



# CLEVELAND HEIGHTS

## MINUTES OF THE COUNCIL MEETING OF MONDAY, DECEMBER 4, 2006

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:43 p.m.

Edward Kelley, presiding

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

Council Members absent: None

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

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

Committee of the Whole adjourned at 7:43 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:50 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

Mayor Kelley stated, "I want to apologize to our audience for the 20 minute delay in starting our meeting. We had the opportunity prior to our meeting to participate in a ribbon-cutting at the brand new Marc's on Coventry to see this fabulous, shiny, bright new store. It was certainly breath-taking for this council and we do apologize for starting 20 minutes late, but we had to participate and as I said in the ribbon-cutting and partake in the fullness and wonderness of this store. I am sure some of my colleagues will comment during their reports. So I apologize to those of you who were here and were delayed for the twenty minutes and as a good airport pilot would do and make up the time during the meeting, our whole agenda in good time and let Alex get back out on the streets and make sure they are safe for everyone."

The minutes of the Regular Council Meeting held Monday, November 20, 2006 were approved

and signed by Mayor Kelley along with the ordinances and resolutions passed at that meeting.

### **REPORT OF THE CITY MANAGER**

Mr. Downey stated, "Thank you very much, your Honor. I have several items this evening. The first of which would be to request authority to advertise for bids for the printing of the Focus Magazine."

Mayor Kelley made it a matter of record and referred it to the Community Relations and Recreation Committee of Council.

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

Second by Council Member Tumeo.

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

Nays: None

**Motion passed**

Mr. Downey continued, "Your Honor, Members of Council, as you know, as a Master Meter Suburb, the City of Cleveland Heights has always bought its water from the City of Cleveland. In June of this year, and again in October of this year, we received notification from the City of Cleveland regarding an increase in the cost of water beginning in 2007, with rate increases extending through to 2010. The average annual increase from Cleveland will be about five percent (5%) per year with an overall increase of twenty percent (20%) over the four (4) years. The last time we increased the water rate here in Cleveland Heights was in December of 2004 and that also was in response to a rate increase from Cleveland. It is unfortunate, during these difficult economic times, that we have to make another rate increase. However, in order to absorb this cost and comply with EPA environmental regulations and the Safe Drinking Water Act, the city has no choice but to adjust our rates to meet the increased charges imposed by the City of Cleveland. As you know, Chapter 911 of the Codified Ordinances and Chapter 743 of the Ohio Revised Code provide for the City Manager to act as the Director of Public Safety in our city and enact the laws and regulations that are necessary for the safe, economical and efficient management of our water and sewer system including assessing and collection of water rates as they are necessary. Therefore, the City's water rate now will be \$46.73 per thousand cubic feet and the Homestead rate will be \$34.82. Your Honor, I request that this be made a matter of record."

Mayor Kelley made it a matter of record.

### **REPORT OF THE DIRECTOR OF FINANCE/CLERK OF COUNCIL**

Mr. Malone stated, "Thank you, your Honor. I need to notify Council that one notice has been received from the Ohio Department of Liquor Control advising that application has been made by the following: Saowanee, Inc., d.b.a. Mint CafÈ, premises 1791 Coventry Road, 44118 transfer D5 permit from Lillian B. Horvat, 1<sup>st</sup> floor & N/E Basement only, 1633-35 Lee Road, 44118. Your Honor I need to make this a matter of record."

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

Mayor Kelley added, "The one thing we do need to remind ourselves, BZA Calendar No. 3117

will come in the Planning and Development Committee of Council Report from the last council meeting.”

## **REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE**

Council Member Evans stated, “Thank you, your Honor. Ordinance No. 135-2006(PSH), authorizing an agreement with Statewide Ford Lincoln Mercury, Inc. for the purchase of thirteen (13) new 2007 Ford Crown Victorias for the Police Department through the Ohio Department of Administrative Services Cooperative Purchasing Program; providing compensation therefor; and declaring an emergency. The City has determined to purchase thirteen (13) 2007 Ford Crown Victorias for the Police Department. Ohio Revised Code Section 125.04 authorizes municipal corporations and other governmental entities to purchase supplies, equipment and services through the Ohio Department of Administrative Services Cooperative Purchasing Program without obtaining competitive bids. By Resolution No. 115-1988, this Council authorized participation in said Cooperative Purchasing Program. The City Manager has determined that the selected vehicles may be purchased through this program at a lower price than could be obtained through bidding, and that it would be in the City’s best interests to purchase said vehicles by this means. Section 1 states that the agreement shall provide for the purchase of thirteen (13) 2007 Crown Victorias for the Police Department, at a total cost, with necessary options, not to exceed Three Hundred Twenty-five Thousand Dollars (\$325,000.00). All agreements shall be approved as to form by the Director of Law. I’d like to present Ordinance No. 135-2006(PSH) for passage.”

Mayor Kelley accepted Ordinance No. 135-2006(PSH).

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

Nays: None

**Ordinance passed**

Council Member Evans continued, “Next is Resolution No. 136-2006(PSH), declaring the property at 14327 Superior 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 14327 Superior Road owned by Susan Haders has not been maintained for a number of years and is in a state of severe disrepair. The City Manager and Certified Building Official have further reported that the owner of the subject property has been cited by the Housing Inspection Department for numerous housing code violations on the property over the past three (3) years and that no progress has been made toward correction of the violations. It has further been reported that the property has deteriorated over the years to the point that it is a hazard to the health, safety and welfare of the potential occupants and the public and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring property. Section 1 states, that it has been found and determined by this Council, pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights, that the premises owned by Susan Haders known as 14327 Superior Road is in a state of disrepair to the extent that it constitutes a health and safety hazard and a blighting influence and is hereby declared to be a public nuisance. Section 2, the City Manager and Certified Building Official and Director of Law are authorized and directed to cause the nuisance to be abated in accordance with Chapter 553 of the Codified Ordinances of the City of Cleveland Heights or in any manner determined by them to be appropriate and in accordance with law. I’d like to present Resolution No. 136-2006(PSH) for passage.”

Mayor Kelley accepted Resolution No. 136-2006(PSH).

Council Member Tumeo stated, “I would like to be recused from voting on this resolution pend-

ing ownership of an adjacent property.”

Motion moved by Council Member Evans.

Second by Council Member Caplan.

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

Nays: None

**Motion to abstain passed**

Mayor Kelley called for the vote on Resolution No. 136-2006(PSH).

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

Nays: None

**Resolution passed**

Council Member Evans continued, “That completes the report this evening. I would like to congratulate Marc Glassman on the opening of the Marc’s on Coventry Road. It is a delightful store. I think people are going to be very pleased with the store and the setup.

Also the Boys and Girls Club on Lee and Washington opened last week. It is also a really nice space. They did a lot of work in there. There are many young people that I’m sure - hopefully will take advantage of this space and all the programming that they have to offer. Other than that, that concludes my report.”

#### **REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE**

Council Member Tumeo stated, “Thank you. I have no legislation tonight. I do have a couple of items I’d like to bring to everyone’s attention. First, every year at this time we go through the process of reappointing the Citizens Advisory Committee. We have several seats that will be coming open. I would urge everyone to consider stepping up and serving the city in this way. It’s a wonderful opportunity. It’s the way I started serving the city before I was elected to Council and it’s a wonderful group to work with. So, I would urge you, if you are at all interested, please fill out an application for boards and commissions so that we can consider you for [an] appointment. It is a wonderful, wonderful group to participate in and you’d learn immense amounts about our city, so I encourage you all to do that as soon as possible. I will be making those decisions in the next few weeks. I also wanted to say congratulations to Marc’s for the store and to give a special thanks to our Planning Department who worked very closely with them to make sure that store is something that we can be very proud of, in that property - and it is an asset for the neighborhood. I just want to make sure that Richard knows we really appreciate his hard work.”

#### **REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE**

Council Member Dietrich stated, “Thank you, your Honor. I have two pieces of legislation tonight. They are both on first reading only, so we won’t be voting on them until next time. Ordinance No. 137-2006(CRR), authorizing and approving the presentation of entertainment and recreation programs in Cain Park and other locations for the year 2007, providing for use regulations, and establishing rates for the described activities; and repealing Ordinance No. 167-2005. Some of the provisions in this ordinance are, for instance that Cain Park admissions charges will never exceed One Hundred Dollars

(\$100.00) for a performance. We have all sorts of perks, for things like senior citizens will be allowed a discount, groups of twenty (20) or more may get discount rates, anybody with a valid Cleveland Heights Recreation ID gets Three Dollars (\$3.00) off a ticket to Cain Park. You can have a family discount so that children who go with their parents, if both of them have a Rec ID, the children go for half price. This ordinance covers everything like the Cain Park School for the Arts, summer daytime basketball for K through 12, daytime basketball and mentoring program in cooperation with the school district, evening basketball, summer softball and baseball, Challenger baseball for physically or mentally challenged individuals from five to twenty-two years of age, spring and summer youth hockey, spring soccer, our week-long sports camp, adult sports leagues, day camp and child care programs including before and after-camp care, and tennis lessons, use of outdoor basketball parks and skateboard parks for which there is no fee, [and] rental of playing fields by groups. All these things are covered in this ordinance. I will not read the whole thing. It is 13 pages long. The key here is that there are no fee changes. We are keeping all fees exactly the same as they are this year, because this year [for 2006] we did raise our rates. When we do vote on this in two weeks it will be a vote to keep all the Cain Park and all the summer camp programs at the same price that they were this year. This also repeals Ordinance No. 167-2005(CRR), that was passed last year at this time. This is Ordinance No. 137-2006(CRR), first reading."

Mayor Kelley accepted Ordinance No. 137-2006(CRR), first reading only and added, "On a cold night in December, we are already working on our spring and summer programs."

Council Member Dietrich continued, "But the next ordinance is worse, it is Ordinance 138-2006(CRR), establishing use regulations and rates for admission and other services for Cumberland Swimming Pool, Denison Swimming Pool and the Cain Park Wading Pool for the year 2007; and repealing Ordinance No. 168-2005.

Here is our first 20 degree night and snow and we're doing this, but it's nice. This ordinance covers admission to the pools, saying that it is limited to residents of Cleveland Heights with a recreation ID or their authorized guests. It tells us that Denison or Cumberland may be rented by a private group, it includes family swim lessons, family swim sessions, learn to swim, water aerobics, life guard training, and again, with all the pool programs, there are no changes from last year's fees. Ordinance No. 138-2006(CRR) is offered on first reading only."

Mayor Kelley accepted Ordinance No. 138-2006(CRR) on first reading only.

Council Member Dietrich continued, "Just one more announcement. I am making it a point to remind people of all the Friday middle-school nights at the community center, because this is one of the things that people tell me they don't hear about. They kind of seem to hear about it after the fact. Kids are given notices, but middle-school kids typically don't bring their notices home or they don't bring them to the attention of their parents. Parents, out there, if you have a middle-schooler and anybody who is a sixth, seventh, or eighth grader that resides in the Cleveland Heights-University Heights school boundaries, this event is for your child. It is Friday night, December 15<sup>th</sup> at the community center. It is just a fun time from 7:00 to 9:00. For a dollar, they can come in. They get snacks, play pool, foosball, Karaoke, they can go ice skating (that does cost two extra dollars) and if they need they can rent and that costs two more dollars. They have to bring an ID, it can be a Cleveland Heights Rec ID, it could be their school ID, even their school report card, something to show that they live in the school district. We have been getting almost 200 kids at all these Friday middle-school nights and the kids love it. So, for parents, this is the kind of thing you've been asking for. If you have a middle-schooler, just remember December 15<sup>th</sup>, 7:00 to 9:00 at the community center and that completes my report."

## REPORT OF THE FINANCE COMMITTEE

Vice Mayor Montlack stated, "Thank you, your Honor. There are two pieces of legislation, both are on for first reading only tonight. Each year, at the end of the year, one of the things that is done after a great deal of staff work is to approve a budget for the coming year and a budget, of course, is a forecast, an educated guess as to the expenses that the city will occur and the revenues that will be brought in as a basis for that. At the same time, another piece of legislation, in this case, the first one you'll hear about is one that amends - makes some changes, usually fairly modest changes, amends the budget that was passed previously for the then current year, because obviously any forecast no matter how well prepared is going to have some changes in it. Again, on first reading only, Ordinance No. 139-2006(F), to amend certain subparagraphs of Ordinance No. 163-2005(F), as amended, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2006; and declaring an emergency. This amendment or series of changes to the current budget reads department by department, wherein increases or decreases are provided. The bottom line is that after everything is said and done, the budget comes out pretty close as originally forecast and in the general fund it will be something like \$42,928,442.

As with the next ordinance, there will be a Finance Committee meeting a week from tonight on Monday, December 11. It will probably get underway somewhere around 6:15 to 6:30 and at that Finance Committee meeting we'll be discussing the contents of these two pieces of legislation.

Ordinance No. 139-2006(F) is submitted on first reading only tonight."

Mayor Kelley accepted Ordinance No. 139-2006(F) on first reading only.

Vice Mayor Montlack continued, "The second piece of legislation is Ordinance No. 140-2006(F), and this conforms to my description of the forecast for the next year. Ordinance No. 140-2006(F), to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2007 through December 31, 2007; and declaring an emergency. Again, it is a multi-page document with information and forecast by department as well as for items not in the general fund. Actually, the bottom line, as bravely forecast by the staff, is slightly less than this year's budget, one of the factors - - even before our Finance Committee meeting - - is that we're aware that this year 2006 comes out with an extra pay period - payday, I should say. It has a great impact, given that most of our expenses are personnel. Ordinance No. 140-2006(F) is on first reading only tonight and I anticipate that both of these ordinances will be on for final reading at our next council meeting. That concludes this report."

Mayor Kelley accepted Ordinance No. 140-2006(F) on first reading only.

## REPORT OF THE MUNICIPAL SERVICES COMMITTEE

Council Member Caplan stated, "Thank you. I have one piece of legislation and that is Ordinance No. 141-2006(MS), authorizing an agreement with Mike Bass Ford, Inc. for the purchase of a 2006 Ford F350 cab and chassis for the Public Works Department through the Ohio Department of Administrative Services Cooperative Purchasing Program; providing compensation therefor; and declaring an emergency. The City has determined to purchase a new truck for the Public Works Department; and the Ohio Revised Code Section 125.04 authorizes municipal corporations and other governmental entities to purchase supplies, equipment and services through the Ohio Department of Administrative Services Cooperative Purchasing Program without obtaining competitive bids. This Council authorized participation in said Cooperative Purchasing Program; and 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, so it is in the City's best interests to purchase said vehicle by this means. Therefore, be it ordained by this City Council that the City Manager be authorized to enter into an agreement with Mike Bass Ford, Inc. for the purchase of a truck for the Public Works Department, in accordance with the requirements of Ohio Revised Code Section. The agreement shall provide for the purchase of a 2006 Ford F350 cab and chassis at a total cost of Twenty-seven Thousand Nine Hundred Twenty-seven Dollars and Sixty Cents (\$27,927.60). The purchase agreement and all related documents shall be approved as to form by the Director of Law. Notice of passage shall be given and this Ordinance shall be declared an emergency for passage tonight. I offer Ordinance No. 141-2006(MS) for passage."

Mayor Kelley accepted Ordinance No. 141-2006(MS).

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

Nays: None

**Ordinance passed**

Council Member Caplan continued, "Thank you. I have a couple of comments. One is, it was really hard for our city council to tackle the issue of raising the water rates and they will raise approximately \$5.00 per thousand cubic feet. We did discuss - since it did fall under Municipal Services [Committee] that if one really paid attention - we don't really do that so much because water in the Great Lakes area is relatively inexpensive and certainly plentiful. But, one could really think about how you use water and actually all week I've been thinking about it and I see how I waste water. I let the water run while I'm brushing my teeth, while I'm rinsing the dishes and filling the dishwasher. I think it would really be easy if we paid a little bit of attention - you could reduce the cost for yourself so that recycling is one thing, paying attention to wasting water is another and although we are required - we must raise the water rates, because there is nothing else that we can do, but, you yourself, as a user of water can really pay attention how you are using it. Take a 30 second shorter shower, pay attention to that running of the water, because I think lots of us waste water in a whole variety of ways. Don't do your laundry so much and make bigger loads, it really does make a difference.

The other thing is that leaf collection, unfortunately, today we had to plow because we had snow and the leaf collection is reaching the end. It has been a stellar leaf collection this year, the best it has ever been. Thank you to all the public works people, thank you very much. It's really been fantastic. There will be one more sweep this week and then you will have to remember that you will have to put your leaves in bags, not plastic bags, but in those big paper bags. So try and get them out. This will be the last week this week and then there will be no automatic leaf pickup because those trucks now have plows on the front of them.

I also want to say congratulations to Marc Glassman and really congratulations to the people who live in the Coventry area in particular. You now have what really is a very nice little grocery store that has all kinds of additional things. The grocery store scene will change in Cleveland Heights dramatically and this is just one of those changes and it's really terrific. Parking is easy over there and go see your new Marc's, it's really great.

I also went to the Boys and Girls Club, joining a Boys and Girls Club for the children is \$7.00 a year. They really did quite a job there with lots of work from volunteers from all over the area. Since it is there, I hope it's a success and I really hope that the children from our community - it is for Cleveland Heights children only - and I hope that lots of children will go there and that it can be a positive growing experience for them. I wish them luck also. That is all I have. Thank you."

## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

Council Member Wilcox stated, "Thank you, your Honor. There is one legislative matter and that is a Resolution from the Board of Zoning Appeals Calendar No. 3117 from the November 15<sup>th</sup> meeting and Councilwoman Dietrich attended that meeting and she is going to read this particular matter."

Council Member Dietrich stated, "BZA Calendar No. 3117 Coventry Rehab Inc., which is a four-unit apartment building at 1726 Coventry Road, in a 'B' two-family district, requested a variance from the off-street parking regulations of the Zoning Code, to permit an apartment building to have no garage. Our Zoning Code does require that a four-unit apartment building have eight parking spaces, at least four of which are enclosed. At the public hearing held Wednesday, November 15, 2006, the Board of Zoning Appeals decided that there were special circumstances that resulted in practical difficulty in complying with the requirements of the Zoning Code, and those included the fact that the property is unique in that it backs up to a cemetery which will not be negatively impacted by the absence of a garage. This property requires more parking than most of the properties in the neighborhood because it is a four-unit building where most of them are two-family houses. The variance was granted allowing eight off-street parking spaces rather than the six that would fit on the property if the garage was built and then there is a condition that the site be prepared for parking in coordination with the staff. This was passed unanimously by the Board of Zoning Appeals. I offer BZA Calendar No. 3117 for passage tonight."

Second by Council Member Evans.

Council Member Wilcox stated, "I'm going to be voting against this particular Resolution tonight. The reasons are I don't believe the applicant has demonstrated practical difficulty in this instance. One of the other reasons, I feel, is that this is a precedential matter and I don't believe it has been the policy of the city or council in the past to permit no parking structures in this situation and we always encourage some covered parking in residential areas and there is adequate space for covered parking here, so I don't believe from a precedent standpoint I can support this. I also do believe that this property does abut against other properties that are residential in character and it can affect the property values of the neighborhood. Finally, I do believe that the circumstance which gave rise to the need for the variance were created in part by the applicants themselves. Again, I will be voting against this Board of Zoning Appeals variance because I don't believe there are any practical difficulties shown."

Mayor Kelley added, "I also will be voting against this variance because I don't think there is a practical difficulty in it being unique, because it backs up to a cemetery - should make it any different than if it backs up to anything else. I think, as Councilman Wilcox has stated, a garage is appropriate here. There was a garage here originally. It was taken down [and] that contributed to this variance and I think the garage should be maintained there, it should be put back up there."

Roll Call: Ayes: Dietrich, Evans

Nays: Tumeo, Wilcox, Caplan, Kelley, Montlack

**Resolution denied**

Mr. Gibbon stated, "Just have the record reflect, Mr. Mayor, that it specifically has been disapproved as well, it is not approved."

Mayor Kelley reiterated, "BZA Calendar No. 3117 is disapproved."

Council Member Wilcox added, "There is no other legislation before this committee, but I did want to also add my welcome to the new Marc's neighborhood store on Coventry and thank them for their attention to the detail and sensitivity to the neighborhood and in the store. Council had indicated [this] was important, and also to thank Richard Wong and our Planning Department for their diligence to the detail to make sure the store is what we expected and I think it is. We are happy, obviously, to the investment to our community and to the services that it will provide to the Coventry area. That concludes my report."

## **REPORT OF THE MAYOR**

Mayor Kelley stated, "I, too, want to thank Marc Glassman, Ken Sustin for bringing this excellence to Coventry. I think once you get in that store, you'll find - they said it would be an upscale Marc's and it certainly is the most upscale Marc's I've ever been in as far as the layout, the fact that the produce is excellent, there is a meat counter, there will be full service beer and wine, what I call a state of the art pharmacy. One of the things we lost last year around this time was the pharmacy component for all the people in the Coventry area and the apartments - Musicians Towers. I think everyone will be very happy, I was. I do have some grocery background, a long time ago. I was more than overwhelmed and surprised at the layout of the store, it was customer friendly. I really couldn't find a flaw in the store, although, I think the flaws are going to be that it's going to be so doggone busy they're going to have a hard time keeping up with just six registers and keeping the stock on the shelf, but that's a good problem to have. It took a while for it to happen, but let's not forget a thank you to Michael Montlack, who is the owner of the property who stayed clear, who stayed focused on this, so we just didn't end up with any old thing down there or a convenience [store] or something that really didn't add to the Coventry area. He did make a significant investment on the outside of the building to really jazz it up a little bit and to make it look like something we would want to have on Coventry, which contributes to the rebirth and revitalization on Coventry with some of the new things happening. I would be very shocked if this doesn't help the rest of the stores on Coventry; the dry cleaners, the book store, some of the restaurants in what is happening down there. Probably sooner or later this month or probably spring time it will have a few people crying 'uncle' because there isn't enough parking again on Coventry - what a nice problem to have on Coventry again. We haven't seen that for a few years and probably a few more store fronts will be filled up and that will be a nice problem to have on Coventry. It simply looks beautiful with all the lighting down there. Not to be a commercial for Marc's, but the hours are 8:00 in the morning to 10:00 at night, Monday through Saturday and eight to eight on Sunday. So, it's certainly nice. It has a full selection of meat products, beer and wine, the whole thing. I was just shocked how much he had in there. It's not the type of store and Councilman Tumeo will tell you, that is stacked to the rafters, things are falling over when you try to get there, the usual Marc's. So it is a brand new state of the art Marc's and again thank you to Marc Glassman, Ken Sustin and their staff and to Michael Montlack for holding out and getting somebody of quality to come down here on Coventry and not just the simple tired Medic type and not another drugstore only or someone like that or a convenience store, that winds up selling beer/wine and human hair and things of that nature. I think this Marc's will be a home run.

The other thing to keep in mind, we also have a change up at Severance Town Center. We are losing Tops. I think Tops sold out of this area a long time ago when they decided not to have fresh meat products and brought in the processed meat and got rid of the butchers. So eighteen months ago when they did that, the handwriting was on the wall. Out of the forty odd stores, only half of them will be reopening and the others are kind of in limbo. We are fortunate here at Severance Town Center, not fortunate because December 8<sup>th</sup> they are going to close for good as Tops as we've known them at 3:00 p.m. But, sometime at the end of January or early February, Dave's Supermarket is going to come in there and really turn that store around. So between December 8<sup>th</sup> and early February they are going to

get in that store, spend some money, fix the store up and really do some work there. Another family owned and operated store wanted to be in our city. So, in one way Marc's opening up on Coventry will help the gap of what is happening with the store closing. It will be busy, but on the other hand we are not going to be like the twenty other Tops in different cities - even in University Heights in their nice new mall, the Tops there is not coming back. We are very fortunate - I mean no one is taking the Tops store over in University Heights. There is one in North Royalton and various cities, so we are going to have a full gamut of retail in our city, enough for the small shoppers, the family owned and operated. Let's not forget Zagara's on Lee Road. So if this keeps happening in Cleveland Heights, there won't be any holes. There will be a little gap up here at Severance, but I think we'll be able to survive and we will see the change in the circulator route coming up to Severance. I think it is December 11<sup>th</sup> will be the first day. Yes, it will be a week from today. We'll also have a second circulator coming from Shaker Square to Coventry since it is so hot, the Coventry area. Little things like that make a difference in your city. So hopefully we'll be able to make it.

The other thing I wanted to mention, the weather is turning bad so drive slowly and safely in the city. We do have ten routes, I believe, for snow plowing. So if your [street] is not done right away, slow down - take it easy. Don't expect everybody to be plowing your street. The rule of thumb is we do the main streets first. If there are weather advisories you shouldn't be out. You really shouldn't be out or do your shopping in advance especially for some of the items you need for your house, some of these staples. With all these beautiful stores in our city, patronize them. Help yourself in advance. Usually if they haven't snow plowed your street and you are on a side street it means they are doing the main streets or the other streets. We have ten crews out at almost all times, especially for the major storms. Keep that in mind.

Our next meeting and our last meeting for the year will be Monday, December 18, 2006. Thank you for coming. We are adjourned at 8:31 p.m."

Respectfully submitted,

Edward J. Kelley, Mayor  
President of Council

Thomas K. Malone  
Clerk of Council

/mwc