



CLEVELAND HEIGHTS

MINUTES OF THE CITY COUNCIL MEETING OF MONDAY, AUGUST 7, 2006

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:25 p.m.

Edward Kelley, presiding

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

Council Members absent: None

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

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

Council Member Wilcox moved to adjourn into Executive Session at 6:58 p.m. Second by Council Member Dietrich.

Edward Kelley, presiding

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

Council Members absent: None

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

Topic of discussion included property acquisition.

Executive Session concluded at 7:08 p.m. and resumed into Committee of the Whole, adjourning at 7:36 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:46 p.m.

Edward Kelley, presiding

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

Council Members absent: None

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

The minutes of the Public Hearing held on Monday, July 17, 2006 were approved and signed by Vice Mayor Montlack.

The minutes of the Regular Council Meeting held Monday, July 17, 2006 were approved and signed by Mayor Kelley along with the ordinances and resolution passed at that meeting.

The minutes of the Public Hearing held on Monday, July 24, 2006 were approved and signed by Council Member Evans.

Mayor Kelley stated, "Before we move to personal communication from our citizens, all of Council would like to say a few words about Dominic Tomaro, and I am going to take the liberty of speaking first.

There is an empty seat out there tonight in our Council, Council Audience, which was filled, at least for me for twelve and a half years and for some of us a little bit longer - even longer than that - and that was filled every Monday night by Dominic Tomaro. A great friend - an advocate for the city - and somebody who will be truly missed. We here at City Hall are mourning the loss of our very own Dominic Tomaro, who passed away on July 30 of this year, 2006.

Dominic began his career with the city in 1954, first as the Commissioner of Sanitation. Four years later he became the Commissioner of Service and in 1976, in what was probably one of the brightest moves of anybody in the city, he became our Director of Public Works. Dominic retired in 1993. He continued to serve as a consultant to the city right up to the day of his passing. He had a distinguished career with us with numerous accomplishments for which we can all be proud of as a city. In 1993, the service garage was renamed in his honor and it still stands that way today. Dominic Tomaro made a permanent impact on the City of Cleveland Heights. His contributions will be long remembered and appreciated. Dominic was a very special and unique person - loved by many and respected by all who knew him. He certainly will be sorely missed by all of us. Our deepest condolences to his wife, Mary, his son-in-law, Peter, and his granddaughters, Madison and Peyton. Dominic Tomaro, will certainly be missed."

Vice Mayor Montlack stated, "Once Dominic shared with me the pictures that he carried in his wallet. There were two basic pictures that I remember. One was his family, and the other was all of the service vehicles for Cleveland Heights from the public works department. So, indeed he had pictures of both his families or some representation of that in his wallet. There is a hole in our staff, a hole in our community and a hole in our hearts. Everybody who knew Dominic Tomaro, knew this very large man, this giant who was also kind of a cream puff. He always thought about, what can I be doing for the city? What can I be doing for you? He will be - no surprise to anyone that Dominic Tomaro was known among all the other public works' directors from all over Northeast Ohio, as the dean of public works' directors. He preached *service, service, service*. There is a just a lot more that could be said, but Dominic

Tomaro was and is just a beautiful person, and yes, we join with the Mayor in once again, saying to Mary, we are so sorry.”

Council Member Evans added, “Well, it was certainly wonderful to have had the experience to know Dominic for so many years. He was a person with such a wonderful spirit and a kind heart and to hear him talk about what he did and he was always so willing to take you on a little tour and show you all the little sights, etc. He was so well-known throughout this part of the county. He did a great job of representing our city and he will certainly be missed and again, my condolences as well to the family.”

Council Member Caplan added, “The thing that made Dominic Tomaro quite special besides his loyalty to the community and loyalty to the people that he knew, he had fabulous people skills. He really listened. He could help people come to a conclusion. We often sent him out to help when easement issues needed to be discussed with people who lived in the community and everybody then would come to an agreement. But I had a wonderful experience with him many years ago, before I was ever on council, when I had little children. Actually, they were very little, my grandchildren are older than they were then. My son was five and he really loved the garbage men and every Thursday was our garbage day, we would go out and watch the garbage trucks. When it was his fifth birthday I called up Dominic Tomaro, I didn’t know him and told him I was a resident and my son just loved to watch those garbage trucks and was there a way that he and his friend could go for his fifth birthday on a garbage truck? And, early in the morning, Dominic Tomaro picked him up and his friend - only in a snowstorm - it was in April and we had a snow storm, so they couldn’t go out to the landfill which was promised, so instead he had these little boys direct the snow plows and he took them to the fire station. This was above and beyond. I certainly wasn’t on city council. It was because he really cared about the people in our community. He cared about everybody that was around him. He always had a kind word. He was enthusiastic, caring and loving and so it is a huge loss for the city. It is a huge loss for his family and it is a huge personal loss for us. We will miss this very sweet, special, kindhearted person. Thank you.”

Council Member Dietrich stated, “It says so much about Dominic, that everybody seems to have their own little personal connection to him. You know, his daughter died a few years ago and at some point when I said something to him about that and of course he responded so graciously and then the next week when I came here and sat down, there was this little copy of like a little poem that he had written about her some years before, like for a Christmas Eve, something he had written about his daughter. He just left it at my seat for me to read because I had mentioned her. He just connected with people that way. We, sitting up here, had sort of a great vantage point on him, because he sat out there every Monday night and sort of smiled benevolently on us. He was a lovely, lovely presence.”

Council Member Wilcox added, “Thank you. I also want to second some of the thoughts here tonight and one of them is, I think Dominic Tomaro embodies the words, *service to the residents*’ probably more than anybody that’s worked at the city. I think he truly understood that the city is here to serve its residents and carry that out everyday. We certainly are going to miss him in the city and here at Monday night, certainly. My kind of personal observation was that he knew his daughter was very ill and - but every Monday night, Dominic would ask me how I was instead of about his daughter. Again, we are going to miss him very much.”

Council Member Tumeo added, "As the new person I only got to meet Dominic once and it's a great measure of a person not what they acquire, but what they give. You've heard everyone say how much he gave and even in the one time I met him, he was so gracious in focusing on my election and asking me how I was doing and actually offering if there was anything he could do to help me move into this position. I'm very sorry that I didn't get to know him better and I give my condolences to the family."

Mayor Kelley said, "Just one other thing, that it's a good thing about going first is that you can get to go last sometimes, too. I do want to thank Mary Jane Skala and Ed Wittenberg, it was a brilliant story about Dominic in the Sun Press. I really enjoyed it, and lastly I want to share my one Dominic Tomaro story. When I first became mayor, there was a leaf problem on Yorkshire and one of the older residents called me, Mr. Mangino, who lives on the first house on Yorkshire right before Lee complaining about leaf pickup. So, luckily for me that day, whoever was our service director at the time wasn't in and I got Dominic on the phone. It was eleven o'clock in the morning and Dominic said, "I'll take care of it." I told Dominic if you get to it in another day or two that would be fine. About an hour and fifteen minutes later, Mr. Mangino called me back to let me know the whole street of Yorkshire, up and down on both sides of the street from Goodnor all the way down to Washington was taken care of. And Mr. Mangino said to me, "Why the hell did you ever get rid of Dominic Tomaro in the first place?" So, it's just a nice Dominic story, but we certainly will miss him. I think everybody said what they needed to say. Fifty-two years in one place is a testament. There are two people that I think have really shaped this city and one is Mayor Cain and the other is Dominic Tomaro and we have been lucky to have had both of them here and that's two of the reasons why this is such a special place. Thank you for all our comments. We do have to move on and I think Dominic would tell us to move on if he was here now. So we will move to personal communications from our citizens. Seeing no one, we will move to Mr. Downey."

REPORT OF THE CITY MANAGER

Mr. Downey said, "Thank you very much, your Honor. I have just one item this evening and that would be to request authority to advertise for bids for the site remediation at Meadowbrook Boulevard and Lee Road."

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

Council Member Caplan moved that the City Manager be given authority as requested.

Second by Council Member Tumeo.

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

Nays: None **Motion passed**

REPORT OF THE DIRECTOR OF FINANCE/CLERK OF COUNCIL

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

REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Council Member Caplan stated, "Thank you. I have no legislation this evening. I do have a couple of comments. One is, if you've been driving around and even though there are those wonderful red cones everywhere, Euclid Heights Boulevard is getting better. You can drive on it now, and it's really fantastic. But, the city looks great. I want to say a special thank you to the public works department. The flowers are beautiful and in this heat somebody has been out there watering them. Everybody comments about them. It's just wonderful. The medians look great. Really, thank you very much to the public works department.

Along with that, the public works department and the fire department have volunteered some of their services to help our fellow cities who have gotten flooded. We've had lots of things in the paper in the past couple of weeks about cities who had flooding, and because we've been taking very good care of our infrastructure, we may not like all those cones, but taking care of the sewers and the fact that we're up a little bit on a hill has also helped us, that we have had not much flooding and we have been able to help some of our cities. We can also help ourselves a little bit. When I've been driving around, I've been noticing that we've had these terrible deluges of water and some of our sewers have debris over them. Go outside. If you have a sewer in front of your house and clean some of the debris away. Last week, I had been driving past one of the sewers, it's not even on my street and I had been noticing that there were branches over it and sure enough last Thursday we had a huge rainstorm and the street was flooded. Since I was already wet as it turned out, I got out of my car and moved the branches and the water just went pouring down. This is something that we should really be doing. Pay attention not only just to your little lot if you would, and extend yourself just a little bit because the city can't be everywhere and after these rains it really does make a difference about letting that water go away.

Of course, I can't resist talking about recycling. We got a report on how we do, and we do reasonably well in comparison to other cities. Actually, we do more than reasonably well and every year we do a little bit better. We recycle about 46% of the solid waste that we collect. I know that we could do better. I really know that we could do better, and Sunday if you got the Plain Dealer, inside was an advertisement that was a paper bag and I know that just all of you took that paper bag and put the Sunday paper into it and you are going to put all of your junk mail into it. Don't throw it away. When you go to the grocery store ask for paper bags not in plastic and take those paper bags with your groceries and use those paper bags to put your junk mail, your magazines, the circulars that come and your newspapers. Putting your newspapers into plastic doesn't help. Putting your yard waste into plastic doesn't help because it cannot get recycled. Please do your part. It's part of what makes us a wonderful community. If you believe about global warming, if you believe about taking care of our community, you can do your part and it really does matter. It would be great if we could get over 50% of our solid waste to be recycled. I talk about this all the time, but somehow not everybody is listening. I encourage you to do what you can. That's all that I have. Thank you."

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Council Member Wilcox stated, "Thank you, your Honor. There are two pieces of legislation that are on the agenda and both relate to the Meadowbrook and Lee project. However, Resolution No. 97-2006(PD), the first resolution on the agenda, which the numbering of which will become apparent at [the] next meeting, will be the first matter considered at our next Council meeting and will be deferred

tonight and instead we will consider Resolution No. 92-2006(PD) tonight.

We've been working on the Meadowbrook and Lee project for a number of years now and I think the last time we had legislation on this I mentioned that any development project requires two things, essentially. One is site control and patience, and we still have site control and we have more patience than we thought we did. But, we're back here again and taking the next step forward on the Meadowbrook and Lee project and by our next meeting I'm confident we'll be taking the next step again, which will be the development agreement. Tonight, though, this project again involves two major aspects. One is a city parking deck and the other one is a mixed-use commercial residential development along Meadowbrook and Lee. So our staff and law director have been working diligently to deal with site assembly issues, to deal with remediation of environmental issues and to select an appropriate team to do the design and construction of the project. And although we have additional hurdles to overcome, including the final designs, we believe that this is the next important step and has resulted in a developer who will come forward and actually construct the parking garage and as a construction manager, and that developer was chosen through an RFP process earlier this summer and spring and we've been working with Al. Neyer, Inc., since that time, and we are looking forward to a good relationship and a completion of this project.

I have Resolution No. 92-2006(PD) tonight. This is a resolution authorizing the City Manager to enter into a Design and Construction Manager Agreement with Al. Neyer, Inc. for a public parking deck facility on property owned by the City in the Cedar/Lee Commercial District; appointing Al. Neyer, Inc. as Construction Manager for the project; and declaring an emergency. As mentioned, the City is the owner of the property along Tullamore Road within the Cedar/Lee Commercial Area. It is in the City's best interest to construct a public parking deck facility to accommodate approximately three hundred fifty (350) parking spaces on the City-owned property in conjunction with the adjacent mixed-use development, which will include retail and residential. Council has determined under § 171.02 that the estimated cost of this permanent improvement is in excess of One Million Dollars (\$1,000,000.00). That it would be in the best interests of the City, and in the opinion of the Council, be it cost effective for the City to select a construction manager, to provide labor and materials for all phases of the improvement, including architectural and engineering services at a guaranteed maximum price. In the opinion of Council, the selection of a Construction Manager would expedite the selection and coordination of other qualified contractors or subcontractors and the performance of the work, on/and completion of the improvement on an expedited basis. Al. Neyer, Inc., of Cincinnati, Ohio is highly qualified to design the parking deck facility on behalf of the City and to act as Construction Manager for the project.

Section 1 of this Resolution provides that the City Manager is authorized to enter into an agreement with Al. Neyer, Inc., for the design of the parking deck on property owned by the City in the Cedar/Lee Commercial Area as the Construction Manager for the project. The agreement shall contain certain conditions including the following: The budget for the Parking Deck Project shall not exceed 6.2 million Dollars (\$6,200,000.00); The agreement shall be in a form approved by the Law Director; The approved design and budget shall include poured-in-place concrete components; and, The proposed design and budget for the project shall be presented to the City by Al. Neyer, Inc., no later than September 19, 2006.

Section 2 of this resolution, appoints Al. Neyer, Inc., to serve as the Construction Manager under

§ 171.02 of the Codified Ordinances. I offer Resolution No. 92-2006(PD) for passage tonight.”

Mayor Kelley accepted Resolution No. 92-2006(PD).

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

Nays: None **Resolution passed**

Council Member Wilcox added, “Thank you. Of course, we look forward to completing the Development Agreement and bringing that to this committee at the next meeting. That concludes the report of this committee.”

REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Evans stated, “Thank you, your Honor. I’d like to present Resolution No. 93-2006(PSH), declaring the property at 3427 Spangler Road to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency. The City Manager and the Certified Building Official have reported to this Council that the residential property known as 3427 Spangler Road owned by Sanford Currie and/or John A. Turoczy has not been maintained for a number of years and is in a state of severe disrepair. The City Manager and Certified Building Official have further reported that the property has been cited for Housing Code violations for the past several years, and is currently condemned as unfit for human occupancy, and that no action has been taken to rehabilitate or raze the structure. It has been further reported that the property has deteriorated over the years to the point that it is a hazard to the health, safety and welfare of neighbors, parties who are regularly trespassing on the property and the public, and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring property. I’d like to submit Resolution No. 93-2006(PSH) for passage this evening.”

Mayor Kelley accepted Resolution No. 93-2006(PD).

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

Nays: None **Resolution passed**

Council Member Evans continued, “The next, Resolution No. 94-2006(PSH), declaring the property at 923 Yellowstone Road to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency. The City Manager and the Certified Building Official have reported to this Council that the residential property known as 923 Yellowstone Road owned by Letricia Bacon, mortgagee Deutsche Bank National Trust Company, was substantially destroyed by fire on or about July 4, 2006, leaving it in an insecure, unsafe and structurally defective condition. The owner of record of said property has been issued a notice of code violation ordering said owner to obtain a building permit and raze the residential structure. The City Manager and Certified Building Official have reported to this Council that no action has been taken to repair, secure or raze the structure, and that the structure continues to deteriorate and has attracted vandals who have broken into the house, posing a danger to the health, safety and welfare of the public and a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring property. I’d like to present Resolution No. 94-2006(PSH) for passage.”

Mayor Kelley accepted Resolution No. 94-2006(PSH).

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

Nays: None

Resolution passed

Council Member Evans continued, "The approximate cost to raze each of these will be about Seventy-Five Hundred Dollars (\$7,500.00). That concludes my report."

REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE

Council Member Tumeo stated, "Thank you, Mayor. I have no legislation tonight. I just have a couple of announcements. First I'd like to point out that the Citizens Advisory Committee, which reviews block grants is having their public hearings on the various applications, in front of them. There will be a session on August 8 and a session on August 15. People who are interested can contact the city for times and locations.

Also, we will be considering some more appointments to commissions and board. We still have some open spots. So if people are interested in volunteering and participating in the very active life of the city, please contact the city and get an application, so we can consider your appointment. Thank you very much."

REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Dietrich stated, "Thank you. I have one piece of legislation. It's Ordinance No. 91-2006(CRR), Second Reading. At our last meeting, I pretty much explained this. I'll try to be really brief this time. On this Ordinance, amending the use regulations and rates for admission and other services for the Cleveland Heights Community Center and parks for the 2006-2007 fall/winter season, and repealing Ordinance No. 96-2005. As I said (I guess it's three weeks ago now that we had a meeting) all rates remain the same. We haven't raised any of our community center fees. We just decided that what we had been using this past year was adequate for us, and we really did want to keep this thing a good deal for our citizens, so there are no fee increases. There is one major change and that is that we will be offering a monthly membership fee so that people can try out the community center or people who are home for summer vacation can use it and things like that. We have new rates for that, obviously, because we've never done that before. For the fieldhouse, for just a monthly membership to use the fieldhouse, is very inexpensive. If you are a child, kindergarten through age eleven is Ten dollars (\$10.00) a month and it goes all the way up to a high of Twenty-six dollars (\$26.00) a month for adults ages twenty-five to twenty-nine who are residents. It's a little bit higher if you are a non-resident. The non-residents are those who reside within the boundaries of the Cleveland Heights-University Heights School District. Those eligible are youth from kindergarten through high school or equivalent.

For residents, for the ice rink and the fieldhouse, which is a full membership, the monthly pass begins at Twenty dollars (\$20.00) for children and goes up to a high of Fifty-four dollars (\$54.00) a month and that is for a whole family membership for one month to all aspects of the community center. For the same facilities for non-residents it is Forty dollars (\$40.00) for kindergarten through age eleven and age twelve through high-school or equivalent it is Seventy-six dollars (\$76.00) a month.

Other than that, everything else remains the same. I offer Ordinance No. 91-2006(CRR), Second Reading for passage."

Mayor Kelley accepted Ordinance No. 91-2006(CRR), Second Reading.

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

Nays: None

Ordinance passed

Council Member Dietrich continued, "I have four things that I want to announce. First of all, I'll sort of start on the negative side. This is something that I wish we would have announced before, but it's one of those things that you don't think of until it happens. In the hot weather that we just had where it was just day after day of 96 degrees and high humidity, the community center is open and there is transportation for senior centers if just to come to the community center and be there where it is cool. So, if you are a senior citizen and this ever happens again, where we have day after day where the weather is just too hot to be bearable and you don't have any air conditioning or fans, you can call our community relations office at 291-2323 and a city van will pick you up and transport you to the community center just so that you can keep cool. We realize, although we have that service, that there were people who didn't know about it, and had we thought about it ahead of time, we would have said something, but it might happen again so better late than never.

The other things are a little bit more positive. I urge everyone to come on August 15th to the kick off of the Year of Civility - August 15th, 7:00 p.m. at the community center will be a public meeting featuring Dr. P. M. Forni. I told you about him before. I've been talking about this for weeks and now here it is coming up. Dr. Forni heads up the Johns Hopkins Civility Project. He's written a book on civility. He is a nationally known expert. He has appeared on national television shows and he is doing three different things in our city over a two-day period. He has a workshop with all the administrators in the Cleveland Heights-University Heights School District. He will be doing the public forum on August 15th, 7:00 p.m., community center, where I want everybody to come. It's a free event. You will be given a very nice tee-shirt with the new civility logo on it. It will be free to everybody who comes. We'll be having window decals. You will get some things to be able to proclaim your support of the civility project. The next morning, Dr. Forni is doing a breakfast called, Leadership Breakfast and it is for clergy, PTA presidents, non-profits directors as well as anybody who has been involved in civility from the beginning of it until now. That is an invitation only event. August 15th is open to the public and I urge everyone to come.

The third thing that I wanted to announce is that there really are some wonderful things still happening at Cain Park in the next couple of weeks. So, if you haven't been to Cain Park, you're really missing it. It's such a fabulous venue to watch a concert. This Friday, August 11th, it's the Four Tops. August 17th, the Beach Boys are going to be there. August 20th, B.B. King and Hair is still in the Alma.

I noticed somebody just brought in a t-shirt, a civility t-shirt. So we can hold this up. This is the civility t-shirt with the logo of a heart of a caring community [displaying tee-shirt]. So, it'll be free to anybody who comes on August 15th.

My last announcement. I was sort of saving the best for last. This is really fabulous and I don't think very many people know it yet 'cause it hasn't been in the paper yet or anything. Our school district has, at last, moved into the Effective Category in the state report card. For anybody who keeps

track of this, there are five categories. Our school district for several years was in the next to the bottom category which is Academic Watch. Last year we moved into the middle category, which was called Continuous Improvement. This year, we've moved into the Effective Category, which is the second to the highest category and we should be very proud. This is a huge jump of two levels in two years. Thanks, certainly goes to Deb Delisle, our superintendent, for the leadership that it has taken for this to happen and that is really, really good news. Congratulations to the school district and anybody else out there who missed that, we are now an effective school district. With that, I'll conclude my report."

REPORT OF THE FINANCE COMMITTEE

Vice Mayor Montlack stated, "Thank you, your Honor. There are two pieces of legislation from this committee tonight. The first is Resolution No. 95-2006(F), authorizing an agreement with Corporate Collection Services, Inc. for collection services related to delinquent income tax accounts; providing compensation therefor; and declaring an emergency. What this resolution provides is that the City Manager is authorized to enter into an agreement with Corporate Collection Services, Inc. for collection services relative to delinquent income tax accounts.

Many people who have been watching city progress know that for a number of years now, we have made a special effort to remind people who are serially forgetful of their filing responsibilities, that they have to pay municipal taxes just like their neighbors do. With the city now watching its budget so carefully, it was decided that we could in effect out source this bit of work in terms of initial collection work to see if we can continue on the path of reminding people and steering them into the paths of righteousness, and if that doesn't work we steer them towards a law firm that is able to get their attention better.

Under this agreement, Corporate Collection Services, Inc., will receive a contingency fee in a sum not to exceed fifteen percent (15%) of funds collected, as well as a Five Hundred Dollar (\$500.00) set-up fee, a Two Dollars and Fifty Cents (\$2.50) case fee, and to the extent that the consultation with the City is helpful in terms of helping the City continue to improve its overall income tax collection operations. There will be fee of One Hundred Twenty-five Dollars (\$125.00) per hour for such consulting services. That is Resolution No. 95-2006(F), presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 95-2006(F).

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

Nays: None

Resolution passed

Vice Mayor Montlack continued, "Also in the area of enhancing our revenues. Resolution No. 96-2006(F), authorizing an agreement with Dalene M. Pride to conduct audits of certain Ohio Bureau of Motor Vehicle records; providing compensation therefor; and declaring an emergency.

Municipalities receive a portion of the fees paid for vehicle registration based on the residency of the fee payer. Often times the city of residency is misstated in state records, so this independent contractor helps identify the correct residency and therefore collects more fees.

Under this provision, once again, this contractor is being hired for another year for that purpose and the agreement provides for compensation of Three Dollars and Fifteen Cents (\$3.15) for each incorrect motor vehicle license registration forwarded to the Bureau of Motor Vehicles, and Three Dollars and Fifteen Cents (\$3.15) for each challenged registration which has to be withdrawn because of inaccuracies.

rate information supplied by the City of Cleveland Heights to Dalene M. Pride. I hope that doesn't happen very often. Resolution No. 96-2006(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 96-2006(F).

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

Nays: None

Resolution passed

REPORT OF THE MAYOR

Mayor Kelley stated, "Just as Councilwoman Dietrich said, congratulations to our Cleveland Heights-University Heights school for their hard work to move to the Effective Category. Not only do I want to single out our superintendent and her staff, but I also want to single out the principals, the teachers, the students and certainly their parents. This has really been a combination effort of everybody involved and it has been nice to work with city councils over the years that have continuously supported our schools, unlike the City of University Heights who has not supported the schools year in and year out. But, it has been a pleasure to work with this superintendent to work together to make things happen in our community, where it doesn't happen in another city. Congratulations to the Effective Category. It truly has been a team and group effort. It starts at the top, but we have seen more involvement on the parents and the students and the teachers and the principals at each school and it truly is a work in progress. But, it's more than just proficiency, of course, it is a feeling - it's things happening - it's education at its best and it is something to be proud of in our community that separates us from many, many, many other communities, both first suburb communities and communities that are far away. Our students are doing better. They are learning better and just as in the case when we brought the young women that won the state championship. There is a different feel in the air here and in our schools and I am proud to be proud of it. Proud to support the schools for the thirteen years that I've sat on this council. We don't sit on the fence in this council. We've been there for the schools in the past and I think we'll be there for the school in the future, in good times and in bad.

The meeting is adjourned at 8:28 p.m. Our next meeting is Monday, August 21, 2006. Thank you for coming."

Respectfully submitted,

Edward J. Kelley, Mayor
President of Council

Thomas K. Malone
Clerk of Council

/mwc