



CITY OF CLEVELAND HEIGHTS, OHIO

MINUTES OF THE CITY COUNCIL MEETING OF MONDAY EVENING, JUNE 4, 2007

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:20 p.m.

Edward Kelley, presiding

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

Council Members absent: None

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

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

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

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

Edward Kelley, presiding

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

Council Members absent: None

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

The minutes of the Regular Council Meeting held Monday, May 21 were approved and signed by Mayor Kelley along with the ordinance and resolutions passed at that meeting.

"Anne Karavantas, 3968 Rosemond Road. I would like to preface my statement that this is not an opinion that I initiated at this time, but it is one that I've felt for quite sometime. I just haven't got myself off my duff to write the letter:

I've lived in this city 42 years and have seen many changes take place. One of them is the construction of this structure, housing not only city administration offices but the court and police departments. I am sure that the openness of this building was and still is meant to be welcoming and friendly to all doing business here. At that time, there was less economical pressures and less stress in peoples lives. Now every one is stressed and becoming angry at life's situations. Respect for our neighbors, for property and our authorities is being lost.

The openness of this building is putting the safety of city employees in danger, especially in the police department. Anyone can walk into the department and could literally touch an officer over the

counter. An officer could be spit upon, have something thrown at them or even shot. No other police department that I am aware of allows people to enter in this manner. They have bullet proof glass walls with a slot for passing papers through. If further discussion is needed an officer will come out to talk to you or you are taken into the back (and that is of course after you've been scrutinized).

Since the City Manager, Chief of Police and others all report to Council I am starting at the top to urge you to take a hard look at how this building can be made safer for all employees. Especially the police officers that have the most occasion to deal with angry, disrespectful people. Another factor could also involve terrorism, while unlikely to happen in a suburb such as ours, cannot be ignored. I would hope there would be homeland security money to pay for any safeguards that would be installed.'

I would like to point out that each of you has a letter on your desk that I was free to walk in and put [down]. Nobody stopped me. I know of no cameras that have followed my progress in this building or any security that prevented me or anybody else from coming in and placing any kind of weapon or destructive material in this building. Thank you."

Mayor Kelley thanked Ms. Karavantas and asked for any comments.

Vice Mayor Montlack commented, "Thank you for taking the time and having the thoughtfulness to make these suggestions. To state the obvious there are in this day and age especially there are great tradeoffs and balancing that we have to do that we didn't have to do before. In my personal opinion, the comments that you made are appropriate to be provided to our City Manager/Safety Director as you note and to be shared with our Chief of Police and others and I think it's worth some consideration. Thank you."

Mayor Kelley responded, "Thank you, Anne. I, too, appreciate your comments. However, this is a City Hall and we do conduct other business in this City Hall and I'm glad you were able to walk in here tonight and place your letter to all City Council. That's the City Council that I know and love and that's the city that I know and love and other people have to come in here to conduct business; to pay their water bills, to get permits for things, and I do not want this city hall to become a fortress and we will be commenting later with Resolution No. 65-2007 concerning the unfortunate situation with Officer West. We do appreciate your comments. I'm sure the City Manager who serves as the Safety Director and Chief of Police will take them under advisement, but I do value the fact that this is an open city hall and I do value that our policemen are not behind bullet proof glass, because I think it sends an unfortunate message to our citizens and I do value the fact that most of our policemen live in the city, take their cars home, they are part of the fabric and tradition of our city. They do live in the city, they raise their families in this city. They send their children to our schools, they frequent our restaurants, our dry cleaners, your pizza place, Teresa's - there on Taylor Road in University Heights and they continue to do that. I don't want to turn the clocks to a world of being pushed around by terrorists and by people that want to wield guns. I want the old fashion way, the city that I know and love for the last almost 50 years that I live here and that will be next month when I'll be turning fifty. I appreciate your comments. The City Manager and the Chief will look at them, but I believe that we have to have an open city hall so residents don't feel like that they're coming to a fortress or be treated behind glass-plated windows. But, we're not going to have a debate. You've had your turn and I appreciate it. Mr. Downey and the Chief will look into this. Anybody else want to comment?"

Council Member Evans added, "Other than that, we will hear from the City Manager and if necessary we can make it a Public Safety and Health agenda item, depending on the information that we receive from them. So it can be talked about by all seven council members."

“Hi. It’s funny to be up here. My name is Blanche Valancy. I live at 3021 Yorkshire Road. I am here representing the League of Women Voters tonight as every night, but tonight we have something to tell you about. The League of Women Voters would like to be sure that everyone on Council and all the citizens are invited to the town hall meeting we will be holding on Wednesday, June 20th at 7:00 p.m. at the Cleveland Heights Community Center. At that meeting the League of Women Voters Ohio lobbyist will be talking about redistricting and gerrymandering, something that should be close to the heart of all voters. After her talk there will be small group discussion and brainstorming. These impact town hall meetings are taking place all over Ohio and we’re very, very pleased to have one right here in Cleveland Heights at the Community Center and just wanted to make sure everyone in this city knows and turns out. Thank you very much for your time.”

Council Member Caplan commented about the flyer. Ms. Valancy held up a flyer.

REPORT OF THE CITY MANAGER

Mr. Downey stated, “Thank you very much, your Honor. I just would comment that I appreciate the time that Ms. Karavantas took in her letter and I will meet with the Police Chief and we will get back to you with our thoughts on this. Other than that, that’s all I have, your Honor.”

REPORT OF THE DIRECTOR OF FINANCE/CLERK OF COUNCIL

Mr. Malone stated, “I have no report, your Honor.”

REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Evans stated, “Thank you, your Honor. I would like to present Resolution No. 65-2007(PSH), commemorating the life and service of Cleveland Heights Police Officer Jason West, offering condolences to his family and the men and women of the Cleveland Heights Police Department who served with Officer West, and expressing the support of the community for our safety force employees who place their lives on the line every day to protect and serve the residents of this City; and declaring an emergency.

WHEREAS, Cleveland Heights Police Officer Jason West had served us faithfully for seven years as a member of the Cleveland Heights Police Department; and

WHEREAS, Officer Jason West was a distinguished graduate of the Cleveland Heights Police Academy and had risen through the ranks because of his ability and professionalism to the rank of Investigator; and

WHEREAS, Officer Jason West reached out to our community “to protect and to serve”, whether he was on motorcycle duty, community policing in our commercial districts, helping neighbors, or responding to calls; and

WHEREAS, Officer Jason West was a much loved son, grandson and brother to his family and a friend to hundreds of people both in his childhood hometown of Avon and his home, as a resident, here in Cleveland Heights; and

WHEREAS, our entire community is grieving the loss of this dedicated young officer who gave his life in the line of duty responding to a disturbance the night of May 25, 2007.

NOW, THEREFORE , BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

This Council does hereby proclaim that we will never forget the sacrifice of Officer Jason West, that we will honor his memory today and everyday; that we offer our support to Police Chief Martin Lentz and the men and women of the Cleveland Heights Police Department who are grieving the loss of their colleague and brother; and that our entire community in the months and years ahead will offer our prayers and support to Officer Jason West's family. We will never forget.

I would like to present Resolution No. 65-2007(PSH) for passage."

Mayor Kelley accepted Resolution No. 65-2007(PSH).

Vice Mayor Montlack commented, "At times like this, it's all pretty basic. Officer West was many things, and some of us could just sum it up by saying a good guy and one who in his service in Cleveland Heights certainly showed that he was raised with fine values, the kind of values that you get only with the help of family teaching those good values and practicing those values. Our eternal gratitude certainly goes to and has been expressed to the West Family for all that they've contributed to their son and their brother and their relative, Jason West. Cleveland Heights was the beneficiary of his good works. Now after solemn ceremonies and outpouring of anguish, I feel that we are actually at the beginning of the process, that much more is needed and certainly on reflection each of us can decide our commitment and our dedication to do something more. As a member of this Council, I certainly pledge that I will work harder and smarter to foster the good values lived by Officer West within Cleveland Heights and in all of its neighborhoods. Thank you."

Council Member Caplan stated, "It is difficult to talk about someone you really knew. I happened to have known Jason West for several years. He cut my lawn and he plowed my driveway and he did it for several years. So every Friday morning I saw him. Besides being a good son and an excellent officer, he was a really nice guy. He liked to joke around, he would tease me and I liked going out in the morning to see - I called him Jason - to see Jason and the people he was working with because there was a certain relationship. He was unassuming. A couple of years ago we had gotten a letter commending his service and the next time I saw him, I said, nice letter, what do you think? He didn't know about it and I went and got the letter and gave it to him and he was so pleased that somebody had written about what he had done and especially pleased that we had talked about it at Council and had read the letter to the people who watch this program. So it was not only honoring his services as an officer, not only honoring his service as a member of our community, but I really knew him and - - there are no words to say about the sadness of it. But also the special thing that in our community, the policemen and women are members of our community. That we have interaction with them, there is something wonderful about that and it's wonderful that our community fosters that. I hope we continue to foster that and that relationship that we have with each other and that we'll continue to remember what he represented and who he really was, and that we remember Jason as a human being, as somebody who really cared about his community, who really cared about the people that he worked with. He really loved being a police officer and how lucky we were to have him with us.

My condolences to his family and to his colleagues and really to all of us. Thank you."

Council Member Dietrich stated, "I don't want to go on too long, but the events of these past ten days, Officer West's death and all the commemorative events, just give rise to so many thoughts. The candle-light vigil that the Heights Interfaith organized, the rally on Friday night on Altamont, which was small but very heart-warming, the funeral and the presence of the police officers lining the street in

Avon as far as the eye could see, giving their brother officer his final send-off were not only moving, but they were also encouraging and really thought-provoking. One of the things that's been on my mind since, is how we sometimes criticize the police. I know I'm guilty of that and how so often City Manager Bob Downey has reminded us and me, that every time a police officer goes into a situation, he answers a call, he responds to a disturbance, he doesn't know what he's going to face and that Friday night, it was a summer evening - ten o'clock or so, it could well have been just a noisy party that Officer West was pulling his car into first, instead of a sick man with a gun ready to shoot which ever officer happened to come first. And the police never know which of those it's going to be, and yet they respond every single time, shift after shift, they put themselves on the line just like Officer West did. Seeing, I guess it was thousands of police officer at the funeral, in full uniform, standing at attention in the hot sun, with of course Chief Lentz right there in the center looking like a sad father really, the whole thing was like a metaphor to me of what the police do and how tough they have to be everyday. The rest of us could find a little shady patch to watch from. We have easy jobs, but they - even in their time of tragedy, their time of loss, they were the ones with the tough spot, they were the ones that had to stand at attention and look like they weren't falling apart, even though everybody else was hot and sad. It's because that's what we expect of them. We expect them to do the hard things because they are police officers and time and time again they do what we expect - just as they were doing that day there at the funeral and it is just always a hard job.

To people who are out there watching, in spite of Officer West's death, the police will want you to keep calling them. Don't ever hesitate to call them. Don't let this horrible incident prevent you from calling the police when you need them or when your neighborhood needs them. They would not want that and Officer West would certainly not want that either. That's all."

Council Member Wilcox stated, "The last ten days have been filled with grief and sadness for all of us in the city because of the senseless killing. I want to again express my condolences and sympathies to the Jason West Family. We will never forget Officer West and his commitment and sacrifice. We should all remember that not only his dedication to protect us as a police officer but his commitment to our community as well. He owned a house here and was a resident of our city, as many officers are. I want to thank publicly our police department, fire department for their service to our city. We appreciate what you do everyday. I am extremely proud of Chief Lentz and his department and how they paid their respects to a fallen officer and also to their continued dedication to their job. Shortly, after the tragedy, I spoke to one officer who told me, you don't need to worry about us, we will continue to do our job and protect our city. It is easy to take our safety forces for granted, but it is something that we should never do. I also want to thank our city staff who went above and beyond the call during the last week including our City Manager, Susanna Niermann O'Neil and our public works department. I also want to thank all those residents of our city who have shown their support in ways big and small. The community showed what it was about at our candle-light vigil last Wednesday evening when well over 1,000 residents came to City Hall. The local clergy did a wonderful job with words of healing, that were so important. With the help of our citizens I know we will come through this with a greater dedication to the spirit and sense of community that is Cleveland Heights.

As we move forward, we will need to insist that our state legislators make sure that necessary laws and funds are in place that will insure that those with a history of violent behavior and mental illness will not harm others or have access to firearms. Finally, rest assure that we on Council are more determined than ever to insure the safety of our city and livability of our neighborhoods that our residents expect and deserve. Behaviors that are disruptive to any street will not nor should be tolerated. We will work to address these problems so our city continues to be the great city that we all love."

Council Member Tumeo added, "This has been one of the most disturbing and upsetting times.

It's hard to express the personal grief that everyone on Council, including myself, has felt at this loss. I think that Councilwoman Dietrich and Councilman Wilcox point out, we often don't step up and express our appreciation to the police and I'm probably along with others have grumbled a few times at the off-hand parking or speeding ticket that I didn't think I necessarily deserved. These fine men and women actually do put their life on the line and we don't think about that in Cleveland Heights because we have fortunately not had this kind of tragedy in a very long time and so in trying to make sense of something that really doesn't make sense, I hope that we all stop and think about what the police and fire and safety forces not only in Cleveland Heights but around this county and the state do for us every day. Sometimes when we're on the wrong side of that, for a ticket or being stopped, to check ourselves and remember these people get killed when they stop a car for a ticket sometime or when they are called for help and maybe just take a deep breath and move along and remember what they really do for us."

Mayor Kelley stated, "I want to start off by just reminding people that if you want to sign the remembrance books, to send a note to Officer West's family, they are still available through Friday here at City Hall or at the main library. So feel free to come by and send a note to Officer West's family.

I also want to say a big thank you to the media that I had an opportunity to work with just about every single day since Officer West's death. So often the media either gets it wrong or sometimes pushes you a little too far, but in each and every case I thought the media did an extraordinary job and I want to thank our very own David Wittman who lives in Cleveland Heights for coming up with the idea about ringing the bells both in our city and the City of Avon, I thought that was just an extraordinary idea and one that we carried out and I want to thank David, who lives here in Cleveland Heights.

I also want to say something about the City of Avon. We were brought together by this tragic loss and the two days that I spent over at Avon were - I've been over there a couple times before but certainly not in this type of situation. But, they too felt a big loss of one of their hometown heroes and the way they handled it and the things they did over there and when we were over there for the wake and the funeral, it truly is an extraordinary city. They really felt the loss and if we would ever have somewhat of a smaller sister-city I think it would be Avon. Unfortunately, the death of Jason West brought us both together and sharing in the grief.

I want to thank all the police and firemen from across the country, not just as they reported in the paper Pennsylvania and Toronto. They came from New York, they came from Chicago, they came from Boston, they came from Florida. This is something that they just do. There were about two to three thousand people, not one thousand that was reported on one of the tv stations. It was an awesome display both at the wake and the funeral. They were there for their brother, Jason West. They were standing outside this small tiny church in what was 80 to 90 degree weather, full gear, full uniforms and they were there. Unbelievable!

I also want to thank our community, our residents and the Interfaith Council. The vigil really showed what Cleveland Heights is about. We had the opportunity (we being Council) to stand up front with the clergy that were involved and just to look out was such a beautiful sight and when the candles were lit and the whole ceremony really told you what Cleveland Heights was about and what they wanted to say, the love and the condolences to Officer West's family and the people in the crowd holding hands and singing together. It really showed how much Cleveland Heights loved Officer West and our police and fire departments and our safety forces. It's really what you expect in Cleveland Heights and they certainly didn't disappoint us. It was truly an extraordinary night and a well-planned out night that was basically thrown together the day before by the Interfaith Council. People wanted to do something, they needed to do something and they wanted to express their selves and here we are in Cleveland Heights doing it.

Tonight, as you heard we are remembering Cleveland Heights Police Officer Jason West, who gave his life responding to a disturbance on Friday, May 25th. Jason lived the words honor, service and pride. We are reminded tonight on just how great a sacrifice our police officers can be. When we call the police they respond and they put themselves between us and harm. We can never take that for granted. This young officer, Jason West, was a resident of our community, dating all the way back to 2001, when he bought a house on Cedar Road. He has served us faithfully for seven years. He was everything you would want in an officer, reaching out to our residents, considerate, caring and professional. He knew the risks and we're grateful that he chose a life of service to protect and serve. Tonight, we thank him with profound gratitude for every time he responded to a resident's call, for every time he patrolled our streets at night while we were safely sleeping, for every time he protected us and kept us safe even when we didn't know his name. We think of his parents, his sister and his family and his friends with support and prayers. Our entire community is sadden at this terrible senseless loss. Tonight and in all the days ahead, we will honor the life and the sacrifice of Cleveland Heights Investigator Jason West. I'd also like to say thank you to all the men and women of our police and fire departments, especially the Cleveland Heights police officers who are suffering the loss of their friend and colleague Jason West. We know how difficult this is for you and support you with our prayers. As a son of a firefighter I have always had the deepest respect for our safety forces. All of them put their lives on the line for us each and every day.

So, therefore, on behalf of the City, staff and every resident of the City of Cleveland Heights we offer our support and our deepest sympathies to the family of Jason West.

Before we take the roll call vote on Resolution No. 65-2007(PSH) I am going to ask for just a brief moment of silence just to honor the memory of Jason West."

A moment of silence was observed.

Roll call was requested by Mayor Kelley.

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

Nays: None

Resolution passed

Council Member Evans stated, "I just want to take a minute to remind our residents that on Channel 23, the Memorial Day ceremony is playing at 10:00, 3:00, 7:00 and 10:00 and that following it, is a wonderful, wonderful tribute to Officer West that I'm sure all of you would appreciate. I had an opportunity to watch it today and it is wonderful.

Resolution No. 66-2007(PSH), amending Resolution No. 47-2005 authorizing an agreement with the Cuyahoga County Board of Commissioners, Department of Development for a grant for lead remediation work in dwelling units in the City to provide for additional funding for the Program; and declaring an emergency. Resolution No. 47-2005 this Council authorized the City Manager to enter into an agreement with the Cuyahoga County Board of Commissioners, Department of Development, for a grant for lead remediation work in dwelling units in the City. Additional funding is now available for such Program. Acceptance of such funding would be in the best interest of the City and its residents. Therefore, be it resolved by the Council of the City of Cleveland Heights, Ohio, that: Resolution No. 47-2005 shall be and hereby is amended to provide for additional funding in the sum of Seventy Thousand Dollars (\$70,000.00) for lead remediation services on six (6) additional dwelling units, so that total funding under the agreement shall be Three Hundred Sixty-three Thousand Seven Hundred Fifty Dollars (\$363,750.00). All other terms and conditions shall remain unchanged. I'd like to present Resolution

No. 66-2007(PSH) this evening.”

Mayor Kelley accepted Resolution No. 66-2007(PSH).

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

Nays: None

Resolution passed

Council Member Evans concluded, “I’d like to add that up to 25 of these homes have been remediated.

In reading the Plain Dealer sometime over the weekend, there was an article about how to co-exist with wildlife and it came to mind because we had a little talk about a complaint about too many deer kind of interfering with people’s gardens, but one of the hazards possibly being car collisions with deer. There is a new website and it’s extension.org and it covers a lot of little testy animals. So if you are so inclined, please go onto that website and see if there is something there that might be helpful. Other than that I just want to say, ‘Go Cavaliers’. I’ve had a wonderful time the last few weeks and hope to have a great time the next three weeks watching games. Good luck, Cavs.”

REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE

Council Member Tumeo stated, “Thank you. I have Resolution No. 67-2007(AS), June, 2007 as LGBT Pride Month; and declaring an emergency. The City of Cleveland Heights has historically been a community which values and seeks diversity in its residents. Thirty-one years ago, in 1976, this Council committed itself to a Resolution establishing the Nine-Point Plan to promote a well-maintained, full service residential community which is racially, religiously and ethnically diverse. Since it’s time the City has led ensuring and celebrating the diversity of our community. In 1982, this Council reaffirmed its commitment to diversity and tolerance by prohibiting discrimination in City employment based upon sexual orientation as well as race, religious, sex, disability and ethnic status. In 2001 the Visioning Committee found that the overwhelming majority of Cleveland Heights residents consider diversity to be one of the community’s strongest assets. In 2002 this Council determined to extend employment benefits to domestic partners of City employees. In 2003 the citizens of Cleveland Heights initiated and passed an Ordinance to provide for the establishment of a domestic partner registry. Many communities and organizations across the United States will celebrate June, 2007 as “LGBT Pride Month” to recognize the significance that LGBT (lesbian, gay, bisexual and transgender) Americans have made throughout our nation’s history. In an effort to further build and strengthen our communities and nation, we must move beyond merely “tolerating” the LGBT community, but instead value them as our colleagues and neighbors, daughters and sons, sisters and brothers, and friends and partners. Much has been accomplished over the last generation to promote equality and justice, as society and our laws reflect the recognition that diversity and tolerance is strength in a progressive culture, yet many challenges still remain, as prejudice against members of the LGBT community can still erupt into acts of hatred, violence and discrimination. Therefore, be it resolved that this Council of the City of Cleveland Heights, does hereby proclaim June, 2007 as LGBT (lesbian, gay, bisexual and transgender) Pride Month, recognizes the LGBT community for its many and varied contributions that have enriched our civic life, celebrates the progress we have made in creating a society more inclusive and accepting of the LGBT community, and affirms our continued efforts to break down the walls of fear and prejudice and work to build a bridge to understanding and tolerance, until the members of the LGBT community are afforded the same rights and responsibilities as all Americans. Your Honor, I am very, very proud to introduce Resolution No. 67-2007(AS) for passage this evening.”

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

Nays: None

Resolution passed

Council Member Tumeo stated, "Thank you very, very much, to all the Council for that. I also have some appointments tonight on boards and commissions. First of all, the terms of four members of the Commission on Aging will end on June 30. As we know from our last meeting here, the Commission on Aging is one of our most active and most respected boards. All the members are limited as to the number of consecutive years they can serve. However, all four members' terms are eligible for at least one more term and all have agreed to serve another term. The four individuals are Patricia Baskin, Jeanne Diamond, Gale Hessler, and Jean Morgan. Given the excellent performance and outstanding services these individuals have provided, I would like to move reappointment of all four members for a two-year term starting July 1, 2007 and ending June 30, 2009."

Second by Council Member Dietrich.

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

Nays: None

Reappointments passed

Council Member Tumeo continued, "In addition, there is one individual whose term ended last June and was not immediately appointed because he had moved out of the city. He has indicated that he is willing to serve the remainder of his term. Mr. Harold Williams did move out of Cleveland Heights but is eligible to fill a non-resident seat on the commission. His experience and service on the commission has been exemplary. I therefore, move to reappoint Mr. Harold Williams to the remainder of his two year term effective immediately and ending June 30, 2008."

Second by Council Member Evans.

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

Nays: None

Reappointment passed

Council member Tumeo continued, "Finally, for the Recreation Advisory Board, Mr. David Watson has served for a little over three years on the Recreation Advisory Board filling an unexpired term. He is eligible and is willing to serve another four-year term. His dedication to the Board has been greatly appreciated and I would like to move the reappointment of Mr. Watson to the Recreation Advisory Board for a four-year term beginning June 1, 2007 and running through May 31, 2011."

Second by Council Member Wilcox.

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

Nays: None

Reappointment passed

Council Member Tumeo concluded, "Finally, I would like to let everyone know that we do have an opening on the Fair Housing Board. I would welcome applications for that. It would be very, very helpful if the individual had some experience with housing and work to fight discrimination. Thank you."

REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Dietrich stated, "Thank you, your Honor. Just a few announcements about upcoming recreational things. Cumberland and Denison Pools will be open for the summer starting on June 9. Equipment at all the playgrounds have been safety-checked and they've been surfaced with wood chips so they are all set to go for a new season. A couple things that I announced before but now that it's getting time for them I'll remind you that there are outdoor movies at the Coventry Playground, the second and fourth Thursday evening throughout June, July and August. There are walks in Forest Hill Park led by Wendy Weirich who is a naturalist on our Recreational Advisory Board. Those take place on the third Thursday of every month from 7:00 to 8:30 p.m. and you meet at the Community Center. The first Coventry Street Fair is coming up on Thursday, June 14. So don't miss that. Finally, although lots of residents have already bought Cain Park tickets on our special residents' ticket buying day. If you haven't already, the line-up is great: Arlo Guthrie, Etta James, Bela Fleck, the musical is Oliver this year running from June 21 to July 8. If you have never gone to a concert at Cain Park, just don't let another season pass without doing it. You will not know how wonderful it is until you experience it. We are so lucky to have this venue right here in our own backyard. Please take advantage of Cain Park. That's all I have."

REPORT OF THE FINANCE COMMITTEE

Vice Mayor Montlack, "Thank you, your Honor. The first piece of legislation from this committee is Resolution No. 68-2007(F), amending Resolution No. 115-2006 authorizing an agreement with the Heights Community Congress for the use of Community Development Block Grant funds for fair housing audit services to extend the time period of the contract; and declaring an emergency. When legislation is passed for CDBG funding then that legislation authorizes the City Manager to enter into contracts with the grantee. Those contracts being consistent with the mandate of the legislation. In this case, the audit services were to be performed no later than June 30, 2007. Some delay was experienced and we find that it is in the best interest of the City to amend Resolution No. 115-2006 in order to extend the time period for the contract performance to September 30, 2007. That in essence is the authorization in this Resolution which is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 68-2007(F).

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

Nays: None

Resolution passed

Vice Mayor Montlack continued, "The next three pieces of legislation all relate to the CDBG budget passed previously and now contracts being authorized under that legislation for the new fiscal year which is Year 33 of the CDBG funding program. Resolution No. 69-2007(F), authorizing the City Manager to enter into an agreement with the Center for Families and Children, a non-profit corporation, for the use of Community Development Block Grant funds for assistance with its FAME (Fun After-school Methods of Enhancement) and Pinpoint Programs at the RapArt Center; providing compensation therefor; and declaring an emergency. The funding authorized with this legislation, again consistent with the budget previously passed is Six Thousand Dollars (\$6,000.00) for the Fun After-school Methods of Enhancement ("FAME") program, and Twenty-seven Thousand Dollars (\$27,000.00) for the PINPOINT Program, for a total grant of Thirty-three Thousand Dollars (\$33,000.00). Those programs are described in a little more detail in Exhibit "A" attached to the Resolution. Resolution No. 69-2007(F) is presented on first reading for passage."

Mayor Kelley accepted Resolution No. 69-2007(F).

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

Nays: None

Resolution passed

Vice Mayor Montlack continued, "Resolution No. 70-2007(F), authorizing the City Manager to enter into an agreement with the Home Repair Resource Center ("HRRC"), a non-profit corporation, for the use of Community Development Block Grant funds for assistance with HRRC's home-repair and home-improvement programs; providing compensation therefor; and declaring an emergency. You will note from the dollar amount that a very substantial portion of our CDBG budget is devoted to housing and a great portion of that goes to HRRC for a number of programs. Some of these programs previously were handled in-house and some years back the city staff determined that frankly, HRRC or as it was then called, the FHC Housing Corporation was quite capable of handling these matters and as shown in the ensuing years it does a very good job. The programs that are funded in the total amount of Two Hundred Fifty-nine Thousand Eight Hundred Forty-four Dollars (\$259,844.00) are as follows: One Hundred Ninety-eight Thousand One Hundred Twenty-four Dollars (\$198,124.00) for HRRC Operating Expenses; Twelve Thousand Dollars (\$12,000.00) for Neighborhood Project Repair Grants; Twelve Thousand Two Hundred Twenty Dollars (\$12,220.00) for Assist 0%; Twelve Thousand Five Hundred Dollars (\$12,500.00) for Assist Incentive Grants; and Twenty-five Thousand Dollars (\$25,000.00) for Assist Deferred Loan Match program. Resolution No. 70-2007(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 70-2007(F).

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

Nays: None

Resolution passed

Vice Mayor Montlack continued, "Thank you. Finally, Resolution No. 71-2007(F), authorizing the City Manager to enter into an agreement with the Jewish Community Center of Cleveland, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for the Center's Nutrition and Afternoon Out Program; providing compensation therefor; and declaring an emergency. As with all of the legislation of this kind that I've been reading tonight, there is an Exhibit "A" attached that provides some description of the program. This legislation authorizes the City Manager to enter into a contract for the program I just mentioned for funding of Twenty-five Thousand Dollars (\$25,000.00) for general operating expenses with the services to be performed by the Jewish Community Center. Resolution No. 71-2007(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 71-2007(F).

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

Nays: None

Resolution passed

REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Council Member Caplan stated, "Thank you. I have one piece of legislation and it is Ordinance No. 72-2007(MS), authorizing an agreement with McLean Corporation for the purchase of a new Allianz MT350 Street Sweeper for the Public Works Department through the Ohio Department of Administra-

tive Services Cooperative Purchasing Program, and authorizing the purchase of accessories from another source; providing compensation therefor; and declaring an emergency. The City has determined to purchase a new street sweeper for the Public Works Department; and we certainly like our streets to be cleaned. The Ohio Revised Code Section 125.04 authorizes municipal corporations and other governmental entities to purchase supplies, equipment and services through the Ohio Department of Administrative Services Cooperative Purchasing Program without obtaining competitive bids. This Council authorized participation in this Program in Resolution No. 115-1988. The City Manager has determined that the selected vehicle may be purchased through this Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said vehicle this way. It would also be more economical to purchase the accessory centralized lubrication system from another source. Therefore, be it ordained by the Council that the City Manager be authorized to enter into an agreement with McLean Corporation for the purchase of a street sweeper and the agreement shall provide for the purchase of this street sweeper at a total cost of One Hundred Sixty-six Thousand Seven Hundred Thirty-three Dollars and twenty-six Cents (\$166,733.26). The City Manager is further authorized to purchase a centralized lubrication system from All Point Systems, Ltd. at a cost not to exceed Two Thousand Nine Hundred Ninety-two Dollars (\$2,992.00). We expect that the cost of expenditures will be paid with proceeds from the City's issuance of tax-exempt notes or bonds in a principal amount that is not anticipated to exceed One Hundred Seventy Thousand Dollars (\$170,000.00). The purchase agreement and all related documents shall be approved by the Director of Law. Notice of passage shall be given and I offer Ordinance No. 72-2007(MS) for passage tonight."

Mayor Kelley accepted Ordinance No. 72-2007(MS).

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

Nays: None

Ordinance passed

Council Member Caplan continued, "Thank you. You know I talk about recycling quite a bit and we have just gotten our 2006 Annual Report from the Cuyahoga County Solid Waste District. They have a wonderful little logo that says, 'Make it a habit, reduce, reuse, recycle', from Cuyahoga County. I was trying to count up how many communities participate in the program and there are well over fifty who participate and we are number five in how well we do. There are only four that are better than we are and we recycle almost, not quite - we're at a 49.64%, but we're almost at 50% of recycling all of our solid waste. There are only four communities that are better than we are and one is less than hundred, all of them are rather small communities. The quantities are enormous and if you are good at doing math for the almost 20,000 tons that we have recycled not only do we get money for it, depending on what it is, not only is it good for the environment but we also haven't paid over 41 dollars a ton, so if anybody wants to multiply 20,000 times 41 dollars can get some sense of how much money we have saved by not paying to having our refuse put into the landfill. I think we could do better. Some of those smaller towns have 60%. I know we could do it if we paid a little better attention, but none the less, congratulations to our community. We're better than we were last year. We were at 46% and now we're almost at 50% and I know we can do it. We can start becoming maybe one or two of all these communities. There is a whole list of all these communities. Congratulations to everybody for caring about our environment. It really does matter.

The only other comment I'd like to make is on Thursday when it was the funeral for Officer West. You know most of our officers were at the funeral as you heard from my colleagues describe. So if you wondered what happened to us, were we unprotected? Absolutely not. We have neighbors and our neighbors came and took very good care of us. There were police cars from the sheriff's department and from all of our surrounding neighborhoods and communities and so we thank them. This was one

of those unfortunate events. It does bring everybody, not just the people in Cleveland Heights and not just the people who knew Officer West, but it touched everybody. People who live in other communities called me to say I'm sorry and to have our surrounding communities take care of us was really very special. So, thank you to them. That's all I have."

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Council Member Wilcox stated, "Thank you, your Honor. I have Resolution No. 73-2007(PD), authorizing the City Manager to submit an application in conjunction with the Cedar Fairmount Special Improvement District to the Northeast Ohio Areawide Coordinating Agency ("NOACA") for a grant under the Transportation for Livable Communities Initiative Planning Grant Program, and to execute a program agreement; providing compensation therefor; and declaring an emergency. The Cedar Fairmount Special Improvement District and the City intend to submit a joint application to NOACA under the Transportation for Livable Communities Initiative Planning Grant Program for funding for a traffic study for the Cedar Fairmount Commercial District.; and improvements in vehicular, pedestrian and bicycle traffic, and a stronger connection between University Circle and the Cedar Fairmount area, are essential to the continued success and growth of the Cedar Fairmount Commercial District and the surrounding residential neighborhoods; and the proposed traffic study project will facilitate the potential development of the Top of the Hill site, and be of benefit to the City and its residents as well as the Cedar Fairmount neighborhood. Section 1 of this Resolution authorizes the City Manager to submit an application in conjunction with the Cedar Fairmount Special Improvement District ("SID") to NOACA for funding under the Grant Program for the District. The City Manager is authorized to enter into a program agreement with NOACA if the grant is awarded, and will require the City to provide matching funds of twenty percent (20%) for a grant of up to Seventy-five Thousand Dollars (\$75,000.00). The agreement shall contain such further terms as recommended by the City Manager and Director of Law. I offer Resolution No. 73-2007(PD) for passage tonight."

Mayor Kelley accepted Resolution No. 73-2007(PD).

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

Nays: None

Resolution passed

Council Member Wilcox concluded, "I just want to remind everybody and I announced this at our last meeting that there will be a report of the feasibility study with respect to the Top of the Hill that we discussed at our last meeting. This traffic study, obviously, will help in further analyzing that potential development, but again, the first meeting will be this Thursday, June 7 at 7:00 p.m. at City Hall. The next meeting will be next Tuesday at 7:00 p.m. at the Alcazar. This will include a presentation by Allegro Realty who did the feasibility study and we have approximately from 7:45 to 9:00 p.m. for questions and answers. For those basketball fans in the audience they might want to get their questions in earlier. We look forward to seeing a lot of people there and we will also try to outline some of the possible next steps that Council would be taking in this important project and I only have two words to conclude my report, "Go Cavs"."

REPORT OF THE MAYOR

Mayor Kelley stated, "I want to take this opportunity to congratulate the Coventry Chess Team on winning the championship. I also want to congratulate the Beaumont Women's Track Team for again winning the state championship and the Heights High Track Team, I believe for winning second to Glenville. It wasn't like we didn't notice, but the athletic and running skills of our talented high

schools never go unnoticed.

I do want to take part of the responsibility for selecting June 7th and June 12th which happens to be the beginning of the Cavaliers series. What were we really thinking about when we did that. At least three of us or four of us, although we're bringing Councilman Tumeo around. We will drag him to a game probably after one of these meetings in one restaurant or two. Maybe we'll have you speak at Panini's or something. If we hurry you out of these meetings it doesn't mean that we don't like you,[speaking to Councilman Tumeo] it just means we want to see the beginning of the 9:05 tip off or whatever. Again, I want to say,"Go Cavs" and hope that when we talk to you on the 18th the Cavaliers will continue and win game 5, which I think they'll win in five games because I don't want to go back to San Antonio. So I predicate the Cavs will win in five. The City of Cleveland will get torn up and the City of Cleveland will have to watch all those outdoor dining spots and Coventry and those places. It's been a great role for the Cavaliers and it's not over yet.

To all the people again, the outpouring of love and support for Jason West and his family and I also want to recognize our Chief Lentz at this point in time, I meant to say something earlier. He's been there from start to finish. The family mentioned him to me when I went through the receiving line at the wake. The work he's done and the whole thing and just being there, this is part of a family and it is like losing a family member. I talked to him several times and it's been a very difficult time, but he's handled it in a very difficult situation and as I said before I'm very proud of our residents - many of whom keep calling, sending letters, signing the book and stuff like that. Again, if I didn't mention it before, the Interfaith Council who put the candle-light vigil together, it was awesome. There still may be something to come from them. They're talking about having some kind of a possible memorial service in Cleveland Heights, so stay tuned.

This meeting is adjourned at 8:50 p.m. Our next meeting will be Monday, June 18, 2007. As I said by then Game Five will be over with. June 17th is Game Five, so we'll be celebrating a Cavaliers' victory. Thank you for coming. World Champion, Cleveland Cavaliers. First in our life time."

Respectfully submitted,

Edward J. Kelley, Mayor
President of Council

Thomas K. Malone
Clerk of Council

/mwc