 20 years ago so Cleveland Heights has a long history of working toward doing the right thing and I think this ordinance is the next step to the right thing. Thank you very much."

Council Member Hicks mentioned that the year was 1993 not 1983. Council Member Evans concurred it was 1993.

"Hi, I'm Debra Dunkel. I live at 1494 Maple Road. I've lived in Cleveland Heights since 1979 and my partner and I have lived here since 1981 and she would be here tonight except she is in Iowa

taking care of her mother who is part of our family. I will join her this weekend because I'm part of that family. Just a few points. One point I want to make is that I am one of the lesbian and gay people who will benefit from this registry who is delighted that this is a broader registry than lesbian and gay couples. I am delighted that particularly elderly folks (and I understand all their reasons) elderly straight folks are going to be able to benefit by this. I'm glad this is an inclusive registry. So I just wanted to make that known that it's not just for us and that I'm delighted at the breath of the registry.

I happen to work in the area of mental health and read a lot of research so I just want to make one corrective point, kind of made earlier. Kids in our lesbian and gay homes are going to have problems. Well, the only problem they are going to have according to the research is that they are going to be tolerant. I can live with that problem. Also, and I just want to comment when I was at the polls at the election I was actually one of the people out there who had - actually probably a lot of us did - had conversations with people who were my opponents, so to speak, and we actually had some good conversations. I said, 'you wouldn't have a chance to vote against this', and I went through it and they said, 'I'd love to be able to vote against this.' Well, sign up for it then. So, I know that some of our opponents have signed up with the intention of voting against it. That's what I love about Cleveland Heights."

"My name is Robin Richmond. I live at 12986 Cedar Road. I would just like to speak to the issue of families and children not being raised appropriately by gays and lesbians. I am a child of a lesbian. I am currently in a one-year-yesterday heterosexual relationship, which hopefully is going to lead to marriage and my own family. I also hope that we someday have a family of our own and to raise them to be tolerant.

I also want to bring up the point that many of my friends that have two heterosexual parents have a lot of issues that they are dealing with. I feel like I am becoming a productive member of this society and I think a lot of that is due to the fact that my mom is a lesbian and has raised me to be tolerant and many of my friends who have issues that they're dealing with are - because of their families - are not tolerant and they have friends who are of a group that their families put down and they don't know how to bring those friends home. I think that tolerance is a very important thing and that children of gays and lesbians learn that and become actually at least as stable individuals as many of the children of heterosexual parents."

"My name is Dolores Knowle. I live at 3885 Lake Run Boulevard in Stow, Ohio. However, recently I paid \$135.00 to Cleveland Heights so I feel I have a little something to say here. I'm 72 years old. I've been in the gay rights movement for 32-33 years. Before that I was in the anti-war movement and before that I was in the civil rights movement. I'm from Kentucky, a border state. When I grew up no African-Americans were allowed to go to school with Caucasians. I went to school for a year in Florida. I have stories I could tell, which I won't. I don't need to do that. I was recently struck in watching a documentary on Rosa Parks, a clip. I actually had taken a video of this and so I ran it back several times to watch it. It's a real fast clip of somebody opposing the rights of African-Americans. This is in Montgomery or Birmingham, where they had the dogs - you know the story - and I saw a sign that said, 'They want special rights not equal rights' and I thought wow, that sounds familiar. That's been around for a while, apparently. I didn't remember it and I just want to ask those of you who were particularly affected in your personal lives by the many years and decades of slavery and the treatment that you got, to think - who were your allies then and who were the people who were not your allies then, and what were they saying then and who is saying what now? Thank you."

"My name is Joseph Rothenberg. I live at 1621 Rydalmont Road, right across from here. I actually wasn't going to speak tonight but after Rita spoke I felt like I did want to get up and say something. I am a registered nurse myself. I have the honor of being inducted into the Nurses Hall of Fame at

Cleveland Clinic last year as a representative from Huron Road Hospital.”

Mayor Kelley added, “Congratulations. That’s quite an honor at age thirty.”

Mr. Rothenberg continued, “Well, thank you. That’s very flattering. I’m 48 years old and apparently I’m beating the odds.”

Mayor Kelley added, “You know, Joseph, the Grog Shop is opening on the 10th, you and I could do a comedy act together.”

Mr. Rothenberg continued, “I’ve been with my partner for 25 years and I’m not going to go into a lot of details about our relationship that may be unusual even by gay standards but the point is I’m very close to his family and we are a family. When his father became ill I helped take care of him and when he passed away I was there and a little over a year ago when his mother became ill, she went into the hospital and I was there with the family as we were deciding what to do and making the hard decisions and helping her to make the hard decisions. Does she want this surgery, what are we going to do? She decided on the surgery and afterwards I have been staying by her side and I see her all the time. She’s in a nursing home now and she went into a nursing home immediately after the surgery for recovery and at one point she began to develop pneumonia and I became concerned her mental status was different, she seemed different to me and I know this woman well. The nurse that was on duty said this is her base line and I was explaining, ‘No, this is not her base line.’ I took my stethoscope and listened to her lungs and knew that she was going into pneumonia. I work in intensive care and I knew what was happening. I said to the nurse, ‘No, you need to get a chest x-ray, you’re going to need to get some blood work, you need to find out what’s happening, because this is very serious.’ The nurse turned to me and said, ‘I don’t need to listen to you, you’re not family’. I had to get on the phone, I had to go long distance, I had to contact other family members - people who weren’t as close, people who weren’t there at that time and didn’t know what was going on and didn’t even have my medical expertise which you would have thought would have been a little relevant but I wasn’t family. They had to come in and they had to insist that these tests get done and instead of it being done in the afternoon she was rushed to University Hospital in intensive care at 2:00 in the morning with her pneumonia. I don’t know if this law would help me in that case - the hospital would have to recognize my domestic partnership - there would be a lot of things. But, this is a step in the right direction and it’s important to me.

The other issue that keeps coming up is the idea that we have to wait for 90 days to change a relationship. The only thing I can say to that is that I know plenty of people who have been divorced and married in a lot less than a 90 day waiting period. That was the main thing that I wanted to get across is that we’re trying - I’m sorry if people find this offensive to their religious beliefs, but we’re trying to establish stable institutions for ourselves and for our family. It is stable institutions and stable relationships that stop the spread of disease. It is stable institutions and stable relationships that create a peaceful, progressive society where people build houses and create communities like the one we are living in right now and standing in the way of our creating stable institutions for ourselves and for the future is standing in the way of public progress and public health and it’s just plain wrong.”

“I thought you’d like to hear from someone that you ended the program with, without applause. My name is Jim Nice. I’m from 3801 Montevista Road, Cleveland Heights.”

Mayor Kelley welcomed Mr. Nice.

Mr. Nice continued, “It’s almost like an AA meeting. Thank you, Edward, I appreciate that. A while ago I wanted to be a NBA star and I also wanted to be a nuclear physicist very much. Unfortu-

nately, my degree is not in nuclear physics and I don't have the attributes to be a NBA star so they're not going to let me do that unless I change the rules and laws and this is essentially what's wished for here. They are not going to let you do it unless you change the rules and laws and that may seem very fair to those people that wish to change the rules and laws but to the NBA player or the nuclear physicist this may not seem all that fair because they don't want me on the team and they certainly don't want me next to the nuclear reactor. And so there is pause for reason here. Just to have our own way and to feel good about it is not necessarily enough to change the laws and change the wishes of a community or attempt to do so for our own personal interest. Now, I address Cleveland Heights for a moment here. You gave us the second ice skating rink. It cost 17 million bucks. I'm not sure we needed to - don't mean to put you on the defensive here, but we already had one, but we got a second one. This is costing us a lot of money. I haven't heard in the discussion this evening, especially our Council here on is there liability, is there a residence requirement here or can I live in Guam? Can my 18 year old daughter and her druggy friend, that happens to live in the same house, sign up for this against my wishes? Are there legal repercussions for the city? Is there a cost? I think primarily is there a cost, is there a monetary cost to this? And is there a legal monetary cost to this? And I would hope that the city would examine these requirements and examine them very, very carefully with their law department before they would get into something that would subject me as a taxpayer to further taxes in the second highest tax city in Cuyahoga County. I thank you much. Thank you also for being here with me."

#### REPORT OF THE CITY MANAGER

Mr. Downey said, "Thank you very much, your Honor. I'll be very brief. We have only one item this evening and that would be to request authority to advertise for bids for a tractor for use in the Public Works Department."

Mayor Kelley made it a matter of record and referred it to the Municipal Services Committee of Council.

Council Member Hicks moved that the City Manager be granted authority as requested.

Second by Council Member Evans.

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

Nays: None

Motion passed

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

Mr. Malone stated, "Thank you, your Honor. I would like to report to Council that on June 23, 2003 initiative petitions were filed with the Clerk of Council to propose an ordinance entitled, "Domestic Partner Registry". There were 426 part petitions filed containing approximately 5,711 signatures. On June 24, 2003 we were advised by the Cuyahoga Board of Elections that there were 35,699 registered voters in the City of Cleveland Heights at the time of the last municipal election in 2001. Pursuant to City Charter the initiative petitions are thus required to have 3,570 signatures. The petitions were delivered to the Board of Elections on June 24, 2003. On June 26, 2003 we received a communication from the Board of Elections that stated 4,922 of the signatures were found valid and that those signers were registered voters residing in the City of Cleveland Heights, Ohio. Pursuant to Article VIII, Section 1. of the Cleveland Heights Charter, I therefore hereby certify to Council that the proposed ordinance entitled, "Domestic Partner Registry". That is all I have to report, your Honor."

Mayor Kelley stated, "Thank you, Mr. Malone. As the Mayor at this time I'd like to ask Council Member Nancy Dietrich, as the chair of the Administrative Services Committee of Council to read a summary of the proposed ordinance which has been prepared by the law department. I will note that the full text of the ordinance is available from the Clerk of Council if anyone chooses to ask for it. Councilwoman Dietrich, please."

Council Member Dietrich stated, "Hopefully, this will be one more step in getting the full story out. This summary of the ordinance was carefully prepared by our law director. There are seven sections to it. The ordinance is called, Domestic Partner Registry. Section 1 establishes the criteria for domestic partnership which are: Two people share a common residence, agree to be in a relationship of mutual interdependence, neither person is married to a third party or a member of a civil union or domestic partner with a third party. Each individual is at least 18 years of age or older, not related by blood in a way that would prevent them from being married in this state and finally both agree to file a declaration of domestic partnership. That tells you who can be counted as a domestic partner. Section 2 provides for a filing of domestic partnership with the Office of the City designated by the City Manager and prohibits a person from filing a declaration until ninety days after a notice of termination of domestic partnership is filed with the city, unless the previous domestic partnership ended because of death of the partner. Section 3 provides that a domestic partnership terminates upon either the death of a partner or the filing of a notice of termination of domestic partnership with the city. This section specifies the procedures for notifying domestic partners of the filing of the notice of termination and for notifying third parties when a partnership terminates. Section 4 authorizes the City Manager to develop forms for the registration and termination of domestic partnership and provides for the City Manager to establish and collect a fee for registration in an amount equal to the city's costs incurred in processing the forms, so that is an answer to another question here tonight. Section 5 provides (a) that any marriage, civil union, or domestic partnership which is valid under the laws of the jurisdiction in which it was created shall be entitled to all the rights and privileges available to domestic partners created in accordance with Section 2 of this ordinance; and (b) that filing for domestic partnership by two persons who are also married to each other in this or another state shall not be construed as knowledge of or an admission that the persons are not lawfully married or given legal effect with regard to whether such persons are married. Section 6 defines the term, domestic partner, share a common residence and mutual interdependence. Section 7 states that if any provision or application of the ordinance is held to be invalid it shall not affect other provisions or application.

That is the summary of the ordinance that is before us as presented in the petition from Families for Equality. That is all I have."

Mayor Kelley said, "Thank you, Council Member Dietrich. At this time I will refer this proposed ordinance, the Domestic Partner Registry, to the Administrative Services Committee for its review and ask that the committee report back to this City Council with its recommendation on the ordinance no later than the regular Council meeting of Monday, August 4, 2003 pursuant to the City Charter. Again, the Domestic Partner Registry has been referred to the Administrative Services Committee of Council for its review and ask that the committee report back to the City Council with its recommendation on the ordinance no later than the regular Council meeting of Monday, August 4, 2003 which is pursuant to the City Charter. The members of the Administrative Services Committee of Council are Nancy Dietrich, the chair person, Council Member Dennis Wilcox is the vice chair member and Council Member Jimmie Hicks is the third member of the committee. At this point and time I'll entertain comments from Council on this ordinance."

Council Member Dietrich, "I don't think this is the right time to talk about our personal feelings about this. I think it's a procedure that we have to be very careful to make valid. We want to do this

right and in order to do that we're going to follow what the law director tells us, but I do want to say that it's stunningly successful for Heights Families for Equality to have collected the number of signatures that you did. We know in Cleveland Heights from a couple of recent and not so recent attempts at initiatives, referendums, that kind of thing, that it is not easy to collect the proper number of signatures that are required. You have done it successfully and I think that, that needs to be recognized. And that is all I'm wanting to say right now, but we will report back on the 4th of August and I do want you to know that we have made sure that our Administrative Services Committee meets when all Council people are present so we will be discussing it all together."

Council Member Wilcox stated, "Again, I don't want to discuss the merits of this proposed legislation until we have had a chance to review it in committee. I just wanted to point out some of the procedural issues that we are going to be dealing with. Since I have been on Council all the legislation this Council has considered has been initiated by Council as the elected representatives of the citizens of Cleveland Heights. Tonight is significant because we have been presented with legislation through initiative which as its name suggests is legislation initiated by the registered voters of the City as provided for by our charter.

I want you to keep this in mind as council follows the processes as outlined in the charter and our ordinances to review this legislation because the process may seem unusual for those followed by council when we consider other legislation. But in the end, what is different about this piece of legislation unlike any other legislation that council considers itself, and initiates itself, is that council can make the choice to let the voters decide this issue."

Council Member Hicks stated, "Thank you, your Honor. I am very happy to be a part of the committee that will review this initiative petition. I, too, want to congratulate the petitioners. It is not an easy thing, although I have never been a part of an initiative petition, I've been part of a referendum petition that did fail but I congratulate you and also thank you for a process that will do exactly what I believe the spirit of people who were doing the referendum petition last year wanted, was to let the people of Cleveland Heights vote. There was a woman that spoke and I didn't get the name, but she said, this was what Cleveland Heights is about. About being able to put a petition together, to sign it so that the residents can decide exactly what they wanted and I think not only is that Cleveland Heights but that's America. I welcome the vote in November. As I said before you did not see me out on election day trying to stop people from signing your petition. I wish I could have said that last year when people were stopping people from signing the petition or trying to stop people from signing the petition that I had, but I believe that was your right and that it was your right to put that together. It was your right to go to as many residents as you deemed necessary to ask them to sign. Not everyone signed, but those that did sign - someone even said that someone signed so that they would have an opportunity to vote against it. We don't know how many signed because they wanted it. We don't know how many signed because they didn't want it. But what we do know is that what you did will allow you to be on the November election and again I commend you for the hard work that you did do that will allow the residents of this community to vote on this issue and send a message to Council about how this community felt about last April and what Council passed. It will let the community speak loudly and at that point I won't have anything else to say once the residents speak."

Mayor Kelley said, "First off and most importantly to Heights Families for Equality, I think you should give yourselves a warm round of applause for really getting out on the streets and conducting a solid effort to get to the people - knock on their doors - and discuss this issue truthfully, honestly and totally to them and getting the proper amount of signatures in a very timely fashion. Give yourself a warm round of applause.

I must have been in high school when we became a nuclear free zone and that's the last initiative of some sort of whatever we had on here. So I really had nothing really to compare it with, but you can rest assure that Council really has three options with this. One is to pass it as an ordinance the way it is. The other is to work with the group to amend it in some form or fashion and the other is to send it on to the voters. But, you can rest assure that the Committee of Council and Council as a Whole will do the right thing with this - research and decide what we should do in the proper time and fashion. There will be no glitches with this. There will be no finding that something was wrong with the petitions or whatever. We're moving forward with this. So there will be some decision made by August 4th to do what needs to be done with this.

Let me set the record straight, whether this is enacted by ordinance or whether it is passed by the voters, not one person will be gouged by the fee to stuff the city coffers. I know our finance director's jaw just hit the table, but whatever the fee is, if it does pass or it's enacted by Council it will be the right and proper fee. Let's set the record straight right here and right now.

As far as any political pay backs or agenda by this Council or this Mayor to reach for bigger or better offices, whoever is coming up with that, I really love my job as the Mayor of this city. And everybody on this Council loves their job. There is nowhere else we'd rather be so this is not an issue. The easiest thing to do with issues like this or domestic partner benefits is to do absolutely nothing. We don't duck tough issues in this city we continue to take them on; win, lose or draw. That's why this city is as great as it is and will continue to get even better in the future no matter how this issue is decided or the other issues. So don't fool yourself, there is no political agenda here. We work through the summer. Most other councils aren't working in July or August whether it be Cleveland, University Heights or some of the other cities. So, don't kid yourself, there is no political agenda. There is no political pay back. So whoever comes up with that idea as the months unfold they are just full of hogwash. We will do the right thing. We are collecting information on what other cities do that have the registry - what they charge - who they offer it to. We are getting further information. I am confident that Council Member Dietrich and her committee will do the right amount of research in checking this thing out a little bit further and I rest assure that all council will be there getting the proper information. Come August 4th we'll have a decision and move forward with this in some direction. There will be no glitches. There will be no holdups, no last minute off the ballot, on the ballot, not enacted, whatever, shelved, tabled. There will be some clear-cut decisions and some clear-cut direction on this issue so once and for all we'll know where we are going with this. You will not be coming back in this room disappointed or mad or the people that say something should be decided one way or another. There will be clear-cut direction on this come August 4th.

We're going to move on with the agenda, the committee reports. However, since it is 9:14 and it might still be almost light out, if you would like to leave and not stay for our committee reports you are more than welcome to leave, say goodbye or something.

We're going to begin with the committee reports."

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

Council Member Hicks stated, "Thank you, your Honor. There is no legislation this evening. However, I would like everyone to know that the Community Improvement Awards Committee is looking for your recommendation for homes that fit this category and if you would like to nominate someone please call the Cleveland Heights Community Relations Department at 291-2323. If you have questions about who might qualify, the improvements to a home must be visible from a public right-of-way and must make the area more attractive. You may nominate someone for restoration, landscaping,

renovation and additions, new construction, painting, maintenance, sitting areas, lighting, outdoor furniture and signage. So, if you have any questions or want to nominate someone on your street for the Community Improvement Awards call, again, 291-2323. Thank you, your Honor. That's all that I have."

## REPORT OF THE FINANCE COMMITTEE

Council Member Wilcox stated, "Thank you, your Honor. There is one piece of legislation from this committee tonight which is on first reading which is Resolution No. 101-2003(F), approving the adoption of the 2004 Tax Budget; and declaring an emergency.

I should point out before reading this legislation that Council has spent many hours reviewing the 2004 budget. This has required more attention than normal because of continued weakness in the economy and including state funding issues we confront, lower interest earnings and particular winter season which we just ended. The goal in this process has been the delivery of the same level of services to residents at reduced cost. This has required our staff to look at how the city delivers services and how we can do it more efficiently. While this has been a difficult process we have achieved a balanced budget to submit in 2004 without an income tax increase and with the same high level of services our residents have come to expect. I want to particularly thank our city manager, the finance director and the staff for working with us and particularly my fellow colleagues on Council for working very hard and diligently to get this job done which again has been a challenge this year.

I will read this legislation now. The City Manager has previously prepared and submitted to the Council a proposed 2004 Tax Budget for Council's review and evaluation. The members of the Council have subsequently met with the City Manager and his staff for the purpose of review, evaluation and their recommendations on the proposed Budget. A copy of the proposed 2004 Tax Budget is available for inspection by the general public at the office of the Director of Finance at the City Hall. Notice of a public hearing which will be given at least ten (10) days prior to the public hearing on said 2004 Tax Budget. That hearing will be held July 21, 2003, at 7:15 p.m. in these Council Chambers. Again, the public hearing on the budget is July 21 at 7:15 p.m. in Council Chambers. Section 1 of this resolution provides the Council hereby approves the adoption of the 2004 Tax Budget as is on file in the office of the Director of Finance, Clerk of Council. Section 2 provides that the Clerk of Council is hereby directed to make a copy of the approved 2004 Tax Budget a matter of record. Section 3 provides that the Director of Finance is hereby directed to file two (2) copies of the approved 2004 Tax Budget with the Cuyahoga County Budget Commission.

Section 4 is notice of passage and Section 5 declares this to be an emergency measure. I present Resolution No. 101-2003(F) on first reading."

Mayor Kelley accepted Resolution No. 101-2003(F) on first reading only.

Council Member Wilcox concluded, "Finally, I just wanted to point out that this weekend is the Cain Park Arts Festival and just remind everyone the times for that are on Friday, July 11th from 3:00 p.m. to 8:00 p.m., Saturday, July 12th from 11:00 a.m. to 8:00 p.m., and Sunday, July 13th from 12:00 p.m. to 6:00 p.m. We hope to all see you there. That concludes the report of the Finance Committee."

Mayor Kelley noted, "Should be noted that the time on Saturday begins at 11:00 instead of 1:00 so we are opening roughly two hours earlier and Sunday it begins at 12:00 instead of 1:00 so we will be open earlier on Saturday and Sunday and it is something we are trying new this year. It is sort of a convenience to get people in the park earlier and move people around at a better pace. It gets crowded usually early afternoon and to mid-afternoon and actually all day on Saturday and Sunday. We're

trying a little bit earlier this year so feel free to come down to the park a little bit earlier this year and enjoy yourself.”

#### REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Council Member Hicks stated, “Thank you, your Honor. I have one piece of legislation this evening. I have Resolution No. 102-2003(MS), authorizing payment to the City of South Euclid for Cleveland Heights’ portion of the cost of the Bexley /Ellison Infrastructure Improvement Project; providing compensation therefor; and declaring an emergency. Whereas, pursuant to Resolution No. 127-2000, this Council authorized the City Manager to make joint application with the City of South Euclid to the Ohio Public Works Commission for Issue 2 funds to be used for storm sewer improvements in Warrensville Center Road (the Bexley /Ellison Infrastructure Improvement Project); and whereas, South Euclid advanced the entire local share costs of the Project, and it is thus necessary to reimburse South Euclid for Cleveland Heights’ share of the costs. Now, therefore, be it resolved by the Council of the City of Cleveland Heights, Ohio, that the City Manager be authorized and directed to make payment to the City of South Euclid in the sum of One Hundred Eighty-two Thousand Six Hundred Sixty-one Dollars and Twenty-four Cents (\$182,661.24) as reimbursement for Cleveland Heights’ local share of the Bexley /Ellison Infrastructure Improvement Project. The sum of Ninety-one Thousand Three Hundred Thirty Dollars and Sixty-two Cents (\$91,330.62) shall be paid now, and a like sum of Ninety-one Thousand Three Hundred Thirty Dollars and Sixty-two Cents (\$91,330.62) shall be paid in either a lump sum or in payments over a period of up to twenty years, as determined by the City Manager and Director of Finance. Section 2 is the notice of passage and Section 3 declares this resolution to be an emergency measure. Your Honor, I offer Resolution No. 102-2003(MS) for passage tonight.”

Mayor Kelley accepted Resolution No. 102-2003(MS) for passage.

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

Nays: None

Resolution passed

#### REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Vice Mayor Montlack stated, “Thank you, your Honor. Resolution No. 103-2003(PD), is the one piece of legislation from this committee tonight. It is a resolution authorizing the City Manager to enter into an agreement with the United States Department of Housing and Urban Development for Section 108 Loan Guarantee Funds in the sum of Eight Hundred Ninety-nine Thousand Dollars (\$899,000.00); and declaring an emergency.

This City is an entitlement city which means that each year it receives directly certain Community Development Block Grant funds and through the hard work of the staff in trying to stretch our dollars now more than ever for important projects they have in effect worked out a strategy for mortgaging, if you will, our future block grant annual dollars so that we can receive funds now and carry on important redevelopment work and pay them back at favorable rates as is possible.

The City Manager under this resolution is authorized to enter into such an agreement with the Department of Housing and Urban Development for Section 108 Loan Guarantee Funds in the amount of Eight Hundred Ninety-nine Thousand Dollars (\$899,000.00), to provide financing for two large projects, Severance Circle road redevelopment (I’m sure you’ve seen that on your way in or will see it on your way out), the Coventry Streetscape, for work along the sidewalks and other pedestrian amenities as well as several smaller street resurfacing projects. The agreement and all related documents will be

approved as to form by the Director of Law. Resolution No. 103-2003(PD) is presented on first reading for passage tonight.”

Mayor Kelley accepted Resolution No. 103-2003(PD) for passage.

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

Nays: None

Resolution passed

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

Council Member Evans stated, “Thank you, your Honor. The next two resolutions both have to do with nuisance abatement of two different properties. As most of you probably are aware of the fact that it becomes necessary to nuisance abate properties that have been in a state of deterioration to the point that they have become a hazard to our health, safety and welfare of the occupants, and the public and are blighting and deteriorating factors in the neighborhood which adversely affects the value of the neighboring properties. Each of these properties has had Housing Code violations for over four years that have not been resolved and there has been very, very little progress that has been made to correct these violations.

Resolution No. 104-2003(PSH), will declare the property at 1683 Colonial Drive to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency. I’d like to show you a picture of the condition of this property and submit Resolution No. 104-2003(PSH) for passage this evening.”

Mayor Kelley accepted Resolution No. 104-2003(PSH) for passage.

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

Nays: None

Resolution passed

Council Member Evans continued, “Thank you. The next Resolution 105-2003(PSH), will declare the property at 3795 Northampton Road to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency. I would like to submit Resolution No. 105-2003(PSH) on this particular property to be passed this evening.”

Mayor Kelley accepted Resolution No. 105-2003(PSH) for passage and stated, “I would like to make a brief comment since there are some new people here tonight. These properties are obviously not the norm on your street but if you do have properties like this where they are in a state of disrepair or there is garbage or lawn/grass please feel free to call the city at 291-4444 ask for Rick Wagner in our Housing Department. We are more than happy to get involved and see where it is at. If it is simply a grass issue (high grass) or garbage or debris we can get someone to come out and we usually take care of it within three to five working days. If it is a house that is in total disrepair and it has been like that for a longer period of time we can see what we can do and possibly get involved and nuisance abate it. We don’t like these properties on any ones’ street let alone your street or our street. We are very aggressive. We’ve been aggressive for probably twelve to fifteen years on these properties. We simply get involved. We cite them and pass legislation like we are doing tonight. We give them thirty days to fix it up themselves. If they don’t fix them up, we come on the property. We do it and affix it on their property tax bill and we get the money back that way. We don’t like these properties period. We don’t like them anywhere. We are aggressive. We were one of the first if not the first city in Cuyahoga County to do it. Now a lot of other cities are following through and doing it like we are doing it. So, if you have a

problem or you are here tonight visiting or you are watching this on the cable channel and you have a problem in your neighborhood please feel free to call City Hall at 291-4444 ask for Rick Wagner. He will be more than happy to assist you or his staff will assist you. We don't like these properties even if it something simple as overgrown grass, weeds, debris in the backyard or something doesn't look right. Let's err on the side of keeping our properties maintained in good housing stock.

Mr. Malone, will you please call the roll on Resolution No. 105-2003(PSH)."

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

Nays: None

Resolution passed

Council Member Evans continued, "That concludes the resolutions for this evening. I would like to mention that most of the larviciding that has been done for the last month or so is almost complete in Cleveland Heights. I happened to come across a release from the Ohio Department of Health which talks about the West Nile virus being a preventable disease that is spread by the bite of infected mosquitoes and that all of us are continued to be urged to take personal prevention methods to protect ourselves and our loved ones from the virus and to eliminate mosquito breeding sites on our property. I know it sounds redundant but I guess we find that it is important to continue to reiterate these bits of information so that it will stay on the forefront of peoples' minds. ODH's Vectorborne Disease Program will continue to test birds until finding two West Nile virus positive birds from a local health jurisdiction. As of June 12th one blue jay was detected in Cuyahoga County to be infected with West Nile. Once two birds are identified ODH will turn its attention to testing mosquitoes in that jurisdiction. While testing for West Nile, positive birds can indicate the virus' presence. Testing for West Nile, positive mosquitoes give health officials a better sense of how much virus activity there is in a given area. West Nile virus is serious but it is also preventable. They talk about what the personal prevention methods are and that it is when being outdoors between dusk and dawn when mosquitoes are likely to be biting to try to avoid being outside. I know that is a little difficult to do so in the event you are outside, use a mosquito repellent according to the label directions. Also keep your windows and doors closed and make sure your screens are in good repair. The other thing is to concentrate on eliminating mosquito breeding sites. They mention that all old discarded tires need to be removed. Dispose of anything that can hold water and make sure that your gutters are drained, because it is important to keep them draining. If you have a pool that has a cover make sure the water drains properly from it, change your bird bath water at least once a week and when your children's wading pool and other little toys are not in use make sure that they are turned over. Also, they are reminding us that it would be nice if we would remind our neighbors who seem to not pay much attention, if you notice they have standing water on their properties what they need to do and the reasons why.

The other thing I thought that was sort of interesting was published in our publication for senior adults and it's a memo that talks about prevention to avoid identity theft. I thought I would just mention these. It says, 'Heed these tips to avoid becoming a victim of identify theft. Keep your social security card at home in a safe place. Carry a credit card only when necessary. Do not have your social security number on your driver's license. Dispose of all credit card bills and documents by shredding or tearing them into small pieces. Do not give your social security or bank account numbers to any person or company you do not know. Before disclosing any personal information make sure you know why it is required and how it will be used. Guard your mail from theft by promptly removing it and placing any out going mail in post office collection boxes.' We've all heard many of the horror stories about identify theft so it's important for each of us to do our part to protect ourselves. That concludes my report."

## REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE

Council Member Dietrich stated, Thank you. I have one piece of legislation and it is Resolution No. 106-2003(AS), authorizing an agreement with the Doan Brook Watershed Partnership, a non-profit corporation, for partial funding for second year operating expenses of the organization; providing compensation therefor; and declaring an emergency. The cities of Cleveland, Cleveland Heights and Shaker Heights, along with interested organizations and individuals, have formed the Doan Brook Watershed Partnership, a non-profit corporation, to develop and implement a watershed management plan for the preservation and improvement of Doan Brook.

In case you don't know what I am referring to when I say, 'Doan Brook', it's what you might call the Shaker Lakes. It starts up in Shaker Heights with Green and Marshall Lakes, comes down Horse-shoe Lake, Lower Lake and then flows all the way through Rockefeller Park into Lake Erie.

And whereas this organization has achieved significant progress in its first year of operation.

I will just take a little time out from reading the resolution to tell you a few things that the Doan Brook Partnership has done in the first year of operation. The Partnership as I said is between Cleveland, Cleveland Heights, Shaker Heights, the Nature Center, University Circle, Inc., and the sewer district and then other interested citizens. From this city, I and Carl Czaga, who is Special Projects Director, are our two representatives. Each city has an elected official and a staff person on the Board. We have hired ourselves a half-time executive director. We have three committees up and running: The Outreach Committee, City Services and Capital Projects Committee, Monitoring, Mapping and Technical Studies Committee and there are others still to come. There are by-laws. We are an official 501C3 organization. A couple of the things that we've accomplished this year is assisting the staff of the three cities in developing storm water management plans that are required under the new Federal and State Phase 2 regulations. Another thing is to provide technical support for the City of Cleveland in its plans which are quite ambitious for the two-mile stretch of the brook that flows through Rockefeller Park and we've almost assumed management of a three-year Ohio EPA grant that was originally awarded to the City of Shaker Heights. It is a \$265,000.00 Clean Water Act Grant. Among other things it allows for research and testing of urban retrofit storm management practices throughout the watershed. So that's a little bit about what's happened in the first year.

So this Resolution authorizes the City Manager to enter into an agreement with the Doan Brook Watershed Partnership, for partial funding for second year operating expenses for the organization in the amount of Eighteen Thousand Dollars (\$18,000.00), and shall be approved as to form by the Director of Law. Section 2 is the notice of passage and Section 3 passes it as an emergency. I offer Resolution No. 106-2003(AS) for passage this evening."

Mayor Kelley accepted Resolution No. 106-2003(AS) for passage.

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

Nays: None

Resolution passed

Council Member Dietrich continued, "Thank you. I also have three board appointments to make tonight. The first is to the Commission on Aging and it is a reappointment and I move to reappoint Patricia Baskin for another two-year term, effective July 1, 2003 and extending through June 30, 2005. Pat Baskin is the committee's gerontologist."

Second by Council Member Wilcox.

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

Nays: None

Reappointment passed

Council Member Dietrich continued, "The next one is also for the Commission on Aging, but this is a new appointment to replace Joanne Anderson who has accepted an appointment on the Fair Housing Board. I would like to offer Harold Williams, a resident of Roxboro Road for an unexpired term beginning immediately and ending June 30, 2004 at which time he could be reappointed if he chooses."

Second by Council Member Evans.

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

Nays: None

Appointment passed

Council Member Dietrich concluded, "Finally, I have an appointment to make to the Architectural Board of Review and this is for its alternate position. It is a three-member board so it needs a fourth person so there is never a situation where there is one person at a meeting, Larry Fischer has held this position ably for the last twelve years but he is starting his own architectural practice and needs time for that. I offer the appointment of Kathleen Tark who has been with City Architecture since 1992. She received her masters degree in Architecture from Harvard and has a particular interest in urban design, civic buildings, and community architecture and she also will be the first female ever to be on the Architectural Board of Review. She will be filling an unexpired term as the alternate beginning immediately and ending December 31, 2004 and she could be reappointed. I offer Kathleen Tark for the ABR alternate position."

Second by Council Member Wilcox.

Mayor Kelley added, "I just want to thank Larry Fischer for serving on the ABR for twelve years. He did a wonderful job, and as the alternate I think for all twelve years, he filled in at a minutes notice a lot of times and really did a great job. He certainly will be missed but I'm really looking forward to great things from Kathleen Tark. I'm proud of this moment that we are putting a woman on the Architectural Board of Review. More importantly, I wish Kathleen Tark well as she has her second baby."

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

Nays: None

Appointment passed

## REPORT OF THE MAYOR

Mayor Kelley stated, "I just want to congratulate everyone who came out tonight in true Cleveland Heights fashion outside of the one comment that was pointed out to us - whatever side you are on the issue, you conducted yourself in true Cleveland Heights fashion. You let each other talk. I've been to other communities viewing meetings and participating in meetings that people were booed and hissed and asked to leave and not as pleasant as the meetings we have here in Cleveland Heights. I've watched other cities on tv and make tv news because people got into fist fights and altercations over simple issues of how high a fence may or may not be or how loud noise would be in a neighborhood. Tonight was a true Cleveland Heights meeting. Different view points were entertained. People conducted themselves in a true Cleveland Heights manner and let people speak and I'm proud of being in

Cleveland Heights. I expect there will be further dialog in the weeks and months to come. On this particular issue if you want to speak to Council you know how to get a hold of us whether it be by phone or e-mail or letter and I'm sure you will in true Cleveland Heights fashion. You know how to reach out to your Cleveland Heights council people. I'm looking forward to seeing what happens in the weeks and months to come on this issue.

Our next meeting will be on Monday, July 21, 2003 at 7:30 p.m. We do have a public hearing for our budget at 7:15 p.m. on that date. I encourage hundreds of people to come to that meeting and learn about our budget so we could set a record with a lot of people.

This meeting is adjourned at 9:44 p.m. Council will stay for any further comments from people."

Respectfully submitted,

Edward J. Kelley, Mayor  
President of Council

Thomas K. Malone  
Clerk of Council  
/mwc