



CITY OF CLEVELAND HEIGHTS, OHIO

MINUTES OF THE CITY COUNCIL MEETING OF MONDAY EVENING, JUNE 18, 2007

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

Edward Kelley, presiding

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

Council Members absent: Evans

Mayor Kelley excused the absence of Council Member Evans.

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 7:33 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:40 p.m.

Edward Kelley, presiding

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

Council Members absent: Evans

Mayor Kelley excused the absence of Council Member Evans.

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

The minutes of the Regular Council Meeting held Monday, June 4, 2007 were approved and signed by Mayor Kelley along with the ordinances and resolutions passed at that meeting.

The minutes of the Public Hearing held Monday, June 11, 2007 were approved and signed by Council Member Wilcox, Chair of the Planning and Development Committee of Council.

Carol Gibson, representing the League of Women voters stated, "Good evening. I will not be telling you something you haven't heard already, but I just wanted to remind you that the League is sponsoring a town hall meeting on Wednesday night about redistricting - a very important subject for anybody interested in voting and making each vote count. We are having our lobbyist come up from Columbus, Ann Henkener, who spent twenty years serving as a lawyer in the government and has been serving the last couple years as our lobbyist. She is well-informed and we look forward to a good

discussion and we're honoring several of our very wonderful groups in town."

Mayor Kelley asked her to mention the groups that they will be honoring.

Ms. Gibson continued, "It will be Future Heights, Heights Community Congress, Heights Home Repair Center and Reaching Heights and we look forward to having them with us at the meeting too."

Mayor Kelley reiterated, "Again, it's 7:00 this Wednesday."

Ms. Gibson continued, "Thank you. I noticed that you have it on the board at the Community Center, so that really made it official when I saw that."

Mayor Kelley continued, "Again, all residents and those of you who don't live in Cleveland Heights and want to come visit our excellent, beautiful community center, it's Wednesday night, 7:00 p.m. and we would be more than happy to have you in a nice beautiful building, air conditioning, I believe the temperature gauge should be about 89 degrees come Wednesday night about 7:00."

Ms. Gibson responded away from the podium and stated, "I also noticed you have a bunch of them in the literature rack in the atrium (flyers regarding the meeting)."

Mayor Kelley answered, "Right. I believe they are in the libraries and all over town. I think I may have even seen them in the Colony on Saturday when I went there for lunch. So, they are all over, so please feel free to come and thank you for doing this valuable program for our residents."

REPORT OF THE CITY MANAGER

Mr. Downey stated, "Thank you very much, your Honor. I have just one item this evening. As you know, we recently took bids for Bid Document No. 2007-09 also known as the purchase of radio console equipment for the Fire Dispatch Center. Your Honor, I would request that all the bids be rejected and I would be authorized to go out for said bid again."

Mayor Kelley made it a matter of record and referred to the Public Safety and Health Committee of Council.

Council Member Caplan moved that the City Manager's request be authorized.

Second by Council Member Tumeo.

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

Nays: None

Motion passed

REPORT OF THE DIRECTOR OF FINANCE/CLERK OF COUNCIL

Mr. Malone stated, "Your Honor, I have no report tonight."

REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE

Council Member Tumeo stated, "This committee has no report tonight, your Honor."

REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Dietrich stated, "Thank you. I have no legislation, but I have a few comments that are not related to each other and I'd like to start by thanking the people who attended the two public meetings that we held last week and the previous week about the concept of developing Top of the Hill. The reason I want to say thank you is for the openness with which they received the ideas. I felt like even the people who had reservations didn't approach it at all with an adversarial attitude and right off the bat one of the first people to speak kind of did express some distrust about politicians and the process that politicians or the city might use or our motives or whatever. Right after him he was just followed by a stream of speakers who really did do the process more as we do, which is a time to seek input to get a feel for what the community thinks. I felt that people were there pretty much trusting that we were listening to them and that we would consider their input which we were and we will. You know, I just wanted to acknowledge that I appreciated that we have residents and business people in our community who are so willing to work with us and to trust that we'll make good decisions and that we'll listen to them. Thank you for that.

I want to announce a *Housemender University*, which is a program being offered by Home Repair Resource Center. They are giving a presentation on Wednesday, June 27 at 7:00 on preserving the architectural features of your home in an affordable way when you do renovation. The program is being given by Sarah Beimers who is from the restoration society. It is at the Home Repair Resource Center at 2520 Noble Road. They do ask that you call for reservations at 381-9560. So I just thought, people so often want to do the right thing when they renovate a house and preserve the architectural features and sometimes feel that it's too expensive. So this program will let you know some ways to do that, that are affordable.

Finally, I received the nicest e-mail today from one of the residents in the church that was converted to condos on the corner of Derbyshire and Euclid Heights Boulevard. I am going to quote it, here is a nice Cleveland Heights story: *You might recall that a few weeks ago, I sent photos of the luminaries that we placed around the church here on Derbyshire and Euclid Heights to honor the fallen policeman. This afternoon, I noticed a very carefully arranged line of small pebbles along my neighbor's walk at the back of the building. I asked her four-year-old son if he had anything to do with it. He looked down and shyly answered, "It's for the policeman who died."* The best tribute of all. So I was heart warmed to receive that e-mail from somebody who lives there and just thought you'd be heart warmed too. That's all that I have."

REPORT OF THE FINANCE COMMITTEE

Vice Mayor Montlack stated, "Thank you, your Honor. There are several pieces of legislation from this committee. The first is Ordinance No. 74-2007(F), amending Section 157.2305, "Authority to Determine Amount of Tax Due", of Chapter 157, "Income Tax", of the Codified Ordinances of the City of Cleveland Heights to provide for an intermediate administrative appeal procedure for estimated tax determinations; and declaring an emergency. When a taxpayer in Cleveland Heights, one who should be filing a return fails to do so, and there are some folks, especially recent arrivals who simply aren't aware or don't think about that requirement on the City level. When that happens the present legislation before this amendment authorizes the Finance Department Administrator to determine the amount of tax due or to estimate that amount based on various objective tables and this legislation now clarifies and extends to some extent that process so that the amount of tax can in effect be collected. The basics of the Ordinance as it now stands will remain, but in addition, it is provided that notice of the amount of tax to be reported or determined through estimated tax information is deemed completed when the City mails that notice, deposits that notice with the U.S. Mail, and finally, that when the time set forth in our ordinances has elapsed for filing an appeal for protesting the amount or the very fact of owing the

taxes, when that has passed and the taxpayer has not filed the appeal or the appeal has been rejected, the assessment so determined shall become final and the taxes determined is immediately due and payable. Ordinance No. 74-2007(F) is presented on first reading for passage tonight.”

Mayor Kelley accepted Ordinance No. 74-2007(F) and added, “Just a very brief comment. I want to thank our Finance Director Tom Malone for bringing this ordinance forward to committee and I really think it’s about everybody in our town paying their fair share. Not everybody likes taxes, obviously, but this ordinance will help us make sure that every single resident gets the opportunity to pay his or her fair share and that’s what this is about.”

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

Nays: None

Ordinance passed

Vice Mayor Montlack continued, “Thank you. I’ll ask the Vice Chairman of the Finance Committee, Councilman Dennis Wilcox if he would please read Resolution No. 75-2007(F).”

Council Member Wilcox stated, “Thank you. Resolution No. 75-2007(F), declaring the necessity of implementing a public services plan for the Coventry Village Special Improvement District of Cleveland Heights, Ohio, Inc.; and declaring an emergency. This Resolution is essentially one more step in the process of renewing the Coventry Village Special Improvement District for now a third fifth-year period. Council has previously received a petition for the adoption of a five-year public services plan which was executed by the owners of over sixty percent (60%) of the property in the Coventry Village Special Improvement District, as determined by front footage; and by Resolution No. 52-2007 Council approved the public services plan; and the estimated first-year assessments for the affected properties, as well as the total costs of the plan, are now on file with the Clerk of Council. Section 1 of this Resolution declares it is necessary to implement a five-year public services plan for the Coventry Village SID and that plan is attached as Exhibit “A” and just to recap the budget for the first year of that plan is \$120,000 in Year 2007 and in Year 2008 through 2011 it will increase by 3% annually and the bulk of the monies in that plan will go towards administration and coordination of programs and communications, streetscape debt service, and the security and physical maintenance and upkeep and beautification of public areas of the Coventry Commercial District. Section 2 of the Resolution provides that one hundred percent (100%) of the cost of the public services plan is paid for by special assessments. Section 3 lists the parcels of the properties to be assessed by that plan and I am not going to read all of those, but they are listed in the resolution. Section 4 indicates that the assessments of costs will be levied annually in proportion to the tax value of the included properties, over that five-year period which can be adjusted based on the property values fluctuation. I offer Resolution No. 75-2007(F) for passage tonight.”

Mayor Kelley accepted Resolution No. 75-2007(F) and asked for a motion to allow Vice Mayor Montlack to abstain from voting due to the fact that he is a property owner in the Coventry Village Special Improvement District.

Moved by Council Member Wilcox.

Second by Council Member Tumeo.

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

Nays: None

Motion to abstain passed

Mayor Kelley called for the vote for Resolution No. 75-2007(F).

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

Nays: None

Resolution passed

Vice Mayor Montlack continued, "Thank you, Mr. Wilcox. The next four pieces of legislation are the final pieces of legislation to authorize the programming of the current block grant funds as pursuant to the block grant budget that actually was approved last November, I believe. So the first of this last batch is Resolution No. 76-2007(F), authorizing the reprogramming and reallocation of Community Development Block Grant Funds; and declaring an emergency. It provides that \$10,000.00 will be taken from the Contingency Fund and placed in the Exterior Paint Program Fund. Resolution No. 76-2007(F) is presented on first reading for passage tonight."

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

Nays: None

Resolution passed

Vice Mayor Montlack continued, "The next three pieces of legislation relate to three stellar Cleveland Heights organizations that have been awarded block grant funding. Resolution No. 77-2007(F), authorizing the City Manager to enter into an agreement with the Heights Arts Collaborative, Inc., a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Heights Arts at the Library program; providing compensation therefor; and declaring an emergency. This authorization of the grant, like all the others, was subject to a recommendation by the Citizens Advisory Committee for block grant funding and considered and passed in a budget by this Council, provides the authorization for an agreement in the sum of Twenty Thousand Dollars (\$20,000.00) from Year 33 Community Development Block Grant funds. The services to be performed by the Heights Arts Collaborative, Inc., is for a program that will serve 375 youths with a minimum of 51% being from low- and moderate-income households. Resolution No. 77-2007(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 77-2007(F).

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

Nays: None

Resolution passed

Vice Mayor Montlack continued, "Resolution No. 78-2007(F), authorizing the City Manager to enter into an agreement with the Heights Parent Center, a non-profit corporation, for the use of Community Development Block Grant funds for assistance with its Neighborhood Family Support Initiative Program to provide support to families and youth; and declaring an emergency. This authorization is in the sum of Forty Thousand Dollars (\$40,000.00) from Year 33 Community Development Block Grant funds. The services to include enhancing parents' involvement in their children's education by providing school and neighborhood-based activities that focus on academic skills as well as social and recreational interests. Family support, parent education, and access to community resources are incorporated into the literacy programs which serve as a target group 375 youths with the programs offered at Oxford Elementary School, Noble Elementary School and Boulevard Elementary School. Resolution No. 78-2007(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 78-2007(F).

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

Nays: None

Resolution passed

Vice Mayor Montlack continued, "Thank you. Resolution No. 79-2007(F), authorizing the City Manager to enter into an agreement with the Heights Youth Club, Inc., a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Project Learn: The Educational Enhancement Program; providing compensation therefor; and declaring an emergency. This follows the other legislation in the amount of Thirty Thousand Dollars (\$30,000.00) for services to be performed by the Heights Youth Club, Inc., which includes reinforcing and enhancing the skill and knowledge that youth learn at school or should. Project Learn creates opportunities for high-yield learning including leisure reading, writing activities, discussions with knowledgeable adults, helping others, homework help, tutoring and games that develop young people's cognitive skills, etc. These programs are offered at the Heights Youth Club located at 2065 Lee Road. Resolution No. 79-2007(F) is offered."

Mayor Kelley accepted Resolution No. 79-2007(F).

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

Nays: None

Resolution passed

Vice Mayor Montlack concluded, "As I said this wraps up the current years' funding authorizations. I think that people hearing this can understand the importance of these block grant funded programs which this city and most in our position could not afford to be funding out of our general fund. Of course, we know it is exactly this block grant program nation-wide that frankly is under attack with proposed cutbacks by the administration. These grants are given to responsible organizations, performing vital tasks and going from the last meeting through this one, you can see that organizations like HRRC in housing, the Heights Arts Collaborative, the Heights Youth Center, Heights Youth Club which are doing work that is absolutely vital for our community and beyond, that they continue to receive this funding. So be aware of this over the next year and a half because there are many questions and comments that will be passed in the election season coming up, but this is the kind of community investment that we need to stand up for. That completes this report."

REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Council Member Caplan stated, "Thank you. I have one piece of legislation and that is Resolution No. 80-2007(MS). I'm really happy to be reading this since you know I always talk about us being environmentally friendly. This is Resolution No. 80-2007(F), authorizing the City Manager to enter into an agreement with Motorcars Honda, Cleveland Heights, for the lease of a 2007 hybrid Honda Civic; providing compensation therefor; and declaring an emergency. This City is committed to exploring methods of reduction of vehicle emissions generated by its fleet vehicles; and the City wishes to lease one hybrid vehicle to evaluate the performance of such vehicles for consideration for future vehicle replacements. The price proposed by Motorcars Honda for the lease of the desired vehicle is reasonable and competitive. Therefore, be it resolved by this Council that the City Manager be authorized to enter into an agreement with Motorcars Honda, Cleveland Heights, for the lease of a 2007 hybrid Honda Civic. The terms of the lease shall be thirty-six (36) months, with an initial payment of One Thousand Five Hundred Dollars (\$1,500.00), which includes the first monthly payment, and thirty-five (35) subsequent monthly payments of Three Hundred Sixty Dollars and Fifty-one Cents (\$360.51), with mileage not to exceed Twelve Thousand (12,000) miles per year. The lease agreement and all accompanying

documents shall be approved as to form by the Director of Law. Notice of passage shall be given and this Resolution shall be passed tonight. I offer Resolution No. 80-2007(MS) for passage."

Mayor Kelley accepted Resolution No. 80-2007(MS).

Council Member Tumeo commented, "I'm very excited and very proud of this Resolution. I and the Mayor along with Councilwoman Caplan have been working on ensuring that we act very environmentally responsibly in this city and this I think is a very important step. We have a lot of cars and cars are a very large contributor to greenhouse gases, not to mention to the cost of the city when it comes to gasoline and we all know where that's been going lately. So, I think this is a really, really sound step if we can cut emissions and if we can cut fuel consumption. These cars are a little bit more expensive right now but the technology is changing and I think this is an excellent step in evaluating the savings to the city in terms of both emissions and gasoline to balance those costs. I'm very, very proud of this and I will point out that we're doing what I think we all should do, we're supporting our local businesses in doing this locally with a great Cleveland Heights company."

Council Member Wilcox added, "I just want to add my support for this. Obviously, the city is very sensitive to encouraging environmentally sound practices and that goes from all our efforts on recycling that we hear about every week and from this committee, but also encouraging our developers and builders to use green-building practices for our newer developments and this is just one more step in being sensitive to those environmental needs that we all feel are very important and hopefully we'll be able to take more steps like this in the near future."

Mayor Kelley added, "I'd just like to say that I, too, support this measure. It's just the beginning of us making this investment in these type of cars, these type of automobiles and hopefully, this type of equipment will catch up on some of our trucks and some of the other equipment we use in the city, not that we don't look to do these kinds of things. It's also important that we're supporting a local business that has been very good to the city over the years not just because they bought city hall a number of years ago and let us move into these plush facilities we're in today. But, it's important. It sends a message to the community. We should be the leaders in this area. We should be the leaders of any city compared to other cities. I'm a board member of RTA and we do have some hybrid cars and a lot of our buses that we use clean fuel and natural gas. So, hopefully, this is just the beginning of the discussion, not the first and only one and I think we can accomplish it in many other ways. I do know we have a new administration in Columbus and most of the cars there that - nothing against some of the cars that we get there through the state purchase. I would assume that most of the cars that are there are just your regular run of the mill cars that we get year in and year out but it's time that the state also catches up to this phenomenon that is happening here and helps us possibly bring down the cost later on. But, I really appreciate the fact that we're able to work with Motorcars Honda and one of the reasons it's not on Motorcars Toyota, because someone will ask that question, it is at least a three to nine month wait to get a Prius from Toyota. I know that for myself from looking at possibly getting one for my family. So we have a Honda today and there might be a Prius some other time. When the question is asked or comes up, why a Civic not a Prius, we're not going to wait another three or nine months, we're going to do this now, we're making the commitment now. Hopefully, as I said, this is just the beginning. It should be just the beginning for the city."

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

Nays: None

Resolution passed

Council Member Caplan continued, "Thank you. As long as we're talking about taking care of

our environment I have another thing, you can recycle. You can recycle batteries. You know those little batteries you put in everything, the 'A's and the 'AA's and 'AAA's, we can recycle them when they no longer make your flashlight turn on, put them in a box with techno trash. You know your computers and all those things that we now recycle. Put them separate. Don't put them with the regular trash. They'll be picked up and they will be recycled. I know you are really good about recycling. One through seven in those plastic bags and all of your junk mail is going in your paper bags, so here is another thing to do and it's not real hard to do. Those are your batteries.

The other thing is we know summer has started because the pools are open and Cain Park is beginning it's season. At the end of this week, Oliver will begin in the Evans Theater and there is a whole book and I hope you've gotten a copy of this [displaying book] so you can see all the things that are available to you. It's a wonderful time in Cleveland Heights and we hope you'll take advantage of the parks, Cain Park and the swimming pools and we'll see you out there and you'll meet and greet your friends and neighbors. That's all I have for Municipal Services. Thank you."

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Council Member Wilcox stated, "Thank you, your Honor. There is one piece of legislation from this committee and that is Ordinance No. 54-2007(PD), Second Reading, amending Note (i) to Schedule 1163.04, "Maximum Sign Areas Permitted", of Part Eleven, *Zoning Code*, of the Codified Ordinances of the City of Cleveland Heights to provide for temporary signs up to six square feet in residential districts of the City.

This was introduced in Council some months ago and it went through review at our Planning Commission and there was a public hearing held last Monday, June 11th on this and essentially what this is, is a response to complaints to oversized temporary signs and to specify the maximum allowable area for those temporary signs. Currently our Code permits an aggregate of twelve (12) square feet in temporary signage and this change simply specifies that the maximum amount for any specific individual sign is six (6) square feet. This Ordinance changes Note (i) to Schedule 1163.04 to provide the maximum permitted area for any individual sign is six (6) square feet. I offer Ordinance No. 54-2007(PD) for passage tonight."

Mayor Kelley accepted Ordinance No. 54-2007(PD), Second Reading.

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

Nays: None

Ordinance passed

Council Member Wilcox concluded, "I also wanted to thank those who came out for the public meetings on the presentation of the feasibility study for the Top of the Hill potential development. I believe both of those meetings were well-attended and there were good questions and I wanted to remind everybody that those meetings are being shown on our cable channel, Channel 23 and that the study itself is still posted on the website for the city and there is an e-mail address on that site that will permit you to submit your comments and questions for the next several weeks at least and probably beyond. So these all will be very helpful as Council considers the next step on this project and with that, that concludes my report."

REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Caplan stated, "Thank you. I have Resolution No. 81-2007(PSH), declaring the

property at 3274 Berkeley Avenue to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency. The City Manager and the Certified Building Official have reported to this Council that the residential property known as 3274 Berkeley Avenue has not been maintained for a number of years and is in a state of severe disrepair. The City Manager and Certified Building Official have further reported that the owner of the subject property has been cited by the Housing Inspection Department for numerous housing code violations on the property over the past two (2) years and that little progress has been made toward correction of the violations. They further reported that the property has deteriorated over the years to the point that it is a hazard to the health, safety and welfare of the occupants and the public and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring property. Therefore, be it resolved by this Council that it is found and determined by this Council, that the premises known as 3274 Berkeley Avenue is in a state of disrepair to the extent that it constitutes a health and safety hazard and a blighting influence and is hereby declared to be a public nuisance. The City Manager and the Building Official and the Director of Law are directed to cause the nuisance to be abated in accordance with Chapter 553 of the Codified Ordinances of the City of Cleveland Heights. Notice of passage shall be given and this Resolution shall be declared an emergency with one reading tonight. I offer Resolution No. 81-2007(PSH) for passage tonight.”

Mayor Kelley accepted Resolution No. 81-2007(PSH).

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

Nays: None

Resolution passed

REPORT OF THE MAYOR

Mayor Kelley stated, “I want to congratulate the Cavaliers for a fantastic season. I want to compliment our General Manager Danny Ferry for already mapping out a strategy for next year which will be right around the corner - probably starts in October. So when we send the kids back to schools the Cavaliers will be starting. It was great for the City of Cleveland but it was also great for the City of Cleveland Heights. Many of our fine restaurants/bars/outdoor dining establishments certainly had a well-grouping in the crowd, in group sales and they were very well-behaved as they watched the Cavaliers all throughout the playoffs. I do want to mention we have Oliver. There are a number of young children participating in the production, in the neighborhood of 20 to 25 young children in key roles in Oliver so we’ll have an excellent cast again this year, so get out and see Oliver. It begins later on this week.

For those of you who always hear me talk about baseball and softball, we are about mid-way or two thirds of the way through our season already even though it is the middle of June. Playoffs will be starting July 1st. On any given night you can come down to Forest Hill Park and see a variety of baseball, softball, youth baseball. You can see Monty’s Pythons play the Wilcox Wildcats. Many of the kids don’t really know what Monty Python mean but they sure look good in those uniforms though. We’re having a great season, a great time and on any given Saturday we start as early as 9:00 in the morning and go to seven o’clock at night at Forest Hill or any of the school fields, Oxford, Boulevard, Denison, Roxboro, where games are going, things are just rocking as far as the kids playing. The weather has been excellent. There have been very few - any rain outs on Saturday. I think only one rain out during the week. So, it’s good, clean, inexpensive fun. The old workers at our snack bar are again back. They have tried some of these healthy items that have not sold, so that they are there. They are running out of snow cones and things of that nature, but the sales are brisk and the kids are having fun and that’s what it’s about.

I, too, want to say thanks to the people that participated at the public meetings about the Top of the Hill. I want to thank Allegro who was our consultant who did a fantastic job I think from start to finish and presenting themselves. Michael Cantor did a fantastic job. There are still opportunities for people to let us know how you feel. Certainly you can do it on the website, but there is nothing like calling your council person, your mayor, e-mailing, faxing, picking up the phone. We always are available. We are one council that does not take off for the summer as I say that every year. We are here all the time so we are available to you. So participate. As I said before, there has been no selection of any developer. We are not even close to that stage. There is a lot of work left to go. All the meetings will have some type of public participation element in them or certainly as I said you'll be able to contact us. We have a long way to go and again I want to say that Nighttown is not being shoed out of the project in any form or any style. Those people that were blogging that two weeks ago or spreading that rumor that the city was going to eminent domain or take Nighttown out of the picture is certainly not the case and I think Brendan Ring at both meetings stood up and made that quite clear. So we have a lot of work ahead of us. We have a lot of opportunity to do something - see where things go and it's a long time before you see anything happen on the top of that hill and if it does it will be something good, something very tasteful and something the city will be proud of.

Our next meeting will be Monday, July 2, 2007 and again as I said if you want to catch some good clean fun come to our baseball fields at Forest Hill Park just about any night of the week or from 9:00 to 7:00 on any Saturday. Thank you for coming. We're adjourned at 8:20 p.m."

Respectfully submitted,

Edward J. Kelley, Mayor
President of Council

Thomas K. Malone
Clerk of Council

/mwc