



CLEVELAND HEIGHTS

MINUTES OF THE COUNCIL MEETING OF MONDAY, AUGUST 4, 2003

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, Hicks, Kelley, Montlack, Wilcox

Council Members absent: None

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

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

Committee of the Whole adjourned at 7:28 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:38 p.m.

Edward Kelley, presiding

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

Council Members absent: None

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

The minutes of the Public Hearing held Monday, July 21, 2003 chaired by Council Member Wilcox were approved and signed by Council Member Wilcox.

The minutes of the Regular Council Meeting held Monday, July 21, 2003 were approved and signed by Mayor Kelley along with the ordinances and resolutions passed at that meeting.

Mayor Kelley stated, "We now move to personal communications from our citizens. At this point in time if you would like to speak to Council (I think maybe a few people might) please raise your hand, be recognized, come to the podium, state your name and address and your business with Council tonight. However, it is my prerogative, if you are here tonight to speak to us on any other issue besides Resolution 121-2003(AS) we will hear from you first. That way, it will save you a little bit of time and a little bit of energy and get you home before the sun goes down. Mr. Smith, if you would like to take the podium, state your name and address and your business here tonight with Council. Please come forward."

“My name is Reverend Andy Smith. I live at 1867 Cumberland Road, which is at the corner of Cumberland and Lee. Right outside our front door is a 240 foot hole, part of Kassouf’s project with the sewers. The issue is what to do with that intersection once Kassouf is done and that hole gets filled in? I represent the homeowners on Cumberland (I think there are seven of us) and I believe most of us, if not all of us, are here this evening. Our wish and our hope from you is to have this turned into a cul de sac, to close it permanently or leave it closed - on a permanent basis. I have three reasons for this. First, the issue of safety. This has been covered prior to the closing of studies on traffic, how to handle garbage collection, fire services and so forth so I don’t think there’s a need to repeat these studies, but it is our opinion that there are really only two classes of people who drive on that street, other than the people who work on the sewer project. First, those who live there and second, those who are trying to beat the light at Euclid Heights and Lee. There is a dogleg on Cumberland about 100 yards from Lee Road. It’s not quite 90 degrees, but it’s virtually a blind corner. People come tearing around that corner at highly-illegal speeds. I have three reasons why I would just as soon not have traffic back at that intersection and their names are Josephine, Lydia, and Marilyn, my three granddaughters who live in the other half of our house. From a safety perspective I think the existence of a cul de sac at that point would answer the questions about garbage collection and fire safety. I think that they would both be adequately handled given the fact that particular area is (as it is fenced in right now) about 100 feet long, about 75 feet wide and 90 feet at the widest point. That gives you quite a bit of room for a turnaround in there.

The second reason would be security. We have had no problems whatsoever in our area with burglaries, robberies, or anything like that - at along Cumberland since we moved there a year ago. I don’t know what the situation was before and I don’t know what it was as far as traffic accidents were concerned at that corner but I would imagine that there was a regular event every once in a while, somebody trying to pull out too soon and getting clipped by somebody coming down Lee Road. I think that would be another reason to keep it closed because from a security standpoint this is a very safe area. Thank you very much to Kassouf and the chain-link fence.

The third and I think the most important reason has to do with Cain Park. My wife, Carolyn and I, have been working at Cain Park over the summer as volunteers, ushering at Evans and occasionally at the Alma. As you know, the problem of handicap accessibility at Cain Park is hampered by the fact that there are five - count them - five handicapped spots at the Lee Road, which is the flat entrance into the park. If Cumberland were a cul de sac and if it were so designated you could put another 5-6-7 possibly more handicapped parking spaces designated specifically for handicapped in that area, have an easy level transit to the corner of Lee and Superior and then across Lee Road at that point and into the park. This would enhance that property immeasurably. That it is a real problem for Cain Park that there are so few accessible spots for handicap people. You could even put an inset into that intersection where the cul de sac - set the cul de sac back a little bit and have room on the Lee Road side for a couple of handicapped spaces as well but that’s not my area of expertise and I would leave that up to the people who make the plans for that sort of thing. But we are - all of us on the street, entirely opposed to the idea of reopening that as an intersection. We really would like to see it stay closed. You’ve done all the work on this a couple of years ago. I don’t see why you need to do it again, but that’s my pitch. Thank you very much.”

Mayor Kelley responded, “Thank you, Reverend Smith. As you speak our Planning Department is looking at the issue. I thank you for the idea of solving our handicap parking spot but I do have to tell you that the Mayor periodically parks on that street when I go to a concert, including Sheryl Crow and I’d be more than happy to give it up to a person in need and park somewhere else to get a little exercise walking to Cain Park. Lord knows I need it. Thank you for your idea. We will study it in the next couple months and come up with some ideas. I do know that the sewer district is not one of my favorite

people as you probably know from reading the paper in the months and years past. We will work on it and come back to a definite answer for you before the year passes. All the neighbors agree 100%? [The neighbors agreed.] I know we have correspondence from you. I know that. And the idea of handicapped parking is fine? [Again, the neighbors gave their approval.]

You are more than welcome to stay for the meeting but if you want to get up and give [up] some of those prime seats - I know there is a Plain Dealer reporter that would love to have a front row seat here. You are more than welcome to leave if you want. We will get back to you. We do have correspondence from you. It won't be right a way but it'll probably be sometime before the end of the year 'cause I know the sewer district will still be there with the running water and the crane and the fence and all the -. [There was talking from the audience but unclear on the tape.] We'll go to dinner if they're done in November. We'll go to the Diner. You got it on the record. You have about 250 people that will recommend I said it. Thanks for coming and thanks for your suggestion and we'll certainly take it under advisement and especially the idea to help for more parking for the people that really do need it to come to Cain Park. We'll definitely take it under advisement. I saw a lot of nodding heads on Council, so you may be more than half way there. Thanks for coming.

I'll ask the question, I think I know the answer. Is there anyone else who wants to speak to Council tonight?"

"My name is Peter Dillard and I live at 3237 Ormond Road, Cleveland Heights. I am here to speak on the subject of registry in the town of Cleveland Heights for domestic partners - which there was a referendum - as gone out to the people and is about to be voted on by the Council tonight. I wanted to speak as first a physician and second as a citizen of Cleveland Heights.

I think it is time in America - I think we should put aside our differences with people and try to be all inclusive. With a masters degree in public health I am well-aware of the causes of severe public health problems and it isn't peoples' lifestyles that cause public health disease or public health problems it is the marginalization of people that causes public health problems. It's pushing people into the subterranean depths of our society where they can't practice their perfectly harmless activities without or only harmful to themselves if it is harmful at all by nature *[sic]*. But pushing people down into the subterranean depths of our society is the thing that causes disease and I'd like to bring all people into the light of our society and give them equal rights and allow them to be themselves and then give them all access to all of the services that we have provided them.

The second point I'd like to make is not as a physician but as just a citizen. I believe strongly that there is a power that is greater than I in the heavens. Whether this power judges us as for what we do or has opinions about how we as a people behave I don't know but I do know that I did have a religious education when I was growing up and I was taught the bible and I was taught both the new testament and the old testament. God gave us ten commandments and none of them said anything about lifestyles. They said those commandments were very important to God, if the bible is correct and I think that's a perfectly legitimate view to take that God really meant those commandments. But, none of them tell us what sexual orientation we should have or what color we should be or whether to look down on anyone or not. It said to respect people primarily and to give people life. In the new testament our Lord Jesus gave us really one commandment, just to love each other and to take each other in when needed and when they need us too. Those are the two points that I want to make and I think that it's important that we put aside religious complaints about peoples' lifestyles because there isn't anything in religion that says anything bad or good about people except to love them. I understand the cultural issues. We have many cultural predispositions and prejudices and those I think are hypocritical to bring the bible into that because we brought the bible into so many horrible things that we've done to other people that the

bible isn't a good thing to use to oppress other people. [sic] The bible wasn't written to oppress other people, it was written to teach us how to behave as human beings. I just wanted to say those things because that's the way I believe."

"Good evening. My name is Traci Moore and I reside at 3566 Finley Road. I am here tonight representing the Cleveland Heights Families First Initiative and its supporters. We are a non-partisan group of Cleveland Heights' residents representing various religions, races, ages, and cultures. Our mission is to promote family values in Cleveland Heights and educate the public about issues that affect our families. We believe the citizens of Cleveland Heights take their right to vote very seriously and desire to be well-informed concerning the choices they are asked to make. It is our desire to educate the voting public so that they can make informed choices when they go to the polls November 4th and in the future. Concerning the domestic partner's registry which is proposed, we have spent considerable amount of time learning the scientific facts behind this type of legislation. We feel we have a responsibility to our fellow-citizens to give them the same opportunity to learn the truth about this legislation as well as the issue of homosexuality. It saddens me as a Cleveland Heights' resident and as a scientist that this type of legislation is based on the false assumption that people are born homosexual - and they're not - and that they can't change - and they can and do - by the thousands every year. I'm here tonight to encourage this City Council to place the proposed Domestic Partner Registry on the November 2003 ballot in its original form. Although we strongly disagree with the issue in principal, we firmly believe that any alteration to the proposed ordinance would be dishonoring to the residents who signed their petitions. Therefor, we respectfully request that you place this on the ballot without any amendments. Lastly, we want to make very sure that the members of City Council, City administrators, and our fellow Cleveland Heights' residents understand that we are here to educate you with the truth and to help you in anyway we can to make this community a safe and secure place for all of us. Knowing the scientific truth is very important now and will be even more so in the future. This is an impact that's going to affect all of us. The future of our beloved city, its diverse population, our families and our children depend on knowing and acting upon the truth. Thank you."

"My name is Elaine Kerr. I'm a resident at 2734 Noble Road. In reference to the two men that spoke earlier, I know he mentioned not bringing the bible into anything but after witness to my lord and savior I cannot sit and allow what he said to not be rebutted but I come in the nature of peace. But as far as him saying things about the old testament and the new testament and the lord sharing and saying that we should love one another there is a Leviticus law that teaches about people lying with the same sex. Also in the new testament Paul teaches about that in Romans, that it is an abomination for people to lay with one another of the same sex so he has misrepresented the Lord Jesus and Jehovah. I just want to stand here as a witness to say that. Thank you."

"Good evening and thank you. My name is Robin Richmond. I live at 11644 Harvard View Drive in Cleveland. I need to explain my presence here. I'm representing an organization called, PFLAG (Parents, Families and Friends of Lesbians and Gays) it's a 20-years old national organization with 450 or so chapters around the country and a chapter in Cleveland for 20 years now. One of our founders is a resident of Cleveland Heights and the head of our publicity committee is a parent in Cleveland Heights, a parent of a gay women, and that brings me to the core of my presentation which is that the perspective of people who know gay people, of parents of loved ones who want the best for their children, we speak of course in favor of an ordinance in things like this, realizing that these are individuals, these are wonderful individuals. One of the things I love about PFLAG is the number of parents who say, 'I thank God my child is gay', because I have learned in my experience through this about some aspect of society that I was or that many people are terribly afraid of and I've learned that it's rich, it's not dangerous, in and of itself, it's not unhealthy, in and of itself, and it has made my life richer. We know that, as I grew up in a church organization that didn't believe in instrumental music, we didn't ask for that particular

religious belief to be codified into law and I don't think a particular religious belief associated with homosexuality should be codified into law. Many of you know that there are churches, ministers in Cleveland Heights who are gay-friendly, who are gay and who recognize that the passages in the bible that are often quoted and misrepresented, taken out of context, do not to many of us indicate the judgment against homosexuality particularly against the love of people who are trying to seek a stable life and live together as partners. In many cases raise children - I know Cleveland Heights gay couples who are raising children, something that I as a heterosexual man have not done in my marriage, but they deserve the consideration of the conscientious and honorable decisions they've made and I call on anyone who attempts to make it harder for gay people to live peaceful, loving lives as partners and as family units to say, 'stop abusing our children'. Thank you."

"Believe it or not as verbal as I am I'm also very nervous standing here in front of this microphone. My name is Nancy Thrans. I live at 2991 Coleridge Road. I only have one comment to make and that is to the people who chose to use Leviticus to condemn us. I challenge them to read the entire passage. The rest of that passage in some bible versions, in some interpretations of the bible say that we must be stoned if we lay with another person of the same sex. So, my challenge is, is how can you take half of that and not the other half. If you're going to condemn us, then you must stone us."

"I'm Rita O'Connor. I live at 1478 Middleton in Cleveland Heights. I just have a couple things to say. One is, the doctor and a couple of other people talked about being peaceful and loving. I was appalled and nervous last week and felt victimized when a homosexual as a kid *[sic]* or supporter said, 'gas the bastard', when I was speaking. I'm assuming they weren't going to attack me personally but everyone that stood for what I was saying. So 'gas the bastard' is not a friendly, peaceful phrase. That's the first thing I want to say.

The second thing, the doctor brought up is our children. Our children will be affected by this in Cleveland Heights and throughout the country and the world. I recently watched a tape, a video put out by Mission America that spoke about how the homosexual lifestyle including pictures of homosexual sex are being brought in the schools. *[sic]* I don't know if it's in Cleveland or Cleveland Heights but parents, grandparents, aunts and uncles and friends of children should really research your schools because this is happening now. It's not two innocent people in their bedroom doing what they want to do - adults. They are bringing our children into it. I do not believe for one minute that a child - this is from kindergarten on up - a grade school grade or even a middle-school kid knows what sexual orientation they are, but if you get a kid that young and talk to them and teach them about homosexuality they could choose to be homosexual. They also have clubs in these schools. They go on three-day retreats without the parents with adult men if they're with boys or adult women if they're with girls and what do we call this? We call this pedophile or child sex abuse. So anybody on Council that has children or grandchildren, anybody in the audience or anybody that hears this should check your schools because they are teaching homosexuality to our children. So when you go out and vote for the school levy in November you better educate yourself to see what you're voting for.

The other thing, it was brought up that homosexuality is - you're born with it. There are two books out that prove that you are not. That is, 'My Genes Made Me Do It'. I do not remember the author and 'Homosexuality: A Freedom Too Far', by Charles Socarides brings out the fact that homosexuals are produced in childhood, something happens to them when they're growing up and if you talk to any scientist who deals with genetics, I'm sure they'll be able to prove this to you. My gut feel is that Council, when they pass[ed] the ordinance or the law to have health insurance for people working in Cleveland Heights for homosexual couples did not know they were opening up a can of worms and my gut feel is that you're all sorry because this is going to divide the community. I've heard of people say, 'I'm going to move out if this turns into a homosexual community'. I, personally, if this registry goes

through, which it probably will in November, I am going to take my money elsewhere. I'm going to shop in South Euclid and University Heights even though it will inconvenience me and I am a big spender so if other people do the same thing we're going to lose money in Cleveland Heights. I thank you very much."

"My name is Kellie Zehnder. I live at 3393 Fairmount in Cleveland Heights."

Mayor Kelley asked, "Why don't you introduce who's with you tonight? It's kind of more important than you from where I sit. Sorry Kellie."

Ms. Zehnder replied, "I'm used to it. This is Audrey. She's five months old. Audrey has two moms and she also has a bigger sister who is three and whose name is Clare and I wasn't going to speak and I wasn't going to say anything but the thought of my kid having to grow up with this is pretty painful. I certainly hope that when the issue comes to a vote in November that the City residents of Cleveland Heights will speak and the people that are filled with hate and unkindness towards my family will know that the City has spoken, the residents have spoken and they need to be quiet because my kids don't need to grow up with this. Thank you."

"Good evening. My name is Mary Ellen Urmin. I'm here from North Olmsted. I'm representing Operation, Save America and Lifelink and I really had no plans to speak. Just to address what this woman Kellie had said. Those of us that call ourselves Christians and are here because we feel that we know as we read the scripture that homosexuality is a sin. We come out of love. And it's because our extreme love for our brothers and sisters and those that are not our brothers and sisters yet, but who we hope to be our brothers and sisters someday, it's out of a love. The love - love brought Jesus Christ to the cross. Love had him spill his blood on the cross of calvary. It's not hate. None of us are here because we hate these people. As a matter of fact as a pro-life activist for the last 14 years, I can tell you that there are some of those that have probably seen me here that are here at the abortion clinics. The pro abortion side are the ones screaming at us and have an agenda to push and when I see homosexuals in the recent anti-war parade, they're screaming at us. We've got to stop and say why is it that those that profess Christianity - perhaps they're looked at as intolerant, but I'm saying we come out of love and Christ laid his life down. We want those that don't see clearly to see clearer. We're here out of a message of love not hate.

I know personally, I had an employee of mine who is HIV Positive, this is about ten years ago and I had to make a decision whether or not I wanted him to continue to work for me. I had one employee and he was HIV Positive - small business owner and I did the research and I looked and I searched my soul and I said, you know what, I might be the only Jesus this guy sees. He continued to be my employee, but it was difficult because of health reasons. Now, when I was doing my research I really contest these people who say there are no medical problems. Just common sense tells us that you go to a plumbing store and you've got a female washer and a male washer and the two fit together. Right! A male and a male don't fit together. Now, they might do contortions and they might go to non-parochial methods to fit together but that's not how God intended. People, look at what we're doing and I submit to you that as the Council faced with this decision you have a major decision on your hands.

In North Olmsted we had to stand without City Council and stand against an abortion clinic, the largest abortion clinic in Cleveland coming to our town. Thank God that was averted. You have a grave decision on your hands and you will be responsible for the decision you make and we do answer to a holy and a mighty god whether we want to take him out of our public life or not. For that doctor to say we can't stand here and talk about the bible that's ludicrous. Because I don't care what the revisionists

of history will tell us today, our country was founded on Christianity. It was founded all men are created equal and endowed by their creator with certain inalienable rights. This is not happenstance. And what people do in their bedroom, they will have to give an account for. All of us will have to give an account someday, whether we sin by lying or we sin by homosexual behavior, but sin is sin. When I was doing that research into the health [issue] because of the predicament, the situation that I was in with my employee, the research was staggering that the average homosexual male without AIDS lives to the age of forty-four. The average homosexual male with AIDS - 40 years old. Medical science has proven itself. For somebody to come up here and just say there are no medical problems, well there's research to be done. Thank you very much."

"Hello. My name is Pat Dillard. I live at 3237 Ormond Road. A reference was made earlier to family values and the idea was expressed that the domestic partnership registry does not reflect the family values of Cleveland Heights. I beg to differ. I think it very much does reflect the family values of Cleveland Heights. That's one of the reasons I moved here and that's the reason I stay here, because we are a very inclusive community. We are accepting of all people regardless of their race, religion, sexual preference, sexual orientation rather, and we try to live in peace and harmony together and accept each other. I am very proud to live in Cleveland Heights. I think we've done some wonderful things here and I trust that the citizens of Cleveland Heights will continue to do so in voting for this legislation. Thank you."

"I would like to speak as a social worker, a licensed social worker and I have the utmost--"

Mayor Kelley interrupted the speaker to give her name and address for the record.

"Karen Lemke in Broadview Heights. I have the utmost respect for foster homes and families that are also having foster children at adopting through this avenue [*sic*] but I am very concerned about the implications of this lifestyle based on statistics that we have seen with the increasing health issues and the increasing issues with AIDS. I know as a case worker that there is probably one case worker assigned for maybe 137 AIDS' patients and my concern is are we looking at the bigger picture and the implication of this lifestyle? I do not condemn at all the ability to parent or have relationships but I also am concerned about the issue and the increasing health issues in Cleveland that I believe are uncovered and now need to be dealt with. I think there are many things that this community - if you're interested - to make a difference - look at those people in their apartment complexes - all throughout the city that are struggling with AIDS and also ultimately we come as a voice to say, you know what, there are so many deaths, there are so many people that are struggling with these issues that I have to say that I do not think what we are doing as a community is in the best interest of the city as far as passing legislation to accommodate this.[*sic*]"

Mayor Kelley reiterated, "Is there anybody else who wants to speak to Council tonight? This is your last opportunity to speak. Once we go into the agenda there will be no opportunity to speak, so let me be clear. There are a lot of first time visitors here, so if you'd like to speak, now is the time to be recognized and come to the podium and speak. Because once we start the business and go to the Report of the City Manager there will be no opportunity to speak. So if there is anyone else who want to speak, now is the time to raise your hand and be recognized."

"I am Susan Redhed. I live at 3236 Redwood Road. Hello to Council. Thank you for the things that you're considering. Tonight, are very serious issues among other things. I just wanted to point out an article that I found in the USA Today, dated Tuesday, July 29, 2003. The headline says HIV infection rates are rising among gay and bi-sexual men. It says, 'from HIV, infections rose more than 7% from 2001 to 2002 with an overall increase of almost 18% since 1999.' That's a serious concern to me and I

hope it would be to the rest of you in this consideration of what you are doing. In the headlines, Africa, of course, has really been in the news for this issue. We think that we have these vital drugs that can keep us under control. There is another statement here that says, 'Preliminary evidence revealed a slight surge in AIDS' cases last year proving that HIV treatment can't topple the virus forever.' I'm just concerned and I think we should all be looking really seriously at the facts. Thank you."

"I hadn't planned to speak either. My name is Barbara Nicely. I live at 3951 Rosemond Road. I've lived in Cleveland Heights for a good five years now. I have a lot of reactions and I'll try to keep this brief and to the point. As far as the people bringing up all the religious issues, faith is a very wonderful thing. It helps people get through tough times. I'm a licensed psychologist and right now my job is going to nursing homes and working with the people there, some of whom are dying, some of whom are just very ill and very old and some of whom are demented. I also work with younger adults who have all kinds of really serious disabilities or really serious mental illness. So I've seen a lot of human misery and faith gets a lot of people through a lot of awful stuff. I have nothing against faith. What I do have a big problem with is people saying that their particular faith, whatever it is, should be what we make public policy by. This country was founded - and one of the principles was separation of church and state. I think that is an important principle. That principle lets Christians practice it - lets Jews practice it - lets Muslims practice it - it lets Hindus and Buddhists and everybody - it lets a lot of people practice. It lets little fringe religions - most of us are like, what's that? It lets them practice. I think when we make public policy, we need to consider basic morals to respect everybody. We cannot take anybody's particular religious book or particular faith and say this is going to be our public policy. I'm sorry that's against the constitution. The countries that we see that historically have had one particular religion, there have been incredible abuses. Okay! The last time, in western countries there was one religion running things, we had witch burnings. We really don't need that kind of thing.

As far as the whole 'born gay issue', well people have been talking tonight like there are gay people on one end and straight people on the other and never the twain shall meet. This ignores the fact that there are a lot of people who happen to be bi-sexual. I am. That is who I am. Did I ask to be this way? No. Am I happy this way? I think I'm functioning pretty well. I don't think the issue should be whether somebody is born gay or made gay or evolve gay. I think it's an issue of respecting people's personal choices to live as they see fit and as long as they are treating other people well I think we really ought to put all this energy into looking at how do people treat each other in relationships. It is a good relationship? Do they care about each other? Are they treating each other well? That to me is infinitely more important than what genitals people have and what they're actually doing in the bedroom.

As far as the issues about AIDS - that illness in this country and some of the lesser countries just happens to show up first in the gay community. In Africa it is very much a heterosexual issue. This is a public health issue. This is an issue that everybody who is not strictly monogamous with a partner that they know is HIV negative - and that they know that they are HIV negative - needs to be practicing safer sex. We need to be doing that period. Picking at people because of what gender of partner they prefer or how they conduct their personal business is not going to fix this epidemic. Straight people who end up with AIDS through sexual transmission suffer just as much as gay people and [in] the end the virus will go wherever it goes. Sexual orientation has nothing to do with viral transmission, unprotected sexual activity does. We just need to educate people, that's the issue and that really doesn't have a thing to do with this ordinance. Thank you."

"I'm Marianna Stein. I live at 2727 Lancashire, Cleveland Heights. I think I agree with the young lady who just spoke in the sense that I worked at county welfare, I also worked as a drug abuse counselor and I believe that regardless of their choice of being gay or lesbian, men who are heterosexual and women - they still can be infected if there is not safe sex. Also, again, I think that hormones do play a

very big part. I think that children should be checked out just like they are for other things when they are born and not have to go through this by being ostracized for their choice. While it is not my choice, I am not someone who should throw stones at someone else just because their choice is different. If the children are being treated in a way where it's a healthy loving home and there are rules, I think that they will be fine. Once again, there are people in churches who rape, kill, and beat their wives and I'd much rather see a child in a peaceful home. Thank you."

"Good evening. I'm Paul Schwitzgebel and I live in Canton, Ohio. Now, it's true that my family has been involved in the plumbing business in Canton for nearly 100 years. And it is also true that I personally have a Yale Divinity School degree. I am not going to lecture this council on either plumbing nor the scripture. I am here because of a reality in my life which is that I am a gay person and based on the statistics that I heard I'm apparently operating in overtime, perhaps at age 60 I'm almost approaching qualification for double time. What this council has before it and you should be exceedingly proud that you have it before you is the reality that in this great democracy your citizens have brought to you a petition because they have something that they believe should be put on the ballot before the citizens of your community. This is a matter of democratic process and your citizens have come to you and they have said, 'We want Cleveland Heights to continue to be known as that community in Northeastern Ohio that has an incredibly positive reputation of being a community where diversity is accepted, is appreciated, is cherished. And I look forward to a vote, to an affirmation of registry of domestic partners and to a continuation of the proud civic history of Cleveland Heights, because if you do that, it will provide a beacon to other communities in Ohio. Good civics to you."

"My name is Carlton Smith and I'm about to become a Cleveland Heights' resident. I'm in the process of moving here."

Mayor Kelley responded, "Welcome Carlton and almost welcome to Cleveland Heights."

Mr. Smith continued, "I am a Christian and I subscribe to all that the bible teaches and I don't want to address this issue. However, from that perspective I want to stand here as an African-American male and express some outrage at our language of inclusion. We throw those terms around, equality and inclusion and I am one of the beneficiaries of that. I was born this way. I will be this way when I die. I had no choice on the matter. I've listened to people talk all evening about homosexual and lesbian behavior as being natural or 'I'm born this way' but it boils down to behavior. If I don't do a thing I will still be this way. To see the freedoms that have been extended to me simply because I'm here, contorted and perverted to include now behavior, is an offense to me as a black man. I know many, many, many people and I've worked in ministries around the Greater Cleveland area. I know many ex-homosexuals and lesbians. I don't know any ex-blacks or Asians. The second point that I would like to make, because I am going to be part of the voting party that's here. I just received my 50th birthday not too long ago and I've been watching our culture over the last 20 years and I think any of us would agree that culturally we are not advancing. Watch the newspapers and you will see that we are coming apart little by little by little. Things don't happen in big terms, they happen gradually and incrementally. Little changes here, become greater changes down the road. That is my concern. We're talking about issues right now that represent this issue of domestic partners. My concern is that when my grandchildren are here what will that turn into? I grew up in the 60's and I've watched what our kids have become as a result of that. That's my concern. It's not just simply a matter of biblical issues, although I really do subscribe to those. This is not a matter of equality in the same way and please do not lump us in that same category, Heights Families for Equality. Equality is an issue that my parents, my grandparents died for because we were oppressed, because we were just this way. Like I said whether we did a thing or not this is the way we were. I'm concerned and I do vote, I do vote. I know many people in this area and we all vote. I've worked with ministries throughout the region for a long time and so we will watch

this thing and I will participate in it and I will stand here and say tonight that I will be one of those who is not silent on the issue and will talk to my perspective neighbors and anyone else that I come into contact with because this is an important issue. It may seem like a little thing today, but twenty-five years from now I'm afraid of what this might become. Thank you."

"Good evening. Can everybody hear me? My name is Christopher Long and I've been in Cleveland Heights and I live at 1673 Compton. I, too, am an African-American man and it feels amazing to see so many African-American people here."

Mayor Kelley said, "Welcome, Christopher."

Mr. Long continued, "Thank you, Mayor. I'd like to ask a couple of questions as an African-American man living in Cleveland Heights and looking at the statistics and we keep hinting at the subject of HIV and AIDS within the community. Specifically, I'm asking us as African-Americans, to look at HIV and AIDS in our community and to investigate the reasons why the numbers are growing astronomically amongst African-Americans with a black church that is alive and vibrant where the issues even within our church, are we examining those issues and now pointing a finger? I, too, am a product of the south where my father is reared in Memphis, Tennessee and marched with Martin Luther King. What is our obligation to all people about oppression and what would Jesus do if he were here? He either talked with the people that were lepers. Right? He laid and fought with the people that were the oppressed of our society. That's not going away - that's not going away. I think and was asked a question by a lovely [sic] Channel 3 this evening, what is it that I'm involved with, why am I so passionate about this issue? I guess the verdict is still out and is domestic partnership really about a gay agenda and being a gay male - I don't know - if we did have an agenda and it came to a true fruition would the world be turned on its end and everything would be in misery. I would think the contrary. There is not enough of us to make this agenda come to this fruition of taking away all these rights. What would my grandmother say, Elena Mae Curtis Lamar, if she were alive today? What would my father say who is proud of me as an African-American working in Cleveland at a mostly African-American environment - supporting and encouraging our young people to be involved in this process? Where our youth, if we're so strong in addressing the issues of our society, where are our youth in this process? And are we only listening to our ministers because we are [a] monolithic community that only does and only acts when our ministers - ministers - say on particular issues - what about our voting - what's happening to our rights as American citizens when we look at our communities and they're being raped and pillaged by those that support us and are only talking about issues when it's right or active and one, the gay issue. Let's make sure we're making our young people be well-versed in politics-at-large and not just are only phobic against the people within our churches who have AIDS. The numbers are growing in the African-American community because do our churches talk about it? Do our churches engage in relationships at a level that's honest where people that are gay within your mix get to talk about bringing their full-selves to the table and not live in fear. This is our civic duty."

"My name is Joseph Rothenberg and I live at 1621 Rydalmont Road."

Mayor Kelley added, "Welcome back, Joseph."

Mr. Rothenberg continued, "I guess this is getting to be a habit. Something that I was used to. I was raised Jewish. I don't know if anybody knows of any ex-Jews but it can happen and yet that's still protected. Speech is a behavior and it still's protected. I'm sorry if someone is offended by the fact that I'm gay, but I believe that I answer to God for my behavior and not to anyone here. It's difficult to know where to begin with this. If you think that marrying another man is a sin, then don't do it. Okay! If you think that homosexual behavior is a sin against God, then don't do it. Follow your religion and follow

your conscious but don't stand here and tell me that suddenly my striving to live my life is something that you can't, at least stand aside from and let me do. If people are worried about AIDS and if people are worried about disease then maybe you ought to start looking at yourselves because there are plenty of other sexual transmitted diseases that are not endemic to the gay community and the problem isn't homosexual behavior, the problem is irresponsible sexual behavior. The problem is not forming meaningful relationships and respecting other people. Certainly I've been guilty of that myself, but I would like to see a society where people are encouraged to form individual connections with other people that have meaning and that's what this legislation is about.

I've been involved in the same relationship for twenty-five years and I would like it to be on record. I think that what I've done with my life is important and I'm going to answer to God for it, but I'm not going to answer to you. A lot of things I'm hearing about the future and protecting the children sound so familiar to me that I'm not going to insult people by bringing up where I've heard them before. If this legislation passes when the people of Cleveland Heights create this domestic partner registry, we're going to wake up the next morning and do you think the world is going to somehow be a whole different place? Do you think everything is going to change? You're wrong. When you wake up the next morning everything is going to be very much like it was when you went to sleep except that the lives of a few people are going to be a little bit better. The lives of a few people are going to be a little bit easier, a few people may feel a little bit better about themselves, maybe able to talk more. A few diseases may be prevented because people will be in committed relationships where they've agreed to commit to one another. It doesn't change the whole world. All it does is allow people to live their lives. I feel like I was born gay. Maybe that's an illusion. I don't think that's relevant. I don't want to change. I don't want to go through a program in process that will make me start loving Walter. I'm not ashamed of my life and I'm not ashamed of who I am and I want it on record. I want people to know that we existed - that we were here in this time and that we did these things and that's what's important. If you can't help us and I would ask you to at least have the decency to stand aside and let us live our lives. This is a change. This is something new and this is something scary and I understand that. Changes are important. A lot of changes in this country in the last 50/100/200 years and this is just another change and it's not going to be the end of the world and maybe it'll be a beginning for a few people. Nobody is going to become gay because we have a domestic partner registry. Nobody is going to leave their husbands and run off because, 'Oh, we have a domestic partner registry now, I don't have to do this, I have an alternative'. It doesn't work that way. After all the objections are met and after all the rational arguments have taken place, the only thing that's really left is your fear and your prejudice and I have no answer for that. I'm not going to stop being who I am. Whether this passes or doesn't pass I will still be who I am and I will continue to fight for the acceptance of my relationships in my life and for all of my people. These are the people that I am part of their community and whether I was born that way or chose that way or got wacked on the head with a stick of something doesn't really make any difference. I am who I am. I just hope that you can look beyond your individual selves and your individual feelings on this and understand that this is actually good for people and it doesn't hurt anything."

"Good evening, Mr. Mayor, Members of Council. My name is James Redhed. I live at 3236 Redwood Road. Just like to clarify a few things. When people seem to assume that any opposition is based purely in fear and prejudice. Gentleman by the name of Carlton, I believe, spoke to the slippery slope. We could look at Sweden. It use to have a free speech policy just like ours. Their first step was anti-discrimination law in housing - very reasonable thing. Where are they now? You cannot inside a church building express your personal opinion that I think that behavior is wrong without risk of jail and a fine. Free speech law has been compromised there. It is true in Canada also. That's hate speech in Canada now. Do I worry about losing free speech? Yes I do. I think it is very important to our country. What is going on here is an expression of how important free speech is. We take that for granted. We can't. It has been lost in other places as part of this slippery slope. I agree with the

gentleman that just spoke on a number of points, though. First of all, AIDS is not a homosexual disease. AIDS is a disease as every other sexually transmitted disease of irresponsible promiscuity. If your look in Africa today, it's absolutely true. The numbers there are almost reversed and actually they are more than reversed from here in terms of the percentage that are heterosexual. But, that's where the promiscuity is in those cultures. If it could be guaranteed that I will not suffer in anyway from individual choices I'd say fine, but I do. See if somebody could find a single commercial insurance company in this country that pays for AIDS treatment. I don't know how many people know that every dollar for AIDS treatment comes out of federal and state tax money.

If you look on my driver's license you will find a motorcycle endorsement. Most states do not require helmets. I would never think of riding without one and I would say it has to be required and the reason why, you could look right here in Cuyahoga County - Metro Health Center - the trauma center and the county hospital. If the money that is spent on the head injuries to mostly late teens - early 20's - young men - no insurance - driving motorcycles irresponsibly. You and I, we in Cuyahoga County are paying for most of those people. Now would every injury be avoided if they were wearing helmets? No it wouldn't, some of them would break their necks instead, but many of them would. And I would say, if I don't have to pay for it, you don't need to ride without a helmet, but I have to pay for it and therefor, I say, we ought to do what we can. This is the same kind of thing. There are certain things that you can do to help. I'm not hating people who are opposed to my view and I would passionately defend anyone in here who was being abused under the law as a homosexual. I would fight physically if you were being attacked. This is not - as I would for anyone else. You are human beings, everyone here is, but when we say the world won't be different tomorrow, no it won't - next week or next year as Carlton brought up - we have seen that in other places. We have seen it. That's not hypothetical and does that concern me? Yes, it does. Free speech matters to me in this country. I look at the countries that don't have it. You open your mouth about anything - you're asking to get killed. I'm not interested in that. Is that going to happen here? Not next year - ten years - twenty years, probably not. Would it ever get as bad as say Iraq under Saddam Hussein, probably not ever. Could we be like Canada and Sweden? The way things are going I would almost consider that an inevitability. I think that is tragic for our country and even for our city. Thank you."

"My name is Bill Butler. I am a Clevelander. I just have a few words. I do believe that our lord and savior Jesus Christ has set before us a choice, freewill. But my understanding is he offers life or death. His will is that we choose life and when we choose to disrespect his laws then we pay the consequences."

"Hi! Lot of topics! David Caldwell, 3406 Bradford Road in Cleveland Heights. So a lot of topics this evening, so far anyway. You know, photographs of people having same sex, sex in the schools, that's unfamiliar to me (myself) but, we have, you know, threats of economic boycotts - stories about the plumbing store - free speech - that is actually enjoyable. We started this campaign by going out and talking to our neighbors about a piece of legislation. I can assure everyone here that there's certainly no intent to muzzle anyone's speech. It's all about free speech, but I just wanted to - you know, there's been a lot of talk about health and you know. I just wanted to mention again what the ordinance actually does. This ordinance enables two individuals over 18 years of age not related by blood to come down to City Hall at an office to be designated by Robert Downey - pay a fee to be set by Robert Downey and enter into a domestic partnership, which is an institution to which two individuals will be able to belong. Now, what affect is that actually going to have. Is it a slippery slope or is it more like Joe said, that we're all going to wake up the next day and a few people are going to feel a little bit more safe and a little bit more secure. Entering into a domestic partnership, actually - creating the institution of domestic partnership in Cleveland Heights does not compel institutions in Cleveland Heights to treat domestic partners any differently then they do today. Right! Some institutions, like for instance our city

government, have policies that use domestic partnership in order to grant employment benefits for instance. Right! Some hospitals like outside Cleveland Heights - we have Cleveland Clinic, University Hospitals have policies that allow domestic partners to visit one another in the hospital. Then they have to define domestic partner too. Right! And they have to figure out who the partners are as Joe talked about the last time that we were here. Sometimes those institutions, like healthcare institutions, employers have difficulty figuring out who is the domestic partner and who is not. Right! So this is a pretty simple proposal. It sets up some criteria for domestic partnership. It allows two individuals (by the way of any gender) - there will be opposite sex couples that will benefit from this as well. There is an awful lot of talk when we discuss this issue about how people are having sex. Please don't ask me any questions. What it comes down to is that people are living in family relationships. If you are against this proposal which doesn't even compel institutions to do anything, it just makes it easier for them to tell domestic partners apart from everybody else. So, if you are against this, let's be clear about what you're against. You're against making it easier for two people living in a loving relationship like Joe and Walter's to visit one another in the hospital. You're against letting Kellie and Deb share employment benefits at work, so that should financial catastrophe strike their family because someone gets sick (and by the way lesbians are not at very high risk for HIV) that they won't have to raise their children in poverty. This is simple stuff. This isn't about - I've been out talking to voters too - so I'm a little bit biased. I've talked to probably over a thousand voters about this issue, randomly selected - walking around the neighborhoods. It turns out that I'm pretty certain that this election is not going to be about how people have sex. It's going to be about how people live their lives, about how they handle the catastrophe of having somebody getting sick and having no way to pay for it. About whether they have the right to plan one another's funeral. Right! About whether they can share employment benefits at work, whether one of them can take time off if the other one gets sick or if another family member gets sick, that is not classified by the way as family under current law. Do I even get the right to have time off for my partner's funeral? I mean it is simple stuff. Not trying to impose upon anybody's religious beliefs. This is about how people live their lives and about making things a little bit easier for any two adults in Cleveland Heights who either can't get married under current law because they are of the same gender or can't afford to get married for whatever reason. They can't afford to assume one another's debts or they are a senior couple. They've had the nerve to find love again, but they would lose social security survivor benefits or pension benefits if they got remarried. I think Joe's vision is a lot closer to what's going to happen - people are going to feel a little bit safer when they go through their day-to-day decisions and live their lives. I am all for what Traci said, which is let's get the facts out there and the fact is, I mean, that's what this proposal is going to do. It's not going to put pictures of people having gay sex in schools."

REPORT OF THE CITY MANAGER

Mr. Downey stated, "Thank you, very much your Honor. I have only one item this evening and that would be authority to advertise for bids for sewer televising for a two year period."

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 given authority as requested.

Second by Council Member Evans.

Roll Call: Ayes: Caplan, 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 need to notify Council that one notice has been received from the Ohio Department of Liquor Control advising that application has been made by the following: Clemshaw Enterprises Inc., d.b.a. BW-3 Coventry Store, transfer D1, D2, D3, D3A, and D6 permits from J. K. Establishments Inc., d.b.a. BW-3 Coventry Store, premises 2nd Floor, Lobby Areas and Lounge, 2781 Euclid Heights Boulevard, 44106. I request this be made a matter of record."

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

REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Council Member Hicks stated, "Thank you, your Honor. I have several pieces of legislation this evening. First I have Resolution No. 117-2003(MS), authorizing an agreement with Fabrizi Trucking & Paving Company, Inc. for emergency cleaning of culverts at Belvoir Boulevard; providing compensation therefor; and declaring an emergency. The City Manager is hereby, directed to make payment to Fabrizi Trucking & Paving Company, Inc. in the sum of Nineteen Thousand Three Hundred Sixty-eight Dollars and Thirty-two Cents (\$19,368.32) for emergency cleaning services performed on two culverts at Belvoir Boulevard on or about May 9, 2003. Section 2 is the notice of passage and Section 3 is declaring this an emergency measure. Your Honor, I offer Resolution No. 117-2003(MS) for passage tonight."

Mayor Kelley accepted Resolution No. 117-2003(MS) for passage.

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

Nays: None

Resolution passed

Council Member Hicks continued, "I have Ordinance No. 118-2003(MS), authorizing an agreement with Bob Ross GMC for a van for the Sewer Maintenance Division of the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program; providing compensation therefor; and declaring an emergency. The City Manager is authorized to enter into an agreement with Bob Ross GMC for the purchase of a van for the Sewer Maintenance Division of the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program, in accordance with the requirements of Ohio Revised Code Section 125.04 and this Council's Resolution No. 115-1988. The agreement shall provide for a purchase price not to exceed Fifteen Thousand Seven Hundred Ninety-three Dollars (\$15,793.00). All agreements hereunder shall be approved as to form by the Director of Law. Your Honor, I offer Ordinance No. 118-2003(MS) for passage tonight."

Mayor Kelley accepted Ordinance No. 118-2003(MS) for passage.

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

Nays: None

Ordinance passed

Council Member Hicks continued, "I have Ordinance No. 119-2003(MS), authorizing an agreement with Southeastern Equipment Corporation for the purchase of an asphalt roller for the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program; providing compensation therefor; and declaring an emergency. The City Manager is autho-

ized to enter into an agreement with Southeastern Equipment Corporation for the purchase of an asphalt roller for the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program, in accordance with the requirements of Ohio Revised Code Section 125.04 and this Council's Resolution No. 115-1988. The agreement shall provide for a purchase price not to exceed Fifty Thousand Dollars (\$50,000.00). All agreements hereunder shall be approved as to form by the Director of Law. Your Honor, I offer Ordinance No. 119-2003(MS) for passage tonight."

Mayor Kelley accepted Ordinance No. 119-2003(MS) for passage.

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

Nays: None

Ordinance passed

Council Member Hicks continued, "I have Ordinance No. 120-2003(MS), authorizing an agreement with 32 Ford of Louisville, KY for the purchase of a truck for the Refuse & Recycling Division of the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program; providing compensation therefor; and declaring an emergency. The City Manager is hereby authorized to enter into an agreement with 32 Ford of Louisville, KY for the purchase of a truck for the Refuse & Recycling Division of the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program, in accordance with the requirements of Ohio Revised Code Section 125.04 and this Council's Resolution No. 115-1988. The agreement shall provide for a purchase price not to exceed Twenty-five Thousand Dollars (\$25,000.00). All agreements hereunder shall be approved as to form by the Director of Law. Your Honor, I offer Ordinance No. 120-2003(MS) for passage tonight."

Mayor Kelley accepted Ordinance No. 120-2003(MS) for passage.

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

Nays: None

Ordinance passed

Council Member Hicks continued, "Thank you, your Honor. I have a couple of comments I'd like to make. I'd like to save my comments for the domestic partner registry, however, for when that is introduced. But, I don't usually do this, but today I feel compelled. One, there was a comment by someone, by Nancy [Thrams], and she mentioned Leviticus and she said we needed to read the whole chapter and what I'd like to say to her, is that when Jesus dealt with that he said, 'He without sin cast the first stone'. So, we've already dealt with that and we don't throw stones any longer. In terms of Kellie when she brought her very gorgeous young baby up, they may love that baby as much as anyone in this world, but that relationship did not produce that baby.

Over the past year, I have felt very lonely in the political arena in regards to my position dealing with this Council's agenda items, dealing with the homosexual agenda. Over the past week I felt a little less lonely in the political arena when I read - when I was on vacation and USA Today - I read the President's comments about marriage and wanting to codify marriage and said that, 'It's very important for our society to respect each individual and to welcome those with good hearts in order to be a welcoming country.' And I can say that for the same for Cleveland Heights in order to be a welcoming community, but he said that doesn't mean that he has to accept the gay relationship, a gay marriage. He believes that the sanctity of marriage and it should be between a man and a woman and I have to say that I agree with President Bush. And the next day I received comments - received the USA Today and there were comments in there from the Vatican and the Pope and the statements that were made regard-

ing Catholics, politicians, and all politicians in general - not supporting these domestic partnership issues. And so I felt a little less lonely in the political arena and I have to say that it is because I felt lonely because not one democratic elected official in the past year has contacted me to offer support of any kind. That doesn't mean the support doesn't exist but if it does exist they have been reluctant to come out and tell me that they have supported my position because the National Democratic Party has embraced the homosexual agenda.

In two days I will be turning 40 years old, August 6. As a birthday present to myself, I'm resigning as a member of the Democratic Party. I will be joining the majority of Cleveland Heights' residents who are registered as independent voters. Ever since the Reverend Jesse Jackson introduced the Rainbow Coalition to the Democratic Party it has tried to be everything to everybody and in essence has become morally bankrupt. The Democratic Party has taken African-Americans and Christians for granted for much too long and today it ends for me. Thank you."

Mayor Kelley stated, "Thank you, Councilman Hicks. We are going to skip over the Planning and Development Committee of Council and the Public Safety and Health Committee of Council and come back to them and we are going to move to the Administrative Services Committee of Council so we can move on with the business that most people are here for tonight so I can get you home in a timely fashion. So if you would, Councilwoman Dietrich, if you would begin the Administrative Services Committee of Council's work tonight and we'll move things on in a little quicker fashion, so some people can get home and enjoy time with their family."

REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE

Council Member Dietrich stated, "The first piece of legislation that I have is the one that most of you are gathered here for - so that's a good idea. We'll get right on with it. This is Resolution No. 121-2003(AS). First I will read it and then comment. This Resolution directs the Clerk of Council to submit to the Board of Elections for placement on the November ballot a proposed Ordinance establishing a Domestic Partner Registry; and declaring an emergency. An initiative to establish a Domestic Partner Registry at Cleveland Heights City Hall was presented to the Clerk of Council and was certified to City Council and was referred to a Committee of Council, all in accordance with the Charter and Codified Ordinances of the City of Cleveland Heights. Council, after careful consideration of the petition and in response to the petitioners' desire to have the measure submitted to the City's electorate at the next regular election, has determined to place the measure on the November ballot. This Resolution directs the Clerk of Council to certify and submit to the Board of Elections for placement on the ballot for the November 4, 2003 election, the proposed Ordinance as set forth in the initiative petition certified by the Clerk of Council on July 7, 2003. The Clerk of Council is further authorized and directed to complete any and all documents necessary to insure that such measure will be placed on the ballot for the November 4, 2003 general election. The effective date of the provisions of this Resolution shall be August 6, 2003 (and that is because it has to be done within 90 days of the November election). Section 4 is the notice of passage and Section 5 passes it as an emergency and I offer Resolution No. 121-2003(AS) for passage tonight."

Mayor Kelley accepted Resolution No. 121-2003(AS) for passage.

Council Member Dietrich stated, "I actually would like to comment on this in two ways. I would like to tell you just a bit about Council's discussion that led us to our decision to submit the Domestic Partner Registry Initiative as originally written to the ballot instead of acting on it ourselves and then I will say a bit about my own perspective on the issue as I think some of my colleagues will as well. Two Mondays ago, City Council and our Law Director, John Gibbon, with his help had a good discussion of

the issue. I have to say it was not a difficult discussion. We are in agreement that the right way for us to respond to this initiative is to submit it to the voters. A year and a half ago when Council passed the ordinance granting healthcare benefits to same sex partners of city employees, there were people who felt that, that too should have been submitted to a vote of the citizens. But that was about a condition of employment for our city employees and as such it was our obligation to make that decision. This registry is different. It's broader than our employees and we don't have the same clear responsibility that we did over the other legislation. Also, there are over 5,000 signatures of people saying to us, 'we want to vote on this'. We don't know how many of those 5,000 are saying to us, 'we want a domestic partner registry', and we don't know how many are saying, 'we don't want a domestic partner registry', but what we are hearing is a clear message is that the voters want to decide on this. That is where we have decided to go.

We did discuss the possibility of negotiating with the petitioners for specific changes in the way the petition was written, but again we interpreted the message from those over 5,000 signers as, 'we want to vote on this as presented in the petition that we signed'. So, we have asked for no changes in the original petition. So the initiative that we're passing on to you is exactly as you have signed it and the Cleveland Heights' voters will decide.

I do want to mention a few of my personal feelings. I think a couple of weeks ago it wasn't the time for us to talk about our personal feelings. I feel that tonight is the time so I will try to be brief about this. I am for doing whatever needs to be done to end discrimination based on sexual orientation or anything else. I do think that what happens to our homosexual citizens counts as discrimination. I believe that committed homosexual relationships should be recognized as other relationships are. I, too, like Joseph think that commitment between people is good for society, so that is my biased as I look at this legislation and yet there are a couple of specifics that were I to be the writer of this, I would have done it differently, so I'm going to put those out here right now too. Actually the inclusion of heterosexuals in the initiative is a catch-22 for me. If you know me, you know I have no problem with heterosexual couples living together. I totally approve of it but to me the point of doing this registry - what I would want to do this registry for is to treat all people equally and I think that it does take one small step in treating a homosexual couple in an equal way to the way we treat people who are allowed to marry. Although, this does not - the registry does not and I need to stress it, this does not confer any real rights. At least it does give couples the recognition of their commitment. Homosexual couples cannot decide to do that. So to me including heterosexual couples muddies the waters of any clear equality statement that I personally would like the registry to make. To me that's a contradiction as I see it and it troubles me somewhat.

Secondly, I believe in city services for city residents. I think a partner registry should be the same. My little analogy is that people don't come to Cleveland Heights from Shaker Heights to register their bike and I don't necessarily think that they should come to Cleveland Heights to register their partnership. If this is a good thing I think other cities should do it too. I think that our doing it does take away some incentive for this equal treatment to be something that citizens of other communities press their own communities for. That being said, those are two things that I would do differently were I the one deciding on the specifics of this initiative. I'm not. The bottom line for me is that the overall effect that this registry would have on recognizing gay partnerships takes precedence in my mind over the things that trouble me. So when it is my turn to go to the ballot box, as it will be yours, I will not want to pass up an opportunity to extend one tiny iota more of equality to homosexuals, so I will cast my own vote in favor of the registry. At this time what I'm offering is Resolution No. 121-2003(AS), which is the initiative for the registry."

Council Member Wilcox stated, "Thank you, your Honor. Unlike other legislation this Council

considers this initiative petition is unique because it comes from the citizens. As such, I believe it is appropriate that the citizens should vote on this legislation and not this Council, but it is even more valid in this case because both sides of this issue want this initiative decided at the ballot. We have heard from the committee that circulated the initiative petition and it is clear that they want this ordinance, as written, to be submitted to the voters. Likewise it is clear from those opposed to this initiative that they desire to have this decided by the ballot. Under these circumstances the voters should decide this issue. Having the voters decide this initiative is also consistent with our City Charter. I also do believe that this is different than the domestic health benefits which we offer to our City employees and which I support. This legislation may have some flaws which are subject to valid debate. For example, Councilwoman Dietrich pointed out that this applies to persons who don't live in Cleveland Heights. But I would hope that those who oppose and support this measure will confine themselves to civil debate on those issues and not issues that demean groups of citizens in our community. With our vote tonight, members of council now have the same vote as any other citizen in Cleveland Heights on this legislation. Each of us in the community will have to make our own personal decision on how we will vote on this matter."

Council Member Hicks stated, "Thank you, your Honor. I, too, will be voting for this resolution in order for it to go to the ballot. But there was talk of a slippery slope and so I want to go over the slope as it exists in Cleveland Heights. Ordinance No. 114-1982, my apologies to Doug Braun, because in a previous meeting he mentioned legislation in the 80's and I tried to correct him but I was wrong and there was legislation in '82 and this was an Ordinance establishing an Administrative Services Commission and the commission's job was to assist Council or is to assist Council in monitoring and changing all necessary Council policies in order to insure equal opportunity to all persons employed by or contracting with the City or appointed to positions by City Council without regard to and whatever be their race, sex, sexual preference, national origin, religion, or handicap. The Administrative Services Committee [*sic*] shall review Council policies on employment, appointments and etc. This is the first time of the introduction of sexual preference into the Cleveland Heights Codified Ordinances. Then at Ordinance No. 154-1994, this was an Ordinance amending the city's ordinance regarding discrimination in housing, city employment and city's contracting to additionally prohibit the discrimination based upon sexual orientation. In this particular ordinance it amended a lot of housing practices - discrimination policies. But then it changed where ever sexual preference was, to change it to sexual orientation. Then, last year, April 15, 2002, my colleagues on City Council extended the city's health insurance coverage to include the domestic partners of gays and lesbians of city employees. As of that date, no city employee had ever requested this coverage nor has anyone signed up for this coverage since it has been in effect. And since I have looked at Ordinance No. 114-1982, I must say that this issue never went to the Administrative Services Commission to review Council's policies on employment to see if we even needed to have it. I've always believed that the introduction and subsequent passage of Ordinance No. 49-2002 was never about the healthcare need for our City employees, but it was about the advancement of the homosexual agenda in our community. Our community gained national attention for being the only city in Ohio to recognize homosexual relationships and attempt to reward them with taxpayer dollars. My colleagues on Council failed to realize that because of these laws all of our residents are being viewed as being accepting of the homosexual lifestyle and the latest effort by the homosexual agenda lobbyists. The latest effort is to make the City of Cleveland Heights the only location for registering homosexual domestic partner relationships in the State of Ohio and for neighboring states. People would have you to believe that this is a separate issue from the domestic partner health benefits that happened last year or from what happened in 1994 or what happened in 1982, but it is not separated from those issues, it is just part of the continuing efforts to make the homosexual lifestyle more and more accepting no matter how you feel about it individually.

In November this community - the reason I'm voting for this legislation is because I want in

November - I want this community to have the opportunity to let this Council and all other councils following know exactly how they feel about the direction it has gone concerning the homosexual agenda. I want people - I am encouraging people to vote no for this domestic partner registry. In November we will be able to send this City Council and the city councils that follow a message that we believe that every person in this community, even homosexuals have a right to live in our community, but this City Council - any city council - does not have the right to legislate acceptance of that lifestyle by this community.

A City Council cannot, will not, and should not, be the moral compass of a community. Is that just feeling? No. I want to thank Mr. Redhed for some input. Domestic Partner Registry, is this good for Cleveland Heights? No. Is it good city government? No. A low fee has been promised for this service and there will not be a fee to terminate partnerships. If the proposed ordinance were adopted and legally challenged the City would be named as a party / defendant in a lawsuit and be required to defend the ordinance with taxpayer dollars. The proposed ordinance would not be limited to Cleveland Heights' residents but would be for anyone anywhere in the country or the world who did not pay taxes in this City. Is this good community stability? No. The proposed ordinance states that two committed adults would declare that they share a life together but then it allows for the termination of one partnership and the creation of another every 90 days."

There was interruption from the audience and Mayor Kelley stated, "Hold on, let him finish his comments in peace."

Council Member Hicks continued, "One partner is not even required to notify the other at the time of termination that the partnership has been terminated, thus leaving again the City open to a lawsuit. Is it a good alternative to marriage? No. The proposed ordinance would have you believe that any two people declare themselves committed should have the same rights and privileges as those who are married. Sociological data as well as traditional values have made it clear that the most stable and productive family structure is one with a husband and a wife, a man and a woman. Why should our government, why should our City - Cleveland Heights government give equal consideration to a 90 day commitment, come into our City from anywhere in the country. Is this a good law? No. To be legally valid - to be legally valid - an ordinance of the City must be directly related to the health, safety, and welfare of the City of Cleveland Heights or to a significant number of its residents. This is not. If this proposed ordinance confers a legally recognized status on a domestic partnership of those signing the registry it will be in conflict with the state's marriage laws. I am urging every citizen of Cleveland Heights to come out - vote your opinion on the domestic registry that will be on the November ballot. I'm asking you to vote no on November 4th on the registry, Domestic Partner Registry. Thank you."

Vice Mayor Montlack stated, "Thank you. I think all the best lines have been had here. In a sense this vote is not really a choice, because the two choices under this direct initiation of legislation are either to essentially put it on the ballot, to enact the legislation exactly as proposed in the initiative or to formulate some variation of the legislation, then send it back to the circulators of the initiative petitions and in a sense ask that group to accept this variation. It was made clear as some of our speakers have indicated from the leaders and the representatives of both the initiative petitioners and the opposition to the initiative respectively, that the proposed legislation without changes should be decided by a direct vote of the residents. So, therefore, that is how the issue is going to be decided. None of the other choices are in reality - choices - because this view has been well-articulated to us. This being, by coincidence an odd number year, when there are going to be municipal elections, it's my wild guess that the issue may be discussed from time to time between now and the November election, perhaps at candidate forums or otherwise. There will be plenty of time for each of us to hold forth as one of 50,000 Cleveland Heights' residents on what our views are on this. I will say this, as one elected representative

of this city, the outcome of the vote in November whether it be up or down, is not going to make one iota of difference in how I conduct myself on this City Council or as an officer of the City Council and certainly won't make one iota of difference in terms of my own commitment to insuring that all residents; married and single, straight and gay, black, white and every shade in between continue to enjoy full and equal protection of the law. Not only is that a constitutional duty but it has a lot to do with the continued success and prosperity of this city. The many other independent-minded voters in our community and there are just a few of them, have not sought my guidance on this issue and there is no surprise there and you can be sure that they will make their own informed decisions on the initiative. I'd like to say one other thing and perhaps I'm speaking as much to folks not in the room as those in the room, I know that many people in the respective groups both proposing and opposing this registry initiative, passionately consider that the registry initiative is the critical issue of and for Cleveland Heights. Folks, yes it's an important issue. It's obviously an issue of the day as the news clippings that Councilman Hicks referred to as indicated and it is going to be an important issue in the future.

There are a few other issues that face our community; safe and secure neighborhoods, the preservation, renovation, revitalization of our housing and commercial sites. Perhaps not as exciting as this issue, but let me assure you - absolutely vital also for the future of this city as well as absolutely devastating fiscal challenges that are facing all cities today and including Cleveland Heights. There are a complex of actions needed to assure our continued success as an open, progressive community and as compelling as this issue is frankly I intend to devote what ever time I have on this earth and on this Council to pursuing that whole complex of issues. And I'll be right there at the voting booth with each of you and each of the other folks who are not in this room casting that vote and considering all of the arguments in November. Thank you. Hardly know which side to clap on for that - right?"

Council Member Evans stated, "This process has been a perfect example of democracy. This has been an exercise of what is called, 'direct democracy', which it allows each member of the voting public to cast their ballot in which the majority will rule. Over the last year and a half, two years, I've spoken to a number of people that I have a lot of respect for, trying to get a better understanding of what I've heard and also to have a clear understanding of what I was thinking and what I was feeling. One advisor's comment that stands out most clearly in my mind is, he said that he was at a seminar. He said that at this seminar there were a lot of brochures and pamphlets on the table and he said one in particular really caught his eye and the title of that brochure was, 'What Jesus Said About Homosexuality'. He said, 'I was very curious so I picked the brochure up and I opened it', and he said, 'This is what it said' [*sic*]. That concludes my comment."

Council Member Caplan stated, "Lest you think that there are no words left and I don't know that there are very many since my colleagues have been wonderful in the words that they've shared with you. Coming here tonight I thought we were going to vote on something that was a democratic legal process that we were required to vote upon. A group of people formed a resolution, they presented it to us and our job is to determine whether this is something that legally needs to be put on the ballot. I think there is no question and clearly you've heard that we are unanimous in agreeing that it needs to go on the ballot November 4. Consequently, I will vote for that because my job as an elected official is to follow the laws of Cleveland Heights, the state and the United States. That being said, it appears from the comments of the people in the audience that, that's not really what we're going to vote on. We're going to vote on lifestyles and I didn't think that's what I was going to vote on and I'm not voting on lifestyles. I'm both saddened and cheered by what happened here tonight and what happened here in 1994 and I will tell you and I'm going to make this circular and come back to why I'm saddened and cheered about tonight.

In the 1980's it was quoted with the Administrative [Services] Commission that there was a nine-

point plan that was presented to this Council and it was accepted by the City Council and adopted by the Council then and has been worked on since for the City of Cleveland Heights and the nine-point plan, in short, talks about being an open community that accepts diversity, that encourages equality, that it encourages the equal rights of everybody who lives here. In 1994, when we changed the wording and I was a member of City Council then and it was at that time the hardest decision I ever had to make - it was about changing the wording from sexual preference to sexual orientation in our rules of having equal employment, equal rights in all the businesses of the City of Cleveland Heights. Actually, I was proud of what had happened that night. People just like you and maybe some of you were there, stood up and talked about why it was a good thing and why it wasn't a good thing and why homosexuality was ruining our community. Well, actually, today if you read the Plain Dealer there was a wonderful column that talked about marriage, the sanctity of marriage, about homosexuality - you know that this sanctity of marriage and I do believe in it. I've been married 38 years, I can hardly believe it to the same guy. But I also do believe in loving relationships and I also believe in the freedom of people doing what it is that they need to do to make their lives have meaning and be fulfilled as long as they don't hurt anybody else. I believe in that and I believe that we have the right to allow other people to do what it is that's important to them as long as they don't hurt anybody else.

There has been a lot of talk about the bible - a lot of talk about Jesus - a lot of talk about Christianity. Well, you know this country was founded on the Judeo-Christian ethic but also talks about the rights and the fulfillment of each individual and I believe in that. I am saddened by some of the verbiage here. I do not understand how one person can tell another what is right for them. I just don't understand that. I also cannot resist correcting a few misstatements. The impression has been that AIDS and HIV are on the rise because of homosexual activity. I'd like to tell you why it's on the rise and that's because drug activity is on the rise and shared needles really spread AIDS and HIV and the people who use shared needles are not necessarily homosexual, they are impoverished, they are ill, they have many kinds of other diseases - mental illnesses. They may have all kinds of problems, but homosexuality is not the only way to get HIV and AIDS and actually if all this passion was put into curing some of our sicknesses in this world, we wouldn't have 4,000 people who are homeless in the county of Cuyahoga County and it would be very nice if we could address that as a real social ill. It really distresses me that there are 4,000 people living on the street, many of whom are drug addicts actually, many of whom are actually mentally ill, many of whom are out of work. There are families living on the street and I'd like to know where all the passion is for taking care of some of those issues.

Actually, I am happy that you had the opportunity to say what it is that you want to say. I don't think we're on a slippery slope of losing our democracy in this City. Every time we have an open debate it makes democracy stand up and cheer because only in America and I have just visited Hungary - should I tell you what communism is about and what that did to those people and even 14 years later when communism has gone down, that the people still have not been able to rise up and be free to say what they want to say. Only in America, do we have this opportunity to express what it is we feel and listen more or less respectfully to each other and I expect that this will continue here in Cleveland Heights. I know that it will because we encourage this kind of debate. On November 4th vote for what it is you want to vote for. Tonight we're going to vote for whether it is legal and whether it is appropriate for us to accept this initiative and put it on the ballot and consequently I will vote yes on that and you can vote in November whatever it is that your heart tells you to do. Thank you."

Mayor Kelley added, "Well, there's not much more that I can say but I do want to point out a few things that were said and might have been said in error or need to be clarified. First off and more importantly to my good friend, Rita O'Connor, April 15th we passed the Domestic Partner Benefit. I would do it again and again and again and again. I think every member of Council would vote for it again and I think Councilman Hicks again would vote against it and that's fine with me. I think this

issue today, Resolution No. 121-2003(AS) what we're doing has nothing to do with the gay agenda. It is about equal rights. It's about a registry for gay couples and heterosexual couples and that's what it's about. One thing that I do want to point out that I did see on some literature from a different side and I want to point it out, that the city because of the domestic partner legislation and this possible legislation has cut essential city services. I raised it two weeks ago. The ten years that I have sat on this City Council and the nearly 45 actually it's 46 years as of July 22nd that I've lived in this city, I have never seen the city cut any essential services. So let me be clear about that, whatever side of the campaign you're on, the city - this city in the 10 years that I've sat on this Council and the nearly 16 years that the Vice Mayor has sat on this Council, whatever side of the campaign or the aisle you're on. This idea of promised low fees - our fees, if this indeed is passed in November, will be set based on the fees of what other cities across the country charge to do this. We will see what other cities charge, what paperwork is involved and that's what we will base our fees on. At this time we have not had that discussion. So this idea that this City Council or the City Manager, for crying out loud, has come up with an idea of promising low fees - that is false and needs to be corrected right here and now in this room tonight.

As many of you know I work in divorce court. I've been there for 20 years. I've survived the divorce wars. I'm not going to get into the 90-day rule - what is right or wrong or how it was drawn up, but I've seen in divorce court where people have got their divorce decree on the third floor - have run down to the first floor to probate court - got their marriage license - got married on the same day. That's just a comment - it's not right or wrong - it does happen - not often though.

One other point, when we're digging up old legislation, either in 2000 or 2001. I'm not sure of when - I don't remember all the dates - I'm getting towards 50 and those of us who may be there, this City Council by a 7-0 vote did pass legislation based on sexual orientation as a protective class in our Housing Code. That was done in either 2000 or 2001 by a 7-0 vote. So let's clarify whether you want to call it a slippery slope or what I think we call it as just doing the right thing.

One other thing I want to make clear whatever side of the issue you're on, if you're not sure of the information you're putting on your pamphlets to disseminate to the public, call and ask the City Manager or the Law Director or the Mayor because I do not want to see false information out there. It's just not fair, especially if you're talking about city services or city dollars or what it's going to cost. Please ask us. As the Mayor I'm more than happy to work with you or answer your questions or refer you to the right people. I do not want to see false information out there to the public. Both sides are going to work on this campaign. As your Mayor I stand ready to work with either side to give you the appropriate information. If you need to know certain things the information will be readily available to you either from myself, the City Manager or his staff. I do not want to see false or inaccurate statements - that goes for both sides. If you're not sure about the information, please call and either ask myself as the Mayor or the City Manager's office. We will get you the information. So we're clear. So the two issues I want to be clear on now before we move on - we have not cut any essential city services nor have we set up fee for this service. We don't even know where to begin to start but our gathering information of what other cities around the country do charge for this type of service.

Furthermore, I do want to congratulate the people on the initiative side for getting the signatures. Tonight we are simply doing, sending on to the voters to have a vote in November. Wish you the best of luck in what you need to do in the future. Resolution No. 121-2003(AS), Mr. Malone would you please call the roll?"

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

Nays: None

Resolution passed

Mayor Kelley continued, "I do want to also say before we let you go I want to thank you for coming and for the peaceful discourse between the two of you. From our friends who came from other cities please feel free to come back at another time on another issue. You are always welcomed in Cleveland Heights. Spend some of your dollars at our restaurants. So if you want to leave and not stay for the rest of the meeting please feel free. We'll take about a 3 minute break."

Council Member Dietrich continued, "Believe it or not, there is more business to conduct. I have two more pieces of legislation and these are a little more mundane than what we just did. This is Resolution No. 122-2003(AS), authorizing the City Manager to enter into an agreement with Kaiser Foundation Health Plan of Ohio, a non-profit corporation, for provision of group medical and hospital services to City employees and their families; providing compensation therefor; and declaring an emergency. Ordinance No. 31-2003, specified that the City shall purchase, subscribe to and maintain in full force and effect for each full-time employee of the City, healthcare insurance, including medical-surgical protection or the Kaiser Community Health Foundation protection plan, or any other similar plan by another company covering hospital and surgical benefits and related coverage. The City currently provides employee healthcare coverage through the Kaiser Foundation Health Plan of Ohio, through its self-funded plan affiliated with the Emerald Health Network, Inc. and the Meridia Health Plan, at the election of the employee. The Kaiser Foundation Health Plan of Ohio presently covers a substantial number of City employees and their families at a reasonable cost to the City. The coming year's proposal is substantially similar to the prior year's proposal except for an increase in fees not to exceed twenty percent (20%). This Resolution authorizes the City Manager to enter into group service agreements with Kaiser Foundation Health Plan of Ohio for healthcare services to City employees and their families. I offer Resolution No. 122-2203(AS) for passage."

Mayor Kelley accepted Resolution No. 122-2003(AS) for passage.

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

Nays: None

Resolution passed

Council Member Dietrich continued, "And finally, Resolution No. 123-2003(AS), authorizing the City Manager to enter into an agreement with Employee Benefits Consultants, fka Administrative Service Consultants for the provision of services as a third-party administrator for the City's self-funded Emerald Health Network, prescription drug and dental programs; providing compensation therefor; and declaring an emergency. In comparison to traditional group dental and healthcare plans, the City remains competitive by contracting with a third-party administrator who administers the City's self-funded dental, prescription drug, and Emerald Health Network plans. Employee Benefits Consultants, fka Administrative Service Consultants is currently providing these services in a capable and cost effective manner, under an annual contract that will expire on August 1, 2003. They've submitted a proposal that is reasonable and competitive. This Resolution will authorize the City Manager to enter into an agreement with Employee Benefits Consultants and the fees to be charged will be as set forth in the renewal proposal submitted by the consultants, a copy of which is on file with the Clerk of Council. The term of agreement shall be for a period from August 1, 2003 through July 31, 2004. I offer Resolution No. 123-2003(AS) for passage."

Mayor Kelley accepted Resolution No. 123-2003(AS) for passage.

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

Nays: None

Resolution passed

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Vice Mayor Montlack stated, "Thank you, your Honor. There is no legislation tonight but apropos some comments before. There are just a few other issues on our radar that are absolutely vitally important. I'd like to give a very brief report on the efforts of this City involved in what has come to be known as the convention center issue and it is an important issue because when it goes to the ballot, if it goes to the ballot in November or any time thereafter it's going to involve decisions on substantial increases in taxes. As we all know there has been something that passes for a process in terms of trying to put together issues that may be funded beyond the convention center and what happened was that a number of folks - a small number of folks actually focused on the convention center over a long period of time and there were others of us who thought that a larger county vision and plan was necessary. Through the city's involvement in the First Suburbs Consortium, we eventually got a chance to hold forth at a joint meeting of the Cuyahoga County Planning Commission and the Cleveland Planning Commission. At that point, for the first time, I think we were able to make the point that to use a phrase - 'it's the county, stupid' and it's about redevelopment of our entire county and having a vision and plan that has several components and doesn't just focus on one particular big box, as important as that may be. In addition to that process which frankly has been belated and I don't know whether it can be put together in terms of the kind of county dialogue that's needed before the November election, but in addition to that process there have surfaced many other questions about the convention center funding, including what kinds of convention center reconstruction costs would be included? What about the costs of retrofitting? What about the present older convention center site? What are the governance and criteria factors? And because this is such an important money issue and one that would go to the voters of the county, it certainly [is] important that others, in addition to the Growth Association, Cleveland Tomorrow, the County Commissioners and the City of Cleveland be involved. What we can say now is that the county does not yet appear ready and we do not yet seem to have the kind of county consensus for a real plan but at least we've moved the dialogue along. And I need to mention that as part of that our Mayor, Ed Kelley, and our City Manager have been involved both in the meeting that I just described as well as in the Mayors and Managers Association. This is going to be more excitement than I actually might have hoped for between now and November as a number of issues both on the county and city level take shape. As the picture becomes clearer we'll certainly try and let you know where this thing is going. That completes this report. Thank you."

REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Evans stated, "There is no report this evening and no comments."

REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Caplan stated, "Thank you. I do have a piece of legislation and this is on second reading. It is Ordinance No. 116-2003(CRR), amending the use regulations and rates for admission and other services for the Cleveland Heights Community Center and parks for the 2003-2004 fall/winter season, and repealing Ordinance No. 148-2002. And actually this ordinance will practically effect more citizens in the City of Cleveland Heights than the ordinance that we voted on before because it raises all the rates at the Community Center, albeit only a little bit. I won't read the 11 pages. We review the regulations and rates to the Community Center and the parks every year and in anticipation of this coming fall/winter we have gone through all of the fee structures and have raised the id card from \$4.00 to \$5.00 for example and have made other kinds of small incremental raises. Nonetheless we do have a full programming and unless someone feels compelled to hear it all I offer Ordinance No. 116-2003(CRR), Second Reading for passage tonight."

Mayor Kelley accepted Ordinance No. 116-2003(CRR) for passage.

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

Nays: None

Resolution passed

Council Member Caplan concluded, "Thank you. Following that you will be getting in your mail the new Parks and Recreation book for the fall. It is very interesting and even though it has a wonderful picture of some young people playing hockey and I want you to notice there is a woman who is making a goal right here, she is part of the hockey team. There are other things in the book besides ice skating although there are all kinds of wonderful ice skating things. There is even a new class, Ballet for Adults. There are all kinds of new classes. Interesting things to do and so do take a look at it. It's a beautiful book and does have the new fees in it and I encourage you to participate in all of the things that the city has to offer. We have two more weeks of Cain Park and the wonderful programming that's going on there. Our concerts are almost every night this week and next week. Fabulous play called Bat Boy. It's sold out for a couple of nights. I encourage you to try and participate in some of the programming that is going on. This is a very unique thing in this wonderfully unique city of ours, Cleveland Heights, and that's all that I have tonight. Thank you."

REPORT OF THE FINANCE COMMITTEE

Council Member Wilcox stated, "Thank you, your Honor. There is no legislation from the Finance Committee tonight but I did just want to comment that one of the most important things that the Finance Committee does every year is recommend and approve Community Development Block Grant funding for our City and this involves almost over 2 million dollars of federal money that is allocated back to the City. It benefits people in our community of low and moderate income and it actually benefits hundreds and probably thousands of people in our community. It is a very important part of what this committee does and the Citizens Advisory Committee will be reviewing these block grant requests for the next year, which is Year 30 and we actually got our booklets tonight and they have their work cut out. They're going to be having hearings next week, the 12th, Tuesday the 12th and Tuesday the 19th in Council Chambers. I should point out that we've already been informed by HUD that they have asked us to cut our budget on what we can have available or estimate to be available. Congress will determine that later this year. So if you don't think what happens in Washington affects Cleveland Heights, you're wrong obviously, because this funding comes directly from the federal government and they will make a decision on how much money the City gets.

We, just to give you an example of what that means, have requests for over 2.6 million dollars in funding and we only are estimating approximately 2.1 million dollars of funding available. So our CAC will have to make some difficult decisions as will this Council later this year. That concludes my report."

REPORT OF THE MAYOR

Mayor Kelley stated, "There will be no Mayor's Report due to the lateness of the hour. The meeting is adjourned at 10:08 p.m. Our next Council meeting will be Monday, August 18, 2003 and it will be a very short meeting compared to the length of tonight's. I guarantee you."

Respectfully submitted,

Edward J. Kelley, Mayor
President of Council

Thomas K. Malone
Clerk of Council
/mwc