



CITY OF CLEVELAND HEIGHTS, OHIO

MINUTES OF THE CITY COUNCIL MEETING OF MONDAY EVENING, OCTOBER 1, 2007

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, Malone, O'Donnell, Niermann O'Neil,
L. Wagner, R. Wagner, Wong

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

Committee of the Whole adjourned at 7:45 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:51 p.m.

Edward Kelley, presiding

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

Council Members absent: None

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

The minutes of the Regular Council Meeting held Monday, September 17, 2007 were approved and signed by Mayor Kelley along with the resolutions passed at that meeting.

Mayor Kelley stated, "Before we move to personal communications from our citizens tonight, it is my honor and Council's honor to honor two of our most favorite citizens. We will begin with Susie Kaeser. Suzie, will you come up to the podium?"

In Appreciation to Susie Kaeser, who, as one of the founders of Reaching Heights, served as the Executive Director for fifteen years. Under her leadership: the organization has provided grants to teachers for exciting, educational opportunities; brought our students onto the Severance Hall stage to showcase our wonderful musical programs; and held many, many successful fund raisers to support programming for our school children. Her commitment to the young people of our Cleveland Heights-University Heights School District has been steadfast. We appreciate her hard work and creative approach to promoting our schools and wish Susie and her family all the best in the years ahead.

*Edward J. Kelley, Mayor
October 1, 2007*

*Cleveland Heights Council
Kenneth Montlack, Vice Mayor
Bonnie Caplan, Nancy Dietrich, Phyllis Evans,
Mark Tumeo, Dennis Wilcox
Robert C. Downey, City Manager*

It is my honor to give you this in appreciation for your years of service. I'm sure Council wants to say a few words, so we'll begin with the Vice Mayor."

Vice Mayor Montlack stated, "I'll keep it short, unusual for me. Again, this demonstrates, as if we needed to demonstrate it, the power of one. Susie, in all the years I've known you, there are two things that just always stand out. Number one, is your eternal optimism of spirit that allows you to do these unbelievable things and the second, thank goodness, is your love and commitment to our community for which we are so grateful. Frankly, we just love you."

Susie Kaeser thanked the Vice Mayor.

Council Member Evans added, "Susie, you know how far we go back. Back to 1986 when you came on, in the second year, the schools consensus project task force."

Ms. Kaeser replied, "It changed my life."

Council Member Evans continued, "Susie was very enthusiastic and energetic and I can recall the evening when she told us that she had her lightbulb moment and had a vision of the actual Reaching Heights project and asked many of the task force members what they thought about it and it just went on from there. You know how successful it has been. It was really a pleasure working with you then. It's been a pleasure throughout the years and I know you'll still be here looking for other things too. Thank you so much."

Council Member Caplan stated, "You know, people in a community often see things that need to be done and they say to somebody else, 'Oh, there's a problem. Oh, we should do this.' The thing about you is that you say, 'There's a problem. I have an idea, let's do something about it' and then you do, and so that activist, supporter, wonderful citizen, a wonderful friend and a fabulous person for our entire city is spelled - because I do love those spelling bees too, that you thought of. Those are fabulous and continue to be, is really spelled Susie. What you've done for our community is just fabulous and what a model you are. Thank you so much. Truly, for me too it's been a pleasure knowing you, but what you've done for us in the bigger community is really exceptional. So, thank you."

Council Member Dietrich stated, "Susie, it's too much. The word celebrate is just bubbling out of me because that is the word Susie has always used the word celebrate, to explain a lot of what you want to do. So, I feel what we need to do is to celebrate you and that would be a really, really easy thing to do. Your positive spirit and your ability to motivate people, along with of course the wealth of ideas that keep popping up from you and your energy to accomplish them just makes you such a special citizen. One thing we're kind of forgetting here is that we were talking about how much you've done for the community, which is so true, and all that really has been focused around doing something for our public school system and I just want to emphasize that, and just think what a well-loved member of our community you are, and what a wonderful thing that it. How wonderful to be so well-loved by so many people."

Council Member Wilcox added, "I'll just add a few words, seconding all the comments that came before me. I would just like to recognize your efforts and in particular your putting on those concerts at Severance Hall because I'm sure some of us thought is this really going to work? Is it going to come off right? It was fantastic and to do it twice - I mean that's a great, great accomplishment and I'm not sure anybody else in our community could have pulled that off. I know that your enthusiasm, your energy, your dedication to the community, to the school children is fantastic. You are just a tremendous asset. The one thing I have to say, I don't know of anybody that can do fund raising better than you. I don't know anybody that could say no to you."

Susie interjected, "Good, I'm not giving up."

Council Member Wilcox continued, "That's good to hear. Thank you for all your hard work with Reaching Heights."

Susie thanked Council Member Wilcox.

Council Member Tumeo stated, "Well, I never had the opportunity to meet you personally before this. You actually have touched me with what you've done with the music and I was unaware of the high quality of what we did at our high school and grade schools until last year when I got invited to the concert at Severance and

I was just completely floored. That kind of outreach to the community, to people who are interested but don't know, is an amazing service and you've made a very big impact on me that will continue on in my service to this city. I thank you for that."

Mayor Kelley said, "I just want to add. You really see opportunity in this community. You work well with our children. I know there are more days ahead for you so this really isn't a retirement, because we'll certainly find something for you to do if you don't have something to do. We have a lot of excellent boards and committees that could certainly use your talent. I really enjoyed working with you because we both have a *can do* attitude and it's infectious. When you get people together in a room things happen. You put our children together, it just shows what talent, the potential - you make them believe they can do things. Two concerts - when you come to those concerts and you're feeling a little bit down and you leave those concerts and you're forty feet up in the air, dancing and tapping your toes and everything. I got to enjoy both concerts sitting with you and watching you go down and come back up and be just a touch bit nervous but not really, because they are all like your children getting ready to perform. I just thank you for that. Your husband is here and I'd like you to introduce your husband. We all know him but the tv camera doesn't know him. The man behind the scenes."

Ms. Kaeser said, "I'd like to introduce my husband, Gerald Blake."

Mayor Kelley added, "Jerry also serves on our library board and helped to make sure that library project got through - one of our many fantastic structures and services to the community. Thank you for that, Jerry."

Ms. Kaeser continued, "I'd also like to introduce my successor Patrick Mullen who will be coming on the staff at Reaching Heights on October 15th."

Mayor Kelley stated, "Welcome, Patrick, you have some big shoes to fill."

Ms. Kaeser continued, "And of course, my very favorite person for getting anything done in

town is my colleague Joy Henderson. This has been a true - a privilege to be able to be at Reaching Heights and to be able to focus on bringing together people in our community who are all ready to do things, especially if you invite them in and give them a way to do something. And for whatever reason I have had the privilege of feeling I could actually make things happen, which I appreciate and understand is a privilege. I've been so fortunate to be in a community like this one where if you want to do things there are people who will get together and want to do things and then you have this wonderful sense of community and then you don't ever want to leave because you are part of something you have created and I feel so lucky to have been able to have created something here. With all of you - almost everybody in this room has been part of something that we've done - so thank you all and thank you for recognizing me - it's hard for me, so thanks."

Mayor Kelley continued, "Now, I'll ask Tobi to come to the podium.

In Appreciation to Tobi Mattes, for her seventeen years of dedicated service to the City of Cleveland Heights on the Citizens Advisory Committee. During her tenure (1990 - 2007) as a member of the CAC, Tobi also served as Secretary, Vice Chair and Chair of the committee. As a long-time resident of Cleveland Heights, Tobi brought many skills to the CAC. She spent countless hours researching each application, their programming goals and how each would best serve the people of Cleveland Heights. Her great love for our community, coupled with her practical and reasonable approach, helped her to participate in and shape the difficult financial decisions before the committee. We appreciate the commitment she has shown to our community over the years and wish Tobi and her husband, Larry, all the best in the future.

*Edward J. Kelley, Mayor
October 1, 2007*

*Cleveland Heights Council
Kenneth Montlack, Vice Mayor
Bonnie Caplan, Nancy Dietrich, Phyllis Evans,
Mark Tumeo, Dennis Wilcox
Robert C. Downey, City Manager*

In appreciation, Tobi, we give this to you. We're going to go in a different order. Somebody who served with you for five years - seemed like about eight or nine - Tobi told me that - Councilman Tumeo."

Council Member Tumeo stated, "Tobi, it is a deep honor to have served with you. I started, I guess, my public service career with the city on the CAC. If not for your personal strong example of how a person serves their community through thoughtful dedication, asking the tough questions and standing up for things, I don't think I could be as effective a council person as I am. I owe you an immense personal debt of gratitude that I can't really express. Normally that, which you have done for this city is phenomenal - both you and your husband. You work, you volunteer, you are truly, truly a servant to the public here and you will be unbelievably missed not only by this community, but deeply, deeply by me personally and I really can only say thank you."

Council Member Wilcox added, "Thank you. It was my pleasure to be liaison to the CAC for four years and I want to thank you for many, many years of hard work, dedication and thoughtful insight. I always thought that you brought an open mind to the table and deliberated with fairness to all the applicants and as the years have rolled by, Mayor Kelley mentioned this, it seems like all the needs of the city have increased, the funding for our block grants have gone down, so the decisions become harder and harder to make. I always knew that Tobi would be there with a very reasoned and well-

thought out opinion on all the tough issues. She didn't dodge the issues. She gave her opinion and we're very fortunate in this community to have twenty-two representatives that work on that CAC every year and give their all to it every year and make great recommendations to this council. You will be missed and thank you much."

Council Member Dietrich added, "Tobi, I haven't seen you in action really on the CAC like Councilmen Tumeo and Wilcox have, but I have seen you when the CAC has come to report to Council because you usually are one of the ones that come. What I've always appreciated is how specific - you don't talk a lot, you're not a person who likes to hear herself talk, I don't think. You always offer some very specific little insights to us - almost like reminders. I can think of times when you've reminded me of things that I've wanted to say just because they were in your mind better than they were in mine. I have appreciated just the manner that you have brought to it as I've appreciated the entire CAC for the depth of detail with which they make all their decisions, and it is very obvious to us how carefully you deliver it. Thank you for all these years."

Council Member Caplan stated, "Well, I've had the pleasure of being a liaison to the CAC so that not only do I know you in another way but I've also seen how you work on the CAC. There is something really special about a committee that has to make, ultimately has to come up with a decision, that they're not just talking about ideas, but there has to be a concrete end. To be able to talk about facts, to discuss differences, to be able to apportion money, because there is never enough to go around and to be able to weigh the needs of the community and somehow find something equitable about who gets what out of an increasingly smaller pot. You bring an integrity, a seriousness, a real caring about our community to the deliberation and I thank you for all these years of service and for your wonderful camaraderie with your colleagues. I mean there is something wonderful about that, about once a month for seventeen years seeing twenty-two people and everybody working together because there is a common goal and even though the answer isn't the same, to be able to work it out in a civil, respectful way that values everybody's opinions, but also then knows that there has to be decision in the end that is better for the community so I really thank you for that and I've enjoyed knowing you. I do wish you well, even though it will be in another community. I understand, but thank you."

Council Member Evans stated, "Your presence is certainly going to be missed. I know that all the members appreciate your experience and your knowledge that you share with them to help make all those hard decisions. I'm going to miss you most because you're not going to be in the house sort of around the corner from me and it's one of the houses that when you walk down the street you always admire the yard. I've never been inside but I understand [that] it's really the way that you wanted it to be and they have the distinction of having sold their house in one day?"

Ms. Mattes responded, "Two and a half weeks."

Council Member Tumeo jokingly added, "That's one day in this market."

Council Member Evans continued, "You'll be missed and I hope to see you and Larry around at some different functions."

Vice Mayor Montlack stated, "I only have to say that listening to Phyllis, to Councilwoman Evans, during the times when I've observed you and your house, you and Larry have been out in the yard, usually working. That's probably one of the reasons why that yard and house look so terrific. In being also a council liaison with the CAC, the first thing that pops out at you is the tremendous respect that your colleagues on the CAC have for you. Your voice is always a quiet one, a measured one, a reasoned one, and your colleagues always listen carefully to you. I can only repeat what everyone here has said,

we're going to miss you. You are so important to our community and thank you."

Mayor Kelley said, "Before you speak, I just want to recognize Donalene Poduska is with us also tonight. I think you two are the heart and soul of our Citizens Advisory Committee. Donalene, how many years - twenty?"

Ms. Poduska answered from the audience that it is twenty-one years.

Mayor Kelley continued, "Tobi, I want to thank you. I would always - on a rare occasion - a new member would ask me, you know, I'm not getting this CAC stuff or I don't know what it's about and it wasn't Councilman Tumeo [who] would ask, but it would be somebody else and I would say talk to Tobi or talk to Donalene or talk to both of them, and you'll get up to speed very fast. We're certainly going to miss you. We thank you for your contributions. I think it was over 200 meetings you attended. You very rarely, if ever missed a meeting, but one day I want you to be certain and this goes for you also, Larry, you can always come home to Cleveland Heights. You are always welcomed here. You can show up at a meeting once and a while. You'll be the 22A member or 23 member of the CAC. We'll just have to pass legislation to make that happen, you can always come home to Cleveland Heights. I want to thank you. I want to thank you for being so kind to me when I first got on Council and I came to a CAC meeting when someone else couldn't make it. I really enjoyed it. You did give me some words of wisdom early on, on how to treat people - to be fair - to be nice - to listen to people and you seem to do that. Nancy was exactly correct. Every once in a while there would be a question we would have and you would just say it very politely and very nicely and we got it and we usually voted the CAC way and not staff's way. It was effective. I will give you a chance if you would like to address us, but thank you for everything, really. We're going to miss you."

Ms. Mattes responded, "Thank you. I am very honored by this honor. It is very hard to leave a community we've lived in for forty-five years. I think that most of my years on CAC were years of wonderful camaraderie and a sense of community. I've appreciated that and have to compliment you all because you've been delightful to work with and I also would like to compliment staff. The staff that have worked with us have been exceptional and so that made it a treat for us because we knew under very complicated times and changes, in the laws, really good support. It was nice being a little bit of tradition and history with the changeover on CAC and I will remember it with great pleasure and I was always delighted that you made the final decisions and we didn't."

Mayor Kelley said, "Before we move on - you can go if you want or you can stay if you want. We are now going to move onto personal communications from our citizens."

"Good evening. My name is Maryann Barnes. I am chair of the Heights Chapter of the League of Women Voters of the Cuyahoga Area. My address is 2611 Fairmount Boulevard, Cleveland Heights. I am speaking today on behalf of the Heights Chapter to urge council members to join our chapter in endorsing the 7.2 mill school levy proposal on the November ballot.

The League has had long-standing positions supporting equitable access and adequate funding for high-quality public education for all children. After reviewing information provided to us by the Lay Finance Committee appointed by the Cleveland Heights-University Heights School Board our chapter decided by consensus that support of this levy concurs with League positions and is essential for the well-being of our community. In support of this position, I would like to note the following points:

First, passage of the levy is essential for our schools to continue significant improvements in

student achievement accomplished in the past several years. With a levy failure, this progress will be hampered and slowed by both the process and implementation of making needed budget cuts.

Second, over the past levy cycle, the School District and Board have demonstrated remarkable fiscal responsibility:

They have kept within their projected timeline of three years between levy requests. The levy millage requested this time represents the lowest operating request in 20 years.

They have achieved this by cutting several million dollars from the budget, including the most painful cut of all - closing an elementary school. Note that, however, closing a school enabled the reduction of close to 1 mill in the requested millage.

Third, Ohio's school funding system continues to be problematic and requires school districts to ask for periodic levy requests, simply in order to keep up with inflationary increases.

In the present climate of discontent following the painful loss of an elementary school, we feel that it is most important that citizens of our community understand that voting against the levy punishes students, their families, and the community, not the School Board. Expressing one's support for or anger against the School Board belongs in School Board races. *(I should note that while the League does take a position on issues like school levies, it is strictly nonpartisan and does not take sides in a candidate race.)*

To close, it is our firm belief that the success of our schools benefits students, their families, and the entire community. That success can only be assured with the active and financial commitment of the community - its leaders and residents.

We urge all Cleveland Heights citizens to vote on November 6 and to vote Yes on Issue 6 to support our schools.

Thank you, Mr. Mayor, Council Members, for listening and for giving us this opportunity to present our position."

"I'm Jennifer Lang. I live at 2245 Stillman Road with my husband and our four children. I am here tonight as a constituent and a mother asking for your endorsement of the Cleveland Heights-University Heights school levy. I love living in Cleveland Heights and I'm passionate about our community, but at some point passion needs to give way to reality and economic viability. This levy is not a referendum on a bad decision by the Board of Education to close Coventry School. This levy is a referendum on the performance of Superintendent Deb Delisle who has posted increased academic scores across every measurable standard since she began. What should make her performance even more amazing to the citizens of Cleveland Heights is that she's posted these academic gains while reducing expenses by 7 million dollars per year. In fact, this is the lowest operating levy in twenty years. Are our test scores as high as they should be? Absolutely not. Superintendent Delisle has stated publicly that her goal is an excellent reading and for the first time since I started paying attention to what superintendents have to say, we have a superintendent who backs up rhetoric with an action plan. Deb Delisle is a winner, whose high standards and work ethic attract administrators, teachers, coaches and parents who share her standards of excellence. As a parent, I see the improvements in our district in the curriculum and the focus of teachers and principals who know they're accountable for academic results. I see the Heights girls lacrosse coach knocking on my front door wondering if my 5th grade

daughter is interested in trying a sport. I see the new Heights football coach at community events talking football to my three young boys, ages 9, 7, and 2. We're looking for the hockey coach not football coach. I see the high school music department, including 4th and 5th graders as cast members in its production of Fiddler on the Roof this November. Our superintendent has inspired academic, athletic, and artistic excellence top to bottom in our district. This community should be thrilled to have an executive running our schools whose getting the job done and under budget.

There are hundreds of families moving to Cleveland in the next six months to work at the new Cleveland Clinic Heart Center. Hundreds of these families from around the country are googling Cleveland Heights right now, researching the quality of homes, recreation and our schools. What family has ever looked at homes in Cleveland Heights or any other community and not researched schools? Deb Delisle is posting the academic results that can attract home owners from out-of-town and retain families such as mine who have high standards.

Based on the criterions set by this community of improved academic performance and fiscal responsibility our superintendent deserves the support of Cleveland Heights' residents with a yes vote for Issue 6 on November 6. Thank you for your time."

"Good evening. I'm Michael Schoop. I live at 2830 Coleridge Avenue and I've come to address the council to urge your support for Issue 6, the school levy. I want to start by reenforcing something Jennifer said. Jennifer and I know each other. We're neighbors, but I actually didn't know what her testimony was until she came her. But, I was one of those about a year and a half ago, I was one of those parents who was googling the schools. We came to Cleveland Heights for the schools. We lived in Chicago and I actually am in education, and the first thing I did was look at the state report cards. I looked at lots of schools across the state and I know which ones are the absolute high scores and I know which ones have sort of scores just a little bit below that, but what's almost as important as test scores is the kind of community that you live in and the kind of involvement that parents have in the schools. That is one of the greatest determinants whether your children are going to do well in school and it was clear to us not only from the test scores but from the comments that parents made they were involved in their school. When we came here, we saw that was true, and in fact, we saw more evidence of it earlier this evening, the kind of citizens we have in Cleveland Heights. We have not for one second regretted our decision to come to Cleveland Heights. It is exactly the kind of community we wanted and exactly the kind of community it needs to be to be attractive to other professionals and so the point that Jennifer makes about what kind of community we need to be to continue to attract people who will want to live here, who will want to contribute to the community, is a community that supports its schools and supports education and I think your endorsement, as a council, to that proposition, by supporting Issue 6 will go a long way in that direction. Thank you very much."

REPORT OF THE CITY MANAGER

Mr. Downey stated, "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 purchase of a knuckleboom refuse body."

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 and added, "A knuckleboom body is the thing that on a great big truck that picks up heavy leaves or brush or other kinds of things, appliances and it picks it up and puts it into the truck and you'll hear that we're going to get a new truck that it'll go on, but this is a separate thing."

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, "Thank you, your Honor. I need to notify Council that five resolutions of the Board of Zoning Appeals have been received pertaining to variances in the Zoning Code and are requested by the following: BZA Calendar No. 3132 William McKelvey, 3064 Lincoln Boulevard, accessory use regulations; BZA Calendar No. 3134 Heather Moore and Thomas Frontini, 2564 Berkshire Road, accessory use regulations; BZA Calendar No. 3135 John and Kristen Bartels, 1955 Coventry Road, accessory use regulations; BZA Calendar No. 3136 Jeffrey Owens, tenant and Jacqueline Owens-Davis, owner, 3715 Randolph Road, accessory use regulations; and BZA Calendar No. 3137 Robert Burrows, 2959 Somerton Road, accessory use regulations. Your Honor, I need to make these a matter of record."

Mayor Kelley made them a matter of record and referred them to the Planning and Development Committee of Council.

REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Dietrich stated, "Thank you. Actually, I think I sort of have a long report tonight. I first have Resolution No. 128-2007(CRR), proclaiming October, 2007 as National Arts and Humanities Month; and declaring an emergency. Whereas, the arts and humanities enhance and enrich the lives of all Americans; and affect every aspect of life in America today including the economy, social problem solving, job creation, education and community livability; and whereas the cities and states have celebrated the value and importance of culture in the lives of Americans and the health of thriving communities during National Arts and Humanities Month for several years; and the United States Conference of Mayors has actively participated in National Arts and Humanities Month since 1984; and the United States Conference of Mayors' national arts partner, Americans for the Arts, coordinate this year a national awareness campaign of activities for National Arts and Humanities Month; and also whereas, the nation's 40,000 cultural organizations, the National Endowment for the Arts, the National Endowment for the Humanities, the nation's 4,000 local arts agencies, the arts and humanities councils of the 50 states and many communities across this nation have participated and will participate again this year in this national celebration; and whereas, the City of Cleveland Heights and its residents have always strongly supported arts and humanities programs including those at Cain Park and numerous local theaters, exhibition and concert halls and galleries.

This Council hereby joins with the United States Council of Mayors, the National Endowment for the Arts, the National Endowment for the Humanities, and numerous local arts agencies and local communities to proclaim and celebrate October, 2007 as National Arts and Humanities Month."

Mayor Kelley accepted Resolution No. 128-2007(CRR).

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

Nays: None

Motion passed

Council Member Dietrich continued, "Thank you. I have a couple of recreation and community relations related announcements to make, really. As of today, the community center and the fitness center at the community center is going to its fall hours. What this means is that we're open a little bit later to give people more time to exercise inside now that the days are getting shorter. Monday through Fridays the hours at the fitness center are 6:00 a.m. to 9:00 p.m., Saturday - 7:00 a.m. to 6:00 p.m., and Sunday 9:00 a.m. to 6:00 p.m. So you might want to mark that down and know that you have a little extra time at the end of the day at the community center.

Also, the Office on Aging and all its staff that has been housed partly in City Hall and partly at the community center is all moving in the next couple of weeks to the Senior Center at the community center. Anything, that you as a senior citizen might need from the Office on Aging; social workers or any of the volunteers that give you tax advice, any of those things it will all now take place at the community center.

A couple of other things of community interest that are not exactly recreation-related, the city and the Home Repair Resource Center are hosting fall workshops to help residents understand budgeting, credit, and what it really means to refinance a mortgage. These workshops will cover developing money skills, building and maintaining a savings account, and getting the best deal for a loan refinance or mortgage. It's called, 'The Wealth Building Series'. It is a three-night series - that the three nights will be held three different times. The first three nights are October 11, 18 and 25 from 6:00 to 8:30 at the Home Repair Resource Center at 2520 Noble Road and there will be babysitting. The next sessions are November 13, 14 and 15 at the Heights Parent Center, which is located in Taylor School on Superior Road and December 10, 12 and 14 at the main library on Lee Road. These workshops are free. Reservations are required by calling 381-6100.

Another thing that I think sounds really interesting is that the Ohio Civil Rights Commission is visiting Cleveland Heights, and in fact, holding its regular public meeting right here in Council Chambers this coming Thursday, October 4th from 10:00 to 2:00 and the public is invited. At this meeting, the Ohio Civil Rights commissioners will hear and rule on cases of discrimination so that residents of Cleveland Heights can see how our principle civil rights agency of the State of Ohio really carries out its duties. It's free and open to the public right here at City Hall on Thursday from 10:00 to 2:00. I just think that's a really interesting thing to be able to take advantage of.

I wasn't going to talk about this until next week when it was closer to election day, but maybe I'll repeat myself a little bit another time. Since the League of Women Voters was here talking about us endorsing the school levy, I think that I will use this time to say a few words about that. To me a decision to endorse a school levy centers around the fact that I value public education. School levies are the way we fund schools in Ohio. It's not the best way - it could be one of the worst ways - it's a terrible way, but until that is changed by our state legislature, for me to value public education means I have to support it and I will support the school levy. Non-support of a levy, to me, is not the way to send a message to a school board. I don't even really think it's a way to show support for our wonderful superintendent, Deb Delisle. That's not what it's about for me, because I think those decisions are made elsewhere. For me, supporting the levy is simply about supporting the institution of public schools, separate from whatever we feel about certain decisions or certain styles of the school board. I will support the school levy because I value public education and I support the institution of public schools in Cleveland Heights-University Heights and that's all that I have."

REPORT OF THE FINANCE COMMITTEE

Vice Mayor Montlack stated, "Thank you, your Honor. There is one piece of legislation - a

long-awaited one. It is Resolution No. 129-2007(F), authorizing the City Manager to submit the Community Development Block Grant entitlement application for the year beginning January 1, 2008; and declaring an emergency.

This is the block grant budget about which the Citizens Advisory Committee or CDBG Activities really has been meeting for the past year as happens every year virtually. As usual, we do not know exactly how much the block grant amount is going to be and it is only a guess that the amount is something like \$1,689,367 and to that we add \$50,000 in contingency funds from projects that are no longer going forward so the full amount is about \$1,739,367 somewhere in that amount. First of all, as I said, that's a guess. It is now in Congress and the way things are and have been for most of our lifetime it will be a series of arm-wrestlings there between what the administration wants to cut and what some of our congressmen, specifically senators at this point, will fight for. The funding, actually will be provided starting in or after July of 2008 for these contracts.

I want to make just a few comments about how the process works. The CAC, as we said, really reviews the applications, studies the requirements of HUD, etc., and makes it recommendations and provides it rational and reports to the City Council. The City Council is charged with reading that report, also with becoming familiar with the applicants and the applications, with the history of past funding and certainly to exercise independent judgement while giving great weight to the CAC. Now, I say that lightly, giving great weight, while I cannot speak for other council people, I think it is a sense of council that the CAC, as you heard earlier tonight, is a committed, knowledgeable group, very well-staffed and their staff person is Karen Knittel and certainly well-read from amongst their own elected chairs and that has been the case for many years. As usual, most of the CAC recommendations that were made, were also recommended by staff and have been adopted by council. For all but essentially three items I would say at this point the recommendations by the CAC are translated into what is being approved in this legislation when it is approved. On those particular areas where there are some differences, in most of those cases, the CAC itself approved its recommendations by something like a 60%-40% vote. So, there was not only discussion amongst the CAC but discussion here. I'll tell you, rather than going through all of the budget, which is similar to prior years in the tremendous amounts that are provided for housing activities as well as youth, Commission on Aging, and staff support, there are three areas that there are some differences and [they are as follows]: on the HRRC, Housing - Council's position has determined in this budget to add to the CAC recommendation almost \$7,000 for full funding. That is because, this position attacks (if I can use that word) the terrible foreclosure problem and we just cannot turn our backs on this important challenge now, so we want to give full-support to this position; secondly, on the city request for a water-line, rehab, we have added a little more than \$8,000 to a recommendation of about \$65,000, again, because we want to make sure that this work that will qualify for HUD support, can go forward to the maximum extent; and finally and most significantly the request for the Heights Youth Club about which CAC recommended \$45,000 will not be funded in this budget. You should note that we have placed \$30,000 in contingency funding and there was considerable discussion regarding the HYC's compliance or non-compliance with conditions regarding usage of the facility and membership that were made at the time of the last block grant. We have yet to hear from our law department regarding the status of that situation. So we have made some provision for action later on depending on where that issue goes. Again, without going through, again, each item that was approved in the CAC's recommendations I can tell you other than that there is full approval.

Under Section 1, beginning January 1, 2008 and continuing for a one (1) year, the Community Development Block Grant entitlement submittal, which is shown in Exhibit "A", attached to this Resolution would be approved and the City Manager would be authorized to go forward with contracts in that regard. Resolution No. 129-2007(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 129-2007(F) and added, "I just want to just make one clarification on Exhibit A, page 2, the Vice Mayor stated, under Goal II: \$30,000 of contingency would go to the Heights Youth Club pending the word back from our law director. So we are clear on that when it comes time to vote on this. I know the Vice Mayor stated it. I want to make sure we're clear again on the record."

Council Member Tumeo commented, "I feel compelled to make a statement here at this point. As everyone on council knows and I trust everyone else knows, I'm a strong supporter of the CAC. I was on CAC for six years and the CAC works very hard in making these recommendations. During the time I was on CAC and in the two years now - the third year I've gotten to vote on this in council, we have been very consistent in asking agencies to step up and provide some metrics to demonstrate how they are using the money and the impact that those metrics provide in return for these very limited funds. Consistently across the board, the hard-working agencies that we have that do a lot on very little money, have stepped up to do this save one. That agency, the Heights Community Congress, has consistently refused to give us any kinds of metrics that were meaningful and have come forward, in essence, saying, 'We're an important agency - give us the money'. I agree that they are an important agency. I think that they do wonderful work, but it seems very inconsistent now in not keeping with sound management on our part, as a city council, if we allow that one agency not to respond with any kind of meaningful metrics, where we hold everyone else to a standard. This is very hard for me, because we don't get the chance in this bill to single things out and I think that it's time that this Council stepped forward and sent a message. I'm not supported in this by my council members at this point, but I'm not one to always agree when I disagree. So, for that reason and that reason alone, I will not be supporting this legislation and should legislation come forward for the contract for HCC I will not support that. It is not a reflection on the agency's value or their work. I believe they do excellent work and it is not a reflection on the hard work of the CAC, which only supported the allocation by a slim majority. I think it is an important message that Council sends, that when CAC requests information, a valid request should be honored, and for that reason I'll be voting no on that."

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

Nays: Tumeo

Resolution passed

REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Council Member Caplan stated, "Thank you. I have one piece of legislation and it is Resolution No. 130-2007(MS), authorizing the City Manager to enter into an agreement with International Truck and Engine Corporation for the acquisition of a truck cab and chassis for the refuse division of the Public Works Department; providing compensation therefor; and declaring an emergency. In order to meet operational needs, it is necessary to purchase a truck cab and chassis for the refuse division of the Public Works Department. Ohio Revised Code Section 5513.01 authorizes municipal corporations and other governmental entities to purchase machinery, materials, supplies, and other articles through the Ohio Department of Transportation Cooperative Purchasing Program without obtaining competitive bids. Resolution No. 109-1991, this Council authorized participation in said Cooperative Purchasing Program. Therefore, the City Manager has determined that the selected vehicle may be purchased through this Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to do so. The city will be going out to bid for the accompanying knuckleboom refuse loader truck body package to be installed on the cab and chassis, and will be purchasing a radio from another company. Therefore, be it resolved by this Council that the City Manager be authorized to execute any and all agreements necessary for the purchase of a 2008 International 4400 4x2 cab and chassis from International Truck and Engine Corporation, through the Department of Transportation

Cooperative Purchasing Program. The purchase price for the cab and chassis shall not exceed the sum of Sixty Thousand Dollars (\$60,000.00). The radio shall be purchased from Independence Communications, Inc. at a cost of up to Six Hundred Sixty-two Dollars and Ninety Cents (\$662.90). All contracts shall be approved as to form by the Director of Law. Notice of passage shall be given by publishing. This Resolution shall be determined to be an emergency for passage tonight, so I offer Resolution No. 130-2007(MS) for passage.”

Mayor Kelley accepted Resolution No. 130-2007(MS).

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

Nays: None

Resolution passed

Council Member Caplan continued, “Thank you. I want to talk a little bit about a letter that you’re going to get in the next day or two and that’s a letter from the City of Cleveland Heights, that again is going to offer a natural gas aggregation program. Every year at about this time, it is your opportunity to either participate in our city’s gas aggregation program or not. The reason I want to talk about it is it’s very confusing. You got a letter from Dominion that is our carrier, but may not necessarily be the organization that you purchase your gas from. You also got a letter in the past few days from a company called IGS Energy and they say that their prices are lower than Dominion East Ohio and the gas aggregation program that we are offering is with a company Integrys which is not IGS, so it is all rather complicated. Integrys Energy Services which is the organization that Cleveland Heights has chosen to work with offers at this point two rate options. One is a fixed rate for 12 months at \$9.92 or you can be in a quarterly rate option which provides a new rate we call it a flexible plan that every three months the rate changes. Either one is a little bit like playing the lottery unfortunately, because it’s hard to be able to see what the rate of gas is going to be for the coming year. Last year at this time, we had an agreement with - it was called WPS at the time and now it’s Integrys Energy Services and we had struck a deal with them that we thought was in the best interests of our community, but the price of gas came down. We told you to really pay attention because you would be paying too much. So now again, it’s that same - it’s very complicated - it’s hard for you to decide what to do. Either you stay with a \$9.92 per mcf, that’s how they measure how much you get, beginning in November or you can be in a quarterly variable rate which means that it will change and that means that you have to decide for yourself will the price of gas go down and then you’re lucky. But, if the price of gas goes up and you didn’t choose very well and you have to make that choice and you also have to decide if you want to come with our program at all. If you do not want to come with our program, you are in an out-opt program. If you have to opt-out and that means that you have to do something so that you are not in the program. If you have had a variable rate in the past, which I have had actually, I’ve had a variable rate for the past several years, but this is the first time, I think or the first time that I can remember that if I don’t want to be in a fixed rate I have to call and say I want to be in the variable rate. So, it’s hard to read all the fine print if you are going to get this letter. I know that sometimes I say, ‘Oh, it’ll be okay’. You really need to read this and you need to read the whole thing when you are paying attention and not watching tv at the same time, because it is complicated and it really matters. If it is a really cold winter and you are going to use a lot of gas it’ll really matter in your pocketbook. I encourage you, please, to pay attention, read all the stuff that you’re getting from all these other companies who want your business and try and make the best decision that you can make for yourself. It’s really hard.

The only other thing that I wanted to tell you or comment about is I just returned from a trip to Europe and had, had the opportunity - the privilege of having dinners with old friends who live in France and in Spain. During the time that we were gone there was this whole business of the president

of Iran speaking at Columbia University and I would like to tell you - sometimes we take for granted the United States, but the dinner time conversation always came around to that and one of the comments that people always said, 'Is only in America would there be that kind of freedom of speech that happened at Columbia'. Whether we agree with how it worked, whether the president of Columbia should have done it or should have said what he said, however you feel about the president of Iran, it doesn't matter. The fact that it was talked about, it was in all of the press that the students got involved and that it was really publicized, they all felt, 'only in America'. It really made me feel great and I feel that way myself. So, just wanted to share that little note with you and that's all I have. Thank you."

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Council Member Wilcox stated, "Thank you, your Honor. There is one piece of legislation, but before we consider that there are five resolutions from the Board of Zoning Appeals from the September 19, 2007 meeting. Councilwoman Dietrich attended that meeting and she's going to read these resolutions."

Council Member Dietrich stated, "First is BZA Calendar No. 3132 William McKelvey, 3064 Lincoln Boulevard, in an 'A' single-family district, requesting a variance from the accessory use regulations of the Zoning Code, to permit a 5'-tall fence in the corner-side yard, set back of 4' from the Cottage Grove Drive right-of-way. The maximum height allowed in the Zoning Code in a corner side yard is 3'. The Board of Zoning Appeals granted the variance because the applicant would suffer practical difficulty if the variance is not granted because a Code-conforming fence would result in substantial loss of back yard, and trees make placement of the fence difficult, and, the proposed fence will have little visible impact on the neighborhood due to existing 5'-tall hedges. The conditions that the Board of Zoning Appeals specified are that the applicant is required to obtain approval of the Architectural Board of Review, that all construction shall be completed within 90 days from the date of city council approval.

We in our discussions, have added another condition, that this height variance would be granted provided the fence be at least 50% transparent. The type of fence here is not specified in this resolution by the Board of Zoning Appeals so our condition specifies in otherwise it cannot be opaque board on board, 5'- tall fence in this corner side yard. I offer BZA Calendar No. 3132 with those three conditions."

Mayor Kelley stated as amended and asked for a second to the amendment.

Second by Councilman Tumeo.

Council Member Dietrich commented, "I would have voted no on this Resolution had it not been for this condition that we added, as I voted no on most [other] requests for similar corner side yard 5'-tall board-on-board type fences. I said this before, but just again, it creates a fortress-like atmosphere that I think is bad for our neighborhood. You won't see when we go onto the next two cases, that the fences that were originally proposed in the variances are a transparent fence, although it has a height variance, these fences are transparent and are intended to work in keeping children and pets safe and yet allow for transparency.

Just noting that, had it not been for this condition, I would have voted no."

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

Nays: None

Resolution confirmed as amended

Council Member Dietrich stated, "BZA Calendar No. 3134 Heather Moore and Thomas Frontini, 2564 Berkshire Road, in an 'A' single-family district, requesting a variance from the accessory use regulations; to permit a 4'-tall ornamental metal fence in the front yard, reconstruction of existing 7'-3" tall brick piers and a 6'-8" tall gate in the front yard, located 36' to 53' from the Berkshire Road right-of-way. The Zoning Code, as I stated for the other case, permits a maximum fence height in the front yard of 3'. In this case the Board of Zoning Appeals granted the variance because a Code-conforming fence is out of character with the existing historic structures and landscape of the property and the proposed design unifies the site and is in keeping with the historic nature of the site.

In fact, this is part of an historic renovation of the property so that the piers that they are talking about are existing and they're moving them a little bit, but they do exist in sort of a run-down state in getting it all restored.

The issuance of a special permit for a 4' tall transparent ornamental metal fence in the front yard with reconstruction of the piers and the tall gate in the front yard is resolved through this and the applicant is required to obtain approval of the Architectural Board of Review and that all construction should be completed within 120 days of the date of council's approval. I should note that we did add the word, 'transparent' here because we wanted to specify the word even though this metal ornamental fence already is transparent basically. I offer BZA Calendar 3134 for passage."

Second by Council Member Wilcox.

Council Member Caplan added, "I was just going to reiterate a little bit about what Councilwoman Dietrich had said, is that this Calendar 3134 requested a transparent fence and what they are doing is really quite a very nice restoration and making this whole house really look great. But the thing about the fences, and I guess I should have said it before, is that there's a difference in making a fence that has a utilitarian purpose and that is to keep dogs out or dogs in and children in - however, that all is going to work. It is also attractive and welcoming and looks pretty. These board-on-board fences that are high give a message that isn't the message we want to give in Cleveland Heights. One that looks welcoming and is lovely to look at and you can see through to a nice yard is a very different message than one that says, 'keep out - we don't want you'. I'm glad that this one and even the next one present a fence that's part of a way to enhance a house and not part of a way to give a different part of message. Thank you."

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

Nays: None

Resolution confirmed

Council Member Dietrich stated, "The next one is BZA Calendar No. 3135 John and Kristen Bartels, 1955 Coventry Road, in an 'A' single-family district, requesting a variance from the accessory use regulations of the Zoning Code; to permit a 4'-tall ornamental metal fence in the corner-side-yard where, again, the Zoning Code allows for a 3 foot fence in a corner side yard. The Board of Zoning Appeals granted the variance saying that the applicant would suffer practical difficulty because the corner side yard is uniquely positioned due to the Zoning Code definition of a front yard on a residential corner lot which states that the front yard shall face the shorter street dimension of the lot. What that means is that because of the lot dimensions on this particular lot, the Zoning Code actually considers their front yard to be their side yard and their side yard to be their front yard. That's the crux of this whole situation. Also, there is existing landscaping behind which the fence will be installed and addi-

tional landscaping will be installed with an understanding of it being maintained. The proposed fence is nicely transparent and protects the applicants' children on a heavily trafficked street which is Coventry. The applicant is required to obtain approval of the Architectural Board of Review and all construction shall be completed within 90 days of council approval. I offer BZA Calendar No. 3135."

Second by Council Member Wilcox.

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

Nays: None

Resolution confirmed

Council Member Dietrich stated, "BZA Calendar No. 3136 Jeffrey Owens, tenant and Jacqueline Owens-Davis, owner, 3715 Randolph Road, in an 'A' single-family district, requesting a variance from the accessory use regulations of the Zoning Code; to (and there are four parts to this) (a) park in the front yard, (c) allow a paving width of 18', (d) front yard coverage of 52%, and, (e) 0' paving setback to the east property line. In the Zoning Code what is allowed is (a) parking only in the rear yard, (c) paving width of 12' maximum, (d) 30% front yard coverage, and, (e) a 3' setback from side property line. Again, in this case, the Board of Zoning Appeals granted the variance saying that the applicant would suffer practical difficulty, because part of the wooded rear yard is unusable due to a significant grade change; the current size and siting of the existing house and one-car attached garage do not allow a location for parking of a third car on the site; the front yard is small and additional parking can not be accommodated without exceeding paving width and front yard coverage.

It's also noted several other houses right adjacent to this house - a lot of the houses on that street have solved a similar problem in a similar way, but they had done this before 1993 when the Zoning Code requirement was put in place. This house will really be solving a problem in a way that's been done by others on their street.

The applicant is required to obtain a survey prior to construction and all construction shall be completed within 180 days of the date of approval."

Second by Council Member Evans.

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

Nays: None

Resolution confirmed

Council Member Dietrich stated, "We're almost done. This is the last one, BZA Calendar No. 3137 Robert Burrows, 2959 Somerton Road, in an 'A' single-family district, requesting a variance from the accessory use regulations of the Zoning Code; to permit a two-car detached garage on a corner lot (and this also has four parts) and the first part is (a) located 2" from the principal building, (b) set back 2'-4" from the rear property line abutting 1821 Middlehurst Road, (c) 36% rear yard pavement coverage, and (d) 76% total rear yard coverage. The Zoning Code allows in each of these instances a (a) 10' minimum distance from a principal building, (b) 10' minimum setback from the rear property line, (c) 30% rear yard pavement coverage, and (d) 60% rear yard coverage. Again, the Board of Zoning Appeals granted this variance saying that the applicant would suffer practical difficulty because due to the site conditions, there is no Code-conforming solution. The applicant's proposal is the most Code-conforming solution and is the most practical, given the way the lot is configured; and that the materials are such that would minimize any danger due to the garage being so close to the house (in other words, they're using fire-rated drywall). All construction on this shall be completed within 18 months of approval."

Second by Council Member Tumeo.

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

Nays: None

Resolution confirmed

Council Member Wilcox stated, "Thank you. I have Resolution No. 131-2007(PD), authorizing an agreement with Tim Barrett, Franklin Piccirillo, Catherine Sabolik and Carolyn R. Smith for design and coordinating consulting services relative to the Storefront Renovation Program; providing compensation therefor; and declaring an emergency. The City has for many years operated a Storefront Renovation Program in targeted areas to encourage reinvestment and create a positive visual and economic impact in its commercial districts. This is one of the programs that is funded with our block grant funding which we discussed previously tonight. The City, looking at its budget, has looked at different ways of delivering professional services for this and staffing these types of grants and the staff kind of came up with a creative solution here and that is a proposal submitted by the Storefront Renovation Consulting Team ("Consultants") consisting of four highly skilled individuals who perform these services for other entities; and, it would be in the best interest of the City and its residents to retain the Consultants to provide professional services for two pilot projects and possible additional projects.

What this means is a way of trying to be creative with the budget and not going out and hiring staff but seeing if this would be a better way to deliver a service. This is a pilot project.

Section 1 of this Resolution authorizes the City Manager to enter into an agreement with Tim Barrett, Franklin Piccirillo, Catherine Sabolik and Carolyn R. Smith ("Consultants") for design and coordinating consulting services relative to the Storefront Renovation Program. Such agreement shall provide for the Consultants to provide services to the City as independent contractors, at rates of Three Thousand Five Hundred Dollars (\$3,500.00) per project for design services, and up to Five Thousand Dollars (\$5,000.00) per project for coordinating consulting services, the latter at a rate of Fifty Dollars (\$50.00) per hour. The agreement shall provide for two pilot projects, and possible renewal for further projects at the option of the City, with total fees not to exceed Forty Thousand (\$40,000.00). I offer Resolution No. 131-2007(PD) for passage tonight."

Mayor Kelley accepted Resolution No. 131-2007(PD).

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

Nays: None

Resolution passed

Council Member Wilcox concluded, "I just had one comment tonight. Again, like Councilwoman Dietrich I was going to wait a couple weeks and talk about the school levy, that will be on the ballot on November 6, at the next meeting, but, in light of the comments made in our public comments section I just wanted to make it known that I am in support of this levy. It's never been hard for me to support a school levy and it's a little bit more difficult this time only because of some of the issues that this council has had with our school board. But, I'm putting that aside because I believe our public schools are essential to our community, any community really - to our entire country. Funding for our public schools in Ohio is dependent on levies. That's just the way it is. We've talked about it. The supreme court has held it unconstitutional and nothing has been done about it, but the fact of the matter is, that we require levies to fund our public schools and as a former parent with children in our public schools, I am supporting this levy because of the students and the families in this district and the importance of those

schools to them and the school funding. It's also important to the community, because, again, without strong public schools we all suffer. I would point out that the student achievement has improved. The 7.2 mill operating mill is one of the lowest we've had in years and I will probably have more to say about this on the 15th of October, but again, I think this is essential to our community and I urge your support. That concludes my report."

REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Evans stated, "Thank you. There is no legislation. That concludes my report."

REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE

Council Member Tumeo stated, "I have no legislation. I have two comments that are related to the same thing and that is a plea for everyone in our community to get involved. The first is we have some community vacancies. As you know, we have at least one person stepping down from CAC. We have some other vacancies. There are some appointments that will be made by council in the very near future, so if you are interested, please get an application in. Applications are available on line or you can contact the city and we can get one out to you.

The other thing about getting involved. We're running up here to the time when you can register to vote. I urge you to register to vote. As you know there are going to be some very interesting races and issues on the upcoming ballot. Whether you are for or against, the only way you get to say is by voting. So, register and vote. Thank you."

REPORT OF THE MAYOR

Mayor Kelley stated, "I remember my mayor's report last April when I predicted the Indians would win 100 games and win their division and they did come through."

Council Member Wilcox said, "I thought it was 96."

Mayor Kelley continued, "No, I said 100. They only won 96. So if they win 107 they'll win everything. Go, Indians and congratulations on a great year. When we meet two weeks from tonight they'll be in a second round beating the Angels.

I do want to comment just for a minute on the Shaker Heights game as reported in the Sun Press that the Shaker principal called off the game and I find it completely horrible that a principal would not allow their children and their band and - I'm sorry - not their children, their young adults to come play football at John Carroll. I did have the opportunity this weekend to watch John Carroll play Baldwin Wallace at John Carroll and to my amazement there were over 6,000 fans there. They were able to accommodate that at a world class college facility, so why not allow our young adults and the Shaker young adults to play football there, let the bands play there. This is the same school system where the superintendent who is double-dipping didn't realize that he could have called a snow day last year when we had the worst snow whatever in any city in anytime in the last ten years. So, it doesn't surprise me that the principal of Shaker High School said, we can't get to John Carroll that easy. It would be too much of a hardship for our transportation - our people. I don't see a difference of driving down Lee Road to Cleveland Heights High School or going up to Warrensville Center and coming up to beautiful John Carroll. So, I think some people ought to get their priorities straight in Shaker Heights and figure out how to come play a football game in a world class facility like John Carroll. As I said

before, it was great that Case Western Reserve opened up their facilities this summer to our young men and two young women who play on our football team for a week of practice and using the dormitories, etc. We finally got John Carroll to do this. We finally got University Heights Council in step to do this, even though it was a 6 to 1 vote not a 7-0 vote. Maybe it was a 7-0, but the next time it was 6 to 1 of University Heights Council to do this, and now to take this away from our young men and women on the team with some bureaucratic in Shaker Heights, the principal. He or she should be sad for themselves that they are taking this away from the children of our communities that come and watch this game. If they could accommodate 6,000 young adults from different states on a Saturday afternoon at John Carroll, why couldn't they have this game there? It still bothers me to this day. It is what it is. Shaker ought to grow up and get with the program. Finally, that will be my report.

Our next meeting will be Monday, October 15 - -"

Mr. Downey interrupted, "Your Honor."

Mayor Kelley replied, "Yes."

Mr. Downey continued, "May I?"

Mayor Kelley replied, "Sure."

Mr. Downey continued, "This is somewhat unusual, I know. I'm only making here at the last second because you didn't comment on it, and I make the comment this evening probably because of your modesty, but you should know that for the last number of years our Mayor has served on the GCRTA, the Greater Cleveland Regional Transit Authority, and if you read in the paper today, they were just voted the number one transit authority in the country for systems of their size. I know from first hand information that Mayor Kelley has made some changes there and moved things along and now this system is moving in a direction that we like to see it and we should all be proud of that accomplishment and you should be commended for that work."

Mayor Kelley replied, "Thank you, Mr. Downey. We probably should send some RTA buses out to Shaker to get - -. Thank you, Mr. Downey, it's been a real great time on the RTA and we will be getting a new station at University and Cedar.

Our next meeting will be Monday, October 15, 2007 at 7:30. This meeting is adjourned at 9:19 p.m. Thank you for coming tonight."

Respectfully submitted,

Edward J. Kelley, Mayor
President of Council

Thomas K. Malone
Clerk of Council

/mwc