



# CITY OF CLEVELAND HEIGHTS, OHIO

## MINUTES OF THE CITY COUNCIL MEETING OF MONDAY EVENING, AUGUST 6, 2007

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:15 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, Mannarino, Niermann O'Neil, Ruane, Steigerwald, L. Wagner, R. Wagner

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

Committee of the Whole adjourned at 7:32 p.m.

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

Edward Kelley, presiding

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

Council Members absent: None

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

The minutes of the Public Hearing held Monday, July 23, 2007 were approved and signed by Vice Mayor Montlack.

The minutes of the Regular Council Meeting held Monday, July 23, 2007 were approved and signed by Mayor Kelley along with the ordinances and resolutions passed at that meeting.

Mayor Kelley stated, "Now, we would usually move to the personal communications of our citizens, but it gives me great pleasure to present a proclamation tonight to our friends from Unger's Kosher Bakery and Market who tonight provided the cookies for council and staff to munch on before the meeting and we did a little munching and that's why we're about eight minutes late. I want to thank you for those. It is my honor to read this proclamation to you. We're going to have council say a few words and let you come up to the podium and have you say a few words to us and then take a nice picture with you. I understand the Sun Press is here and I'm sure we'll get a little something in the Sun Press and I also know the Jewish News is here tonight and we'll get a front page article in the Jewish News, not to be outdone. So let me take my time and read the proclamation:

*Whereas, Unger's Kosher Bakery and Market, located at 1831 South Taylor Road, where there has been a kosher bakery since 1918, has been owned by the Rosenberg Family since 1977; and*

*Whereas; Unger's was presented with "First Place - Kosher Food Shopping in the Cleveland Jewish News' Best of..." awards, and is the Cleveland area's largest kosher market with an award-winning bakery, a large selection of wines, as well as a fantastic deli and other food items; and*

*Whereas, our business community, of which Unger's is a vital part, is extremely important to Cleveland Heights, our residents and our economic vitality; and*

*Therefore, on behalf of this Council and the people of the City of Cleveland Heights, I hereby issue this Proclamation of Congratulations to*

*Moshe & Malka Rosenberg*

*on the occasion of their' 30<sup>th</sup> anniversary as owners of Unger's. We wish them continued success for many, many more years to come.*

Edward J. Kelley, Mayor  
August 6, 2007

**Cleveland Heights Council**  
Kenneth Montlack, Vice Mayor  
Bonita W. Caplan, Nancy J. Dietrich,  
Phyllis L. Evans, Mark A. Tumeo, Dennis R. Wilcox  
Robert C. Downey, City Manager

Let's give them a hearty round of applause. If you would come up and accept this and your wife. I'm going to have Council say a few words and then I'll bring you up again to say a few words. I'm sure Rabbi Wolf will have a few words to say, he's never at a loss of words to say in this building."

Vice Mayor Montlack stated, "Well, I don't think I have to wax enthusiastic about Unger's. They've got enough of my money over the years and especially around Passover. What a wonderful, dynamic institution! But, I would like to just make one of many comments that others I'm sure will make about the importance of Unger's to the neighborhood and to the community. You know, Unger's is at the epicenter of what I consider probably the most successfully, integrated, stable neighborhood in America over the years. And if somebody thinks that is too much of an exaggeration I will field competing nominations, but it will be a very difficult task. Unger's, this wonderful business and institution and heart of our community is a very, very important reason why I can make that amazing statement. So, we're always proud of businesses that not only survive, but prosper and give so much to neighborhoods and communities, but especially here, we can say to Unger's, 'you truly are one of our heroes', and thank you."

Council Member Evans added, "Congratulations, on your 30<sup>th</sup> anniversary. I live in the neighborhood and I certainly have had many opportunities to sample some of the award-winning desserts. For a while there my daughter was hooked on one and I can't remember the name of it right now, but we were in there a couple of times a week. It's great that you're still there and that you have such a thriving business and I wish you continued luck and success."

Council Member Caplan added, "Well, besides being a long-standing wonderful business and congratulations on your 30-year anniversary, you really are more than a store, you're really a community center in a lot of ways. When I've been in there, everybody knows each other, there is this wonderful thing that goes on, the little cards where if somebody doesn't have money, their name goes down and they pay it later. There's something really old-world, so neighborly, so community-minded about your store and it is really, of course, a main-stay for the whole community. So thank you for staying there, thank you for what you do for the community, thank you for offering me the opportunity to go get the things that I need, I really love it. But, I do really love the environment and the sense of community and neighborliness and the friendliness of it. Congratulations, to you."

Council Member Dietrich stated, "While tonight we are specifically congratulating Unger's Bakery. I think that what I want to express is to the entire Orthodox Jewish community that lives in that neighborhood is - I hope that you know how important your presence is to our city. You are such a part of the richness of Cleveland Heights and we are just so glad to have you staying there."

Council Member Wilcox stated, "Congratulations on 30 years and if I heard the mayor right, I think 89 years at that location - so the store has been there - so that is certainly an anchor and a commitment to a community and I think everybody spoke to the importance of that and we certainly appreciate your dedication and everything you mean to the community and much success in the future and thanks for being here tonight. Thank you again."

Council Member Tumeo added, "The disadvantage of being last is all the good stuff has already been said. Right. Thank you so much for what you do and the best thing I can hope for you is that the blessings that you've bestowed on this community will be returned to you a thousand fold."

Mayor Kelley added, "I just want to say one thing that wasn't written down. You truly are the business model. You would certainly be at the head of the list if we had, had 500 people participate on the list and it had gone out to the community to look at what you've done for the community, as has been said by my colleagues here tonight. Thirty years, you've really been the heart and soul of Taylor Road. You are the anchor on Taylor Road. As Unger's store goes, so does Taylor Road. We're very glad you're there. You're part of the diversity, the rich diversity, the 89 years of history, the anchor for Taylor Road. Many things have come and gone, but Unger's is there. May you be there another 89 years and keep it in your family, but take a day or two off. If I know Sruly Wolf he's dying to say a few words, I've been watching him write those notes, so, Sruly -. I give you as the Vice Mayor of Taylor Road the responsibility to now say a few words."

Rabbi Wolf stated, "First of all, good evening ladies and gentlemen. Just a little commercial. Unger's Bakery on Sunday makes a pure rye, pure pumpernickel and zero trans-fat. So, they're maintaining the health of this country. So we need to make sure that we patronize them. Now, when you look at him, it's his wife that's the boss, he's just the worker. Don't be fooled. I do want to say this that first of all a couple of the Council people spoke about the Orthodox community and Ken mentioned something about you'll challenge anybody to find such a fine-integrated community. It's a very, very perfect statement to make. I want to say this and I always think about it - I'd like to come up and say it, but I'm going to say it tonight. We, as an Orthodox community, have the privilege and the honor to live in a community where you have a city government that is so sensitive and so caring, not necessarily about the Orthodox community, you are like that to everybody in the community, but we're a great benefactor of that. That the city government looks at the community and cares how every person, every group - and [every] religious and ethnic group feels. It's a great credit [to] everybody sitting here in this room, to the Mayor, City Manager, City Council and it's a privilege for us to live in the city and we hope that we benefit from this great city for a long time. Thank you."

Mayor Kelley asked, "Mr. Rosenberg, did you want to say a few words?"

Mr. Rosenberg replied, "Honorable, Mr. Mayor, distinguished ladies and gentlemen and City Council, I would like to thank God almighty, who blessed me with strength and wisdom and health to be in business for thirty years. I pray and I hope he is going to bless me, bless all of you, bless City of Cleveland Heights, bless you and say God Bless you. I'm very honored and very proud on this achievement and to sincerely thank you to City of Cleveland Heights for all these years that I've been here. Thank you to Council, Mr. Montlack, who I've known from day one. I would like to thank all your departments for the great patience with me and cooperation and advice: Building Department, Police Department, Fire Department, Service Department. It's great to be in business and live in Cleveland Heights for all these years and I sincerely thank you to City of Cleveland Heights. I would like to say thank you to my brother, Tibor, who started the business with me. He has his own store now in University Heights and his wife, Irene. He should have a lot of luck and happiness from the beautiful three grandchildren that he has. But the main thing I would like to say is thank you to my wife, Malka. She's been my partner, my pillar. She gave me a lot of good advice. She put up with a lot of my mishigas (craziness). I hope you understand what this means. It says in Hebrew she's been Ayshes Chayil, this means woman of valor. I'm grateful. Thank you, Malka, thank you for everything. Thank you very much."

Pictures were taken with the Rosenbergs and Council.

Mayor Kelley continued and asked for anyone who wished to speak to come to the podium.

"My name is Mr. Fred Weiser. I live on Blanche Avenue, Cleveland Heights. My neighbor, and I, Rhonda Lovejoy, we were talking between the two of us about what might more be done in the way of community policing, taking the police out of the squad cars, putting them on bicycles or something like that in order to get us to know our policemen and also to make it possible for our police to be a little more alert as to what's going on around them. You know there have been several disturbances in the neighborhood recently. One case, a bunch of boys shot at another boy on Blanche Avenue. We're a little concerned about everyone getting to know who is there and who belongs and who doesn't belong in our neighborhoods so that we can have a more safe city. I would very much like to know what the Council plans to do in order to help raise the issue of more of a safety awareness, so that everyone feels more secure in their homes. Thank you."

Mayor Kelley requested that Mr. Downey respond to Mr. Weiser.

Mr. Downey replied, "Thank you very much, your Honor. Mr. Weiser, I appreciate you coming this evening and making those comments and the idea of getting out of the police car and onto a bicycle is a very interesting one. I would be more than happy to talk with you again about that - explore that a little bit further with you. Being more alert, the police officers being more alert as they're driving in the neighborhood, understanding the community, as you suggested, is a very good suggestion. I would like to spend some time with you, if I could, to go into that further."

Mr. Weiser spoke from the audience, "I know other cities, major cities like Toronto - is implemented [unclear]. I went there about a month ago and I saw a lot of police officers on bicycles just going around the neighborhood. They talk to their neighbors. They know who belongs and who doesn't belong."

Mr. Downey continued, "If you would like, I'd like to take the time to talk with you about that."

Mr. Weiser nodded he would do that.

Mr. Downey concluded, "Great, great."

"My name is Jason Rodney. I am a Heights alumni. I live at the Concord Apartments, right across the street. I would just like to invite discussion after the meeting, probably, but I've been involved talking to friends and community organizations about environmental sustainability in Cleveland Heights and throughout Cleveland. I'm aware, Mr. Mayor, you've signed the Mayor's Climate Protection Agreement and I'm wondering if there has been any further followup on this and how we as citizens and organization can help with this? So, that's all. Thanks."

Mayor Kelley responded, "Sure. I would be more than happy to meet with you after the meeting or schedule a time. We did just buy a Honda Civic hybrid car. I did just receive from the U.S. Congress of Mayors an update that this will be going on at the September conference. I'd be more than happy to meet with you afterwards and to talk with you. I'd be very interested to see what you say and what you think we should be doing also. I think there are only about half dozen mayors in this area that actually signed, including Mayor Jackson. I think Mayor Longo of Garfield Heights and Mayor Welo of South Euclid and myself [signed]. We shouldn't be here more than another half hour but I'd be more than happy to set up some time with you. Thank you for your commitment to Cleveland Heights and obviously thank you for your commitment to the environment."

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

Mr. Downey stated, "Thank you very much, your Honor. I have just one item this evening. That would be to request authority to take bids for the resurfacing of the asphalt paths in Forest Hill Park."

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 the authority as requested.

Second by Council 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 one notice has been received from the Ohio Department of Liquor Control advising that application has been made by the following: Far Hopkins LLC., d.b.a. South Taylor Pub, transfer D1, D2, D3 and D3A permits from 1940 S. Taylor LLC., d.b.a. South Taylor Pub, premises 1<sup>st</sup> Floor & Basement, 1940-42 S. Taylor 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 & Health Committee of Council, the City Manager, and the Director of Law.

#### **REPORT OF THE MUNICIPAL SERVICES COMMITTEE**

Council Member Caplan stated, "Thank you. I have two pieces of legislation. The first is Resolution No. 103-2007(MS), approving a Change Order with Chagrin Valley Paving for a contract for Parking Lot Improvements; providing compensation therefor; and declaring an emergency. The City awarded a contract to Chagrin Valley Paving for Parking Lot Improvements; and this was primarily for the Coventry Lot and the lot on Cedar Road. Additional work was necessary because of site conditions resulting in an increase in price. Chagrin Valley Paving has submitted to the City a proposed Change Order covering the additional labor and materials, and such proposal has been recommended by the City's Capital Projects Manager. Therefore, be it resolved that this Council approve the following changes from the original specifications for the work performed and the final change order, the description of work is to adjust the original contract amount by an increase of only \$1,355.23, due to additional labor and materials as set forth in the request for Change Order submitted by Chagrin Valley Paving so that the net contract sum will be \$59,603.73. Notice of passage shall be given and I offer Resolution No. 103-2007(MS) for passage tonight."

Mayor Kelley accepted Resolution No. 103-2007(MS).

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

Nays: None

**Resolution passed**

Council Member Caplan continued, "Thank you. I have Resolution No. 104-2007(MS), authorizing an agreement with Fabrizi Trucking and Paving Company for emergency water-line repairs; providing compensation therefor; and declaring an emergency.

As you will remember this past winter, the harsh weather conditions this year necessitated an unusually high number of emergency water-line repairs, which had to be performed immediately after the leaks or other system failures in order to provide water service to residents and allow traffic to navigate City streets. It was necessary in some circumstances to retain a contractor to assist City staff in the performance of such repairs.

This was by the way an unusual occurrence for us because usually we are able to do it ourselves, but we had several in a very short period of time and needed some help in order to keep the water flowing, if you'll excuse the pun.

Fabrizi Trucking and Paving Company quoted a price to perform such repairs which was reasonable and competitive; and, Fabrizi Trucking and Paving Company is well-qualified to perform the necessary work, and was able to perform the work on an emergency basis with no notice. Therefore, be it resolved by the Council of the City of Cleveland Heights, Ohio, that the City Manager be authorized to enter into an agreement for compensation to Fabrizi Trucking and Paving Company for the emergency water-line repairs performed this year for the City. Compensation for such services shall be at the contractor's usual hourly rates, with total fees and expenses not to exceed the sum of Eighty-one Thousand Two Hundred Thirteen Dollars and Ninety-four Cents (\$81,213.94). All related documents shall be approved as to form by the Director of Law. Notice of passage shall be given. I offer Resolution No. 104-2007(MS) for passage tonight."

Mayor Kelley accepted Resolution No. 104-2007(MS).

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

Nays: None

**Resolution passed**

Council Member Caplan continued, "Thank you. I, of course, am always interested that somebody else is interested in our environment and how we're taking care of it. So, I will again, remind everybody about our recycling program. We have one of the best recycling programs around. You should be having bags, literally bags of paper, because of all the mail that comes to your house. You don't have to pay for it, you can put it in a bag so that it gets recycled. Newspapers, packaging and plastics, the wonderful plastics that we can recycle from one to seven on the bottom of those different kinds of things. Please try and be a little bit more vigilant than you have been. It hurts me sometimes to see that people put out their garbage and I don't see a blue bag and paper bags with all of their recyclables in it. I encourage you to do that so we can each do our part in maintaining a healthier environment.

The only other comment I have is I had a funny thing happen to me and I would like to encourage people to pay attention. I had not had my gas bill read for a while and I kept getting estimated gas bills for the past eight-nine months and the gas company did finally come. We connected and I was home to let the guy in and they recalibrated my gas bill. You need to look at that. If this happens to you because Dominion Gas Company did not adhere to the price that we as a city had negotiated with and they were charging me a higher price. I haven't resolved yet my issue, but if you get a bill do start paying attention and tell them that Cleveland Heights does have a particular fee that we pay for mcf is how the gas is measured. So pay attention. Don't just pay this bill that they will send to you because you think you made a mistake. Pay attention. I'm having a little ongoing conversation with them myself, but I think I'm not the only person that this has happened to and so I encourage you to really be vigilant on your part. That's all I have tonight and thank you."

#### **REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

Council Member Wilcox stated, "Thank you, your Honor. There is no legislation from this committee tonight, but I did want to make just a couple of comments on the upcoming events at Coventry and Cedar Fairmount and followup on the comments we made about Unger's Bakery tonight. The fact that our local businesses, obviously, depends on all the people in Cleveland Heights that continue to support our local businesses. On Thursday and Sunday of this week you have a chance to do that as well at the Coventry area. Coventry is going to have their final street fair of the summer, Thursday night, I think it starts around 5:00 and it'll go until 9:30 - 10:00. Sunday, Cedar-Fairmount is having their arts fair and again, that is from noon to 5:00 p.m. Again, an opportunity to get out and enjoy the summer and support your local businesses at the same time. That concludes my report."

Mayor Kelley added, "You might see a few council people at those events."

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

Council Member Evans stated, "Thank you, your Honor. I'd like to present Ordinance No. 84-2007(PSH), Second Reading. In fact, the next three ordinances were all presented initially on July 2.

Ordinance No. 84-2007(PSH), amending Section 1329.01 of Chapter 1329, "Point of Sale Inspection", of the Codified Ordinances of the City of Cleveland Heights to obligate purchasers and transferees of property to obtain certificates of inspection, correct violations, and place funds in escrow for Class "A" violations in instances in which sellers fail to comply with their legal obligations under said Chapter; and declaring an emergency.

I pretty much read this in detail on July 2<sup>nd</sup> and there were comments about it, so right now I'd just like to present it for passage this evening."

Mayor Kelley accepted Ordinance No. 84-2007(PSH), Second Reading.

Council Member Dietrich stated, "Just a brief comment on this ordinance and the next two that Councilwoman Evans is reading. I say this all the time, I think, but I'll say it again that there are times we do sort of boring business where you can listen to these ordinances and we're buying things and we're making change orders and you can tune it out. These three ordinances are really important in terms of foreclosures and vacancies, so if you are somebody who is concerned and thinking what is Cleveland Heights doing about the vacancy problem, the foreclosure problem, hidden in these words with codified ordinance numbers, etc., etc., are the meat of programs that will help us address vacancies and foreclosures. I'm just reiterating to listen hard to what Councilwoman Evans is saying."

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

Nays: None

**Ordinance passed**

Council Member Evans continued, "I would just like to stress that the concerns that this Council has are not unique to the City of Cleveland Heights. Just about every city across the country has concerns, we just know that we needed to deal with it and this was our manner in which to keep up with the changes.

The next two ordinances basically came about there again, because of the many vacant structures both in residential and commercial. The first one is Ordinance No. 85-2007(PSH), Second Reading, As Amended, enacting new Sections 1351.33, "Registration of Vacant Dwelling Structures", and 1369.16, "Registration of Vacant Business Structures", of the Codified Ordinances of the City of Cleveland Heights; and declaring an emergency. This one was also, as I said, presented back on July 2<sup>nd</sup>. There are some changes and the primary change was to add non-residential uses which includes Commercial and Industrial and Institutional Structures. The other thing was, we had initially thought twenty-one would be the authorized age for the authorized agents but we thought better of that and we believe it should be eighteen. We also clarified compliance that was necessary if the structures were both vacant and were Out-of-County Owners. It also clarifies relationship to Certificate of Occupancy. With those few changes, I would like to present Ordinance No. 85-2007(PSH), Second Reading, As Amended, for passage."

Mayor Kelley accepted Ordinance No. 85-2007(PSH), Second Reading, As Amended.

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

Nays: None

**Ordinance passed**

Council Member Evans continued, "Next is Ordinance No. 86-2007(PSH), Second Reading, As Amended, enacting new Sections 1351.34, "Registration of Dwelling Structures by Out-of-County Owners", and 1369.17, "Registration of Business Structures by Out-of-County Owners", of the Codified Ordinances of the City of Cleveland Heights; and declaring an emergency. Essentially the same changes that I read for 85 are applied to 86 as well. I would like to present Ordinance No. 86-2007(PSH), Second Reading, As Amended, as well for passage this evening."

Mayor Kelley accepted Ordinance No. 86-2007(PSH), Second Reading, As Amended.

Vice Mayor Montlack commented, "This legislation is designed to close another loophole in en-

forcement of poor housing conditions. It's a loophole that we've had for many, many years, which is simply, one, it becomes difficult or impossible to obtain service of process to follow through in due process with regard to entities that usually exist only on paper - that have no one, no person, no place that can be served. Actually, this is a subject of proposed state legislation, for several years now, in both the 126<sup>th</sup> and 127<sup>th</sup> General Assembly sessions - bills have been languishing [in] that attempt to accomplish what we are seeking here. Frankly, just as with predatory lending and other plagues facing us we got tired of waiting and our excellent law department put this together in some good legislation. The only other thing I would like to add in this regard is that even with these three pieces of legislation, it's not the answer, it's always one more step or two or three more steps in trying to stem what is a nationwide problem. When we find out that there are some additional things that need to be done or some modifications, we'll be back with other legislation and other staff activity. Thank you."

Mayor Kelley stated, "I just want to say, too, the Vice Mayor and Councilwoman Dietrich and Councilwoman Evans hit it on the head. We're trying to deal progressively with these foreclosures and vacancies, but more importantly, we're trying to deal with quality-life issues on our streets and in our neighborhoods and we've heard from people. We all live in these neighborhoods. We come from several different places. Our staff lives all over the city. So we know what was going on in our streets and in our neighborhoods. So these are just three more tools in the box. We want to improve the quality of life. We want to make people responsible for their properties, whether they live here, whether they don't live here, whether the banks own them, whether the mortgage companies own them, whomever. We've been working on this. We'll continue to work on this and we will make it even better and we will once again, as we have done in many other issues in this area, in the housing area, we will lead the way for the other cities in the area, for the other cities in the country. We will not rest until we handle these issues, if it has to be house by house or issue one by one. If we don't do it here in Cleveland Heights, no one else is going to do it for us. But the important goal here is to make sure that people are responsible for their properties, just as each one of us is responsible for our own properties. We will track these people down, especially the out-of-state people, the out-of-county people that are mentioned in Ordinance No. 86, because we feel they have as much responsibility as anybody else in this community. I want to thank John Gibbon and Laure Wagner for working on this and working with Council and staff to come up with this. I agree with the Vice Mayor, this will probably just be the start, there will probably be more things we can do and we will keep on this and keep on the other issues, because this city is too important not to be passing things like this. These three pieces of legislation will probably be the three most important pieces of legislation that we pass this year - the three most important ordinances."

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

Nays: None

**Ordinance passed**

Council Member Evans concluded, "I would just like to add, there are probably many residents who have concerns about the property next door or any kind of concerns you might have and you can certainly not just sit in your house and stew about it but you can pick up the telephone and get anyone of us and share your concerns. You can come to our meetings, but you don't have to feel that you have to come to a meeting for your voice to be heard. I encourage you to call if you feel you have a need to. That concludes my report this evening."

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

Council Member Tumeo stated, "I have no report tonight, your Honor."

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

Council Member Dietrich stated, "Thank you. I have two pieces of legislation tonight. The first is on second reading. I really did read this in more detail at the last meeting and it's long. So I will just state very briefly this is Ordinance No. 100-2007(CRR), Second Reading, amending the use regulations and rates for admission and other services for the Cleveland Heights Community Center and parks for the 2007-2008 fall/ winter season, and repealing Ordinance No. 91-2006.

Basically, what this does is reaffirm the rates from last year. There are almost no changes. There are a couple of slight program changes that affect fees like a hockey program that is about \$20.00 more expensive than it used to be, but that's because there is a week-long camp added on to it, thing like that. Also, to remind people that a change that we had made not just in this ordinance, but a little while ago that you might forget about is that you now can get a thirty-day pass to the Community Center to either the field house or the ice rink. Rates at our Community Center are so good. I need to renew mine and now I'm over 60 and I can join the field house for \$66.00 a year. That's unbelievable. A couple of things that are added, there is a little girls' hockey program now, entitled, Sugar and Spice Hockey. Elementary school age children can register for hockey teams and programs just as a little spirit builder. Changes are like that, very, very minimal changes. I offer Ordinance No. 100-2007(CRR), Second Reading."

Mayor Kelley accepted Ordinance No.100-2007(CRR).

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

Nays: None

**Ordinance passed**

Council Member Dietrich continued, "Next, I have Resolution No. 105-2007(CRR), authorizing the City Manager to accept a grant from the Kulas Foundation on behalf of the City of Cleveland Heights; and declaring an emergency. The Kulas Foundation has awarded a grant of Five Thousand Dollars (\$5,000.00) to the City of Cleveland Heights to support the 2007 summer program at Cain Park. It is just one more of the ways of things that help us present wonderful summer programming at Cain Park. The City Manager is authorized to accept a grant award from the Kulas Foundation in the amount of Five Thousand Dollars (\$5,000.00) on behalf of the City and he will do that as an emergency."

Mayor Kelley accepted Resolution No. 105-2007(CRR).

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

Nays: None

**Resolution passed**

Council Member Dietrich continued, "Just a couple of comments. If you haven't been to Cain Park, try it out. Cain Park is such a wonderful place to watch just about anything and there are things that appeal to every taste. If you haven't ever been there, please do. Just one more word of encouragement to attend the Coventry Street Fair on Thursday night and the Cedar Fairmount Street Fair on Sunday afternoon. 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 from this committee, Resolution No. 106-2007(F), authorizing an amendment to Resolutions No. 95-2006 and 21-2007 authorizing an agreement with Corporate Collection Services, Inc. for collection services to expand the scope of services; providing compensation therefor; and declaring an emergency. This Resolution authorizes the City Manager to enter into an amended agreement with Corporate Collection Ser-

vices, Inc., with regard to delinquent ambulance charges referred by the city, keeping in mind that before any referral for collection, the city always considers individual circumstances in this particular kind of situation leading to the delinquency. Under that amended agreement, the contingency fees for ambulance billings would be at twenty-two percent (22%) for primary placements and thirty percent (30%) for secondary and legal accounts. Fees for other types of billing and services remain as provided in the previous legislation that I mentioned. Resolution No. 106-2007(F) is presented on first reading for passage tonight.”

Mayor Kelley accepted Resolution No. 106-2007(F).

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

Nays: None

**Resolution passed**

### **REPORT OF THE MAYOR**

Mayor Kelley stated, “I do want to welcome, I should have done this a couple of meetings ago, our Sun Press reporter who is with us, Amanda E. Garrett not to be mistaken with Amanda Garrett who writes for the Plain Dealer. Is that right, Amanda? [She nodded yes]. Welcome, you’ve been with us for about six weeks now and we’ve certainly enjoyed reading your articles.

I do want to make one brief comment about *the lawsuit*, it’s not about the lawsuit itself or the merits of the lawsuit or anything about that, I do want to go on record in complimenting the judge who handled the lawsuit, was Judge Michael Donnelly, who I think did a fantastic job for what little time I was there on the stand and whatever after that, but I want to give him credit for really conducting a true judicial case in letting things happen and letting things unfold and stepping in when necessary. [I have] no idea what the outcome will be and whatever it is, it is. That’ll be fine, but Judge Michael Donnelly is one of our own here in Cleveland Heights and I think he did a fantastic job and the process works. As many of you know, I’ve worked in the courts for twenty-four years, not in that part, but in the Domestic Relations Court. Everybody had their day in court and we’ll see what happens and what happens, happens and we’ll go from there. Cleveland Heights will survive and move on, whatever the outcome is.

Our next Council meeting will be Monday, August 20, 2007 at 7:30 p.m. This meeting is adjourned at 8:30 p.m. Thank you for coming.”

Respectfully submitted,

Edward J. Kelley, Mayor  
President of Council

Thomas K. Malone  
Clerk of Council

/mwc