

**EUCLID CITY COUNCIL MEETING
JUNE 15, 2020**

The Euclid City Council meeting was held on Monday, June 15, 2020 at 7:00 p.m. using virtual meeting abilities via Zoom. President Mancuso presided.

Good evening and welcome to the Euclid City Council meeting, on this June 15, 2020 I'm going ask our Councilman Jarosz to begin with leading us in the Pledge of Allegiance.

Thank you, sir.

Madame Clerk, would you please take the roll of the members?

Members Present: Caviness, Moore, Epps, Jarosz, McIntosh, Wojtila, Jukic, Gorshe, Mancuso

Can I have a motion to excuse Councilwoman Gorshe? So moved by Councilwoman Caviness; seconded by Councilwoman McIntosh.

All in favor
Yeas: Unanimous

Thank you. I will now read the statement that proceeds our meetings. The Euclid City Council meeting for this June 15th is being held electronically this is permissive per the Ohio State legislator's passage of House Bill 197 Amendment G 0351-2. The public has electronic access to such meetings and even view the Council meeting live through the following Spectrum channel 1020, U-verse channel 99 and Euclid Community Television channel on YouTube.com. If you have any questions or comments for the Committee of the Whole for legislative Matters those comments should be -mailed to the Clerk of Council, Barbara Allen at BAllen@cityofeuclid.com or faxed to 216-289-2779, no later than 6:00 p.m. before the meeting. All correspondence will include name and address with the comments and should be limited to 5 minutes per our Euclid Codified Ordinance 121.18. If there are questions or comments, for the second Committee of the Whole for the Public Portion, please e-mail again Clerk of Council, Barbara Allen at ballen@cityofeuclid.com or fax 216-289-2779 no later than the beginning of the discussions of the last item on the agenda. Again, please include your name and address with questions or comments and keep your questions or commentary to 5 minutes again per our codified ordinance 121.18 having said that, are there any communications?

Others Present: Mayor Kirsten Holzheimer Gail, Recreation Director Stephens, Assistant to the Mayor Grida, Finance Director Smith, Law Director Sweeney, Planning and Development Director Holody, Chief Meyer, Chief Haddock, Service Director Knecht and Council Clerk Allen.

COMMUNICATIONS

Clerk Allen – No, none at this time.

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COUNCIL MINUTES

President Mancuso – Thank you are there any council minutes?

Councilwoman Caviness – None at this time, Madame Chair.

President Mancuso – Thank you we will then move on to the Administration Reports and Communications. Mayor Gail.....

ADMINISTRATIVE REPORTS AND COMMUNICATIONS

Mayor Holzheimer Gail – Good morning, good morning, good evening Madame Chair, and members of council nice to see everybody. I have a few announcements from some of the different departments, so I'll just jump right in from the Fire Department they are continuing to do hydrant flushing throughout the city, signs will be posted if they, when they are on your street at least a day in advance. If this is happening, if your hydrants are being flushed and you have a little bit of discolored water please just run your cold water through the faucet until it's clear and you should be, and everything should be fine. From the police department, I let council know last week but we're very excited to announce that we have received a cops hiring grant, this a \$375,00 grant that's paid over three years, and will enable us to hire 3 new police officers. The grant was written and the whole purpose of the grant is to increase our community policing efforts and crime prevention efforts. This particular grant we really focused on wanting to address the gun related crimes and incidences in our neighborhoods by deploying a community response unit, so we're really excited about this and are looking forward to working on hiring some new officers for the police department. If you haven't had a chance to see participate in the "Coffee with a Cop Live" through Facebook they will be having a Coffee with a Cop on Facebook live this Wednesday, June 17th at 10:00 am usually runs about an hour and great opportunity to get caught up on what's happening with the police department. Chief Meyer also shared a flier with me, there's several organizations that are providing meals for kids over the summer, University Hospitals, Richmond Medical Center is also providing kids a kids summer lunch program and I runs from June 1st through August 14th, Monday through Friday so every weekday at, from 11:00 am to 12:00 noon. Children ages 1 to 18 are eligible to receive a free healthy bag lunch. Registration is no required, you just pull up, they have an outside site where you can pull through and pick up a lunch so again Richmond Heights Medical Center we'll make sure that fliers available for anyone who would like that. The Recreation Department has been working hard to create some new programming that meets social distancing and help the Covid pandemic requirements, so please take a look at their website there's a speed, a speed and agility clinics, there's some smart start summer programs, Euclid Soccer Skill Academy, Summer Art Program, and then soon to be announced a Softball clinic and some Tennis, the dates about the Tennis starting. So I do want to thank the Recreation Department for their putting some creative efforts into how can we do programming in a different way and many of them are smaller class sizes, where one-on-one skill based, many of them are happening at Shore Cultural Centers, so I would encourage you to either check out the Recreation Departments page on our website or the Recreation Departments Facebook page or please call them to learn more at 28. 289-8114 and we look forward to announcing some additional programs throughout the summer. The Service Department has their household hazardous waste roundup this week, June 15th to June 19th, it is at the Service Center at 25200 Lakeland Boulevard between 8 am and 3 pm, you can drop off oil based paints, tarnishes, paint thinner, lots of things please check the website for available items and certainly there are some things that are not available so appreciate

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that, that's this week all week June 15th to June 19th. And lastly I would like to I don't know if you, certainly we've all been watching the news and many of us participated in some of the activities, protests, rally's that have happened over the last two weeks, at one of them Representative Kent Smith, our State Rep. reminded me that we had a chance to talk about it a little bit, 20 years ago as Euclid was turning the Century, Euclid adopted a statement of principles for the 21st Century, Representative Smith had his magnet and I know you can't see that but he had the magnet and I want to read it because I think one of the things you know Councilwoman Caviness has legislation on tonight to declare racism a public health issues, a public health problem and I fully support that and encourage council to add their names to it. I've been thinking for the last couple of weeks and you know as I spoke at the last meeting you know reaffirming our commitment to working for a more equitable and more inclusive unity and so this statement of principles is something that I think you know, certainly we can, I don't think we need to change it much but I think it's certainly would benefit all of us you know from the City prospective, our community partners, the schools, the library, our business's and every one of our employees to officially adopt or affirm this, these statement of principles, so I want to read it because 20 years ago I, I think it very much applies today and I think it doesn't need to be tweaked very much but it reads "I support Euclid's Statement of Principles for the 21st Century" and every, many of us signed off on it, it says "We the People of Euclid at the dawn of the new century do hearby commit ourselves to the following principles, we will establish and maintain a community where thousands of families and individuals of deverse backgrounds, personal histories and differing skills and abilities all share a commitment to American ideals and the concept of equality, and we will establish, maintain and preserve the City of Euclid as a place where all people are welcome, where all have equal opportunity to participate, where all have an equal responsibility to obey the law where all people will be judged on the basis of what they say and do and not what they look like or where they come from and we commit ourselves to working to make our community one that is true to the ideal of equal opportunity that this actively and sincerely anti-racists in word and deed". This was signed in the City of Euclid in the year 2000 as we started a new century. And so I will be working with council with our community partners to update this Statement of Principles because I think we have the opportunity to fully commit, fully affirm what we believe in, what we will actively work for here in this city and so I thank Councilwoman Caviness for adding her piece of legislation, I look forward to working with council and all of our residents actively working towards equity in our city to inclusiveness and work against racism. And so I, I just thought it was interesting that we you know, committed to this 20 years again, I think we've certainly made some progress but we all know we still have work to do, so I look forward to working alongside all of you to, to address these very important issues that will strengthen our unity. And lastly I would just like to say happy graduation, congratulations to all the graduates and Happy Father's Day to all of the fathers and grandfathers out there. Thank you Madame Chair, I believe that concludes my, the administration, oh Director Holody, I believe had some announcements a well to share.

President Mancuso – Director Holody.....

Director Holody – Thank you Mayor, Madame President, members of council and those watching. I wanted to announce that at Board of Control today we opened bids for the next phase of waterfront construction. This would be heading east from our current project area along the shoreline including the multipurpose path we're fortunate to have 5 bidders submit bids over the next few weeks we'll be reviewing those and we've also been in contact with Councilman Jarosz about presenting our findings at a committee meeting in July, so I wanted to thank the bidders that put the time into putting their bids together and we're looking

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forward to looking over those and then working with council to evaluate our next steps on this exciting project. Also related to the waterfront I wanted to update everyone that we took ownership today of a, the 6 acre, lakeside cove parcel, council may recall that late last year you provided us with the authorization to apply for a grant in partnership with the Western Reserve Land Conservancy and the city was successful in receiving that so we took ownership of the property today and have effectively expanded Sims Park with an additional 6 acres of lakefront land. So very exciting development and happy to have that project completed and, and thankful for the support of Western Reserve Land Conservancy. Lastly I wanted mention that Cuyahoga Counties Planning Commission has announced that they're accepting applications for their 2020 Community Planning Grant, this is a program whereby the County provides planning services to selected cities, this year those applications are due at the end of the month, the end of June so over the next few weeks we'll be looking at a number of potential sites that could be submitted to the county program but the one we're looking at most closely is the area on top of the equalization tank on Lakeside Boulevard at E 222nd Street so as the Service Department and their contractors are in the process of completing that project we think that now would be a good time to look at what the area on top of that tank could be used for going forward and engage the committee and the Cuyahoga Planning Commission to, to take a look at that so, if anyone has any questions on that grant program, please feel free to call my office and we'll look forward to working with folks on that as well. So thank you for your time and look forward to talking with you here later on during the meeting.

President Mancuso – Thank you.

COMMITTEE DOCUMENTATION

President Mancuso – Alright we will now move onto committee documentation and as you might expect our committees have been pretty busy lately. I'm going to go over the two Executive and Finance Committee meetings and then turn it over to my colleagues who also chaired different committees. The first Executive and Finance Committee meeting was held on 5/27/2020. And the agenda item was a Shore Cultural update where Director Holody and Ms. Kidder were a part of the administration along with the Mayor we actually talked a summary of the RFQ that was put out the last part of 2019 and we looked at what we got back even though we got no developers that responded to the request in a definitive manner, we did learn some things about our own building, we also looked at the annual budget YTD revenues how the Shore facility has fared during Covid, we also talked about a potential tenant for Shore who wanted a lease agreement of ten years and also request \$105,00 of repayable loan for renovation. We discussed the Shore window project and we discussed some future strategies for Shore. We did ask as a committee that Director Smith and Mayor Gail come back to us with some options for the amount of money being requested so that it was not being taken from the general fund and the committee members also requested that we have another E & F committee meeting on June 10th to discuss if and what the options might be, then on June 10th we did have another Executive and Finance Committee meeting the agenda there was the potential tenant lease for the Shore Cultural Center we had a monthly budget update from Director Smith and we discussed the garbage fee renewal. The actions that were taken is after asking questions about the relevant components of the lease there was a general consensus to look at more of a two year lease and no additional funding as we did not feel comfortable as a council or committee member in taking from any other line item in the budget, outside of the general fund we also asked Ms. Kidder to go back to the potential tenant to see if this was agreeable once we have that, if they are agreeable there will be legislation then done. There

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was not action taken on the monthly budget update as this is what we get every month normally in a work session to keep us aware on a very current level of what our budgetary status is and there is discussion general consensus on the garbage fee to increase it to \$2.00 and not raise anything for the seniors. That item is on the agenda tonight as you will see later on. I will now ask Councilman Jarosz to discuss his June 3rd Business Development, City Planning and Housing committee meeting.

Councilman Jarosz – Thank you Madame Chair. As you, as she said on June 3rd, 2020 we did a hold a Business Development, City Planning and Housing committee. The meeting agenda items were ordinance 29-2020 which was an ordinance amending section 15, I'm sorry, 1759.04 statement of certificate of inspection and section 1759.05 escrow agent disbursement of funds without statement prohibited of chapter 1759 and certificates of inspection. Essentially to remove the escrow requirement when purchasing a home. The other ordinance that was discussed was ordinance 30-2020 and ordinance amending section 1705.01 registration required, contract of fine compliance, bond, and section 1705.1 firm or corporation stalling work which license is required of chapter 1705 registration of contractors of the building and housing of the codified ordinances for the city of Euclid to remove the requirement of obtaining a compliance bond. Administration present was Assistant to the Mayor, Kristal Grida, Housing Manager Jim Quirarte and CBO Steve Volgal. Also in attendance was Jammie McMillian and Mary Ladarskick who were representing the Akron Cleveland Association of Relators. The Committee members present was Councilpersons McIntosh, Moore, Gorshe and Wojtila also attending was Councilwoman Jukic. We discussed both ordinances in detail in the committee also briefly brought the point of sale inspection as another potential topic worthy of discussion in committee. The actions taken both proposed ordinances were throughoutly discussed between representatives of the administration, committee members and invited guest. Both ordinances were unanimously moved back to full council with recommendation for passage. Thank you.

President Mancuso – Thank you sir. We will now go to Councilwoman McIntosh and her Sustainability Committee held on June 8th.

Councilwoman McIntosh – Thank you Madame Chair. Yes we held a Sustainability Committee meeting on June 8th, 2020 to discuss ordinance 049-20 an ordinance amending Section 1755.28 “Maximum Permitted Grass Height; Enforcement Procedure; Grass Watch List” of Chapter 1755 “Basic Standards for Residential Occupancy” of the Building and Housing Code of the Codified Ordinances of the City of Euclid to make it unlawful to deposit grass clippings into the streets or other passage ways. Administration staff present was the Assistant to the Mayor, Kristal Grida, Assistant Service Director Nick Finotti, and Housing Manager Jim Quirarte, committee members present were Caviness, Moore, Jukic, Gorshe and McIntosh, non-committee members present we had Council President Mancuso and issues discussed committee chair gave back ground on environmental and educational intent behind the ordinance that yard waste deposited into streets can create a number of problems including blocking sewer catch all's which can lead to flooding in basements and streets and harming water ways and Lake Erie, grass in roadways maybe treated with harmful pesticides which can harm wildlife and can contribute toxic allege balloons. Supporting documents were provided to the committee including model ordinances from Dilon, Ohio and Mentor, Ohio and educational materials supplied by the Cuyahoga Soil and Water Conservation District. Administrative staff shared concerns with gardening enforcement stating the lack of landscaper registration and limited means of outreach to landscapers working throughout

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the city that hinders the out, I think I have some type-o's in my summary, my apologies, that basically the, the limited means of outreach because we don't have a landscaper data base. They shared the info on the evolution of the landscape sub-contract behavior as a result of the grass watch program previously landscapers would blow grass into the streets but now the city requires to blow back into grass. They also shared that there may be room to shore up future contracts to insure this requirement and hold contractors accountable. Members also stated from, you know, researching that enforcement can vary throughout cities, for example New York City includes this in their illicit discharge ordinance and educates with the door hanger on the first offence and second offence resulting in a fine. Cities in the State of Pennsylvania immediately fine, the group then questioned if legislating grass runoff is appropriate given the lack of desire to fine or punish at this time so we opted to instead focus on education rather than punishment. So the committee will work to draft a resolution to show councils commitment to educate residents and businesses on the negative ecological effects of yard waste including leaves from entering sewer systems. Possible partners identified as Euclid Neighborhood Association, Kimble's Trash and Recycling, Keep Euclid Beautiful, Cuyahoga Soil and Water Conservation District and the Sierra Club. Service and Housing Departments offered assistance in distributing materials to property owners. This was kept in committee for future discussion and information and those handouts were provided to all of council. And that concludes my summary. Thank you.

President Mancuso – Thank you and I will turn it over to Councilwoman Caviness.....

Councilwoman Caviness – Okay, thank you Madame Chair, I appreciate that. I move to receive and accept the following committee documentations; from the Board of Control dated June 1 and June 8th, 2020 the Executive and Finance Committee meetings dated May 27th and June 10th, 2020, the Business Development, City Planning and Housing Committee held on June 3rd, 2020 and the Sustainability Committee held on June 8th, 2020.

President Mancuso – Thank you, do I have a second? So moved by Councilman Moore.

All in favor

Yeah: Unanimous

Any opposed: Seeing none.

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

We will now move on to our committee of the whole for legislative matters only and I will ask our Madame Clerk to read into the record any of those legislative questions or comments that have been given to her as we always do, any questions that pertain to legislation will be answered when we speak to that particular item on the agenda, so Madame Clerk if you would begin.....

Clerk Allen – Yes, but the first e-mail that I received today at 4:10 p.m. from Alisa Boles at 35 E. 202. Good evening, I am sitting at my computer watching this meeting and I hereby request that Council send a link to this email address for me to join this meeting and allow me to speak for myself. As a Note to the Clerk: If access is allowed, I will read the rest myself. If access is denied, please read the following. Item 3 - a resolution to hold special council meetings in July and

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August. I am in support of Council holding additional meetings. We have many issues that need to be addressed in upcoming months, including emergency legislation that was proposed at the last meeting regarding public access to meetings that has yet to be addressed. At the last Council meeting, Councilwoman Jukic raised a question about resolutions. I see resolutions as aspirational, as opposed to ordinances which are enforceable. It is similar to the difference between a Memorandum of Understanding and a Contract. Resolutions, like MOU's, are used to gain consensus and provide clarity of intentions for joint endeavors. Parties to MOU's and Resolutions, however, do not necessarily face consequences if the agreement is not followed. In contrast, Ordinances, like Contracts, are backed by the force of law. Voting for this resolution is in essence making a "gentlemen's agreement" that you all intend to call and attend extra meetings this summer despite only having to meet once a month over the summer by law. Item 4 - Changing the deadline to submit legislation. I am pleased to see that you noticed that a current practice was in violation of local law. As I always say, either follow the law or change the law so that it is more realistic to follow. It is not OK to just ignore the law. Accordingly, I am glad to see this addressed. Item 11 - The garbage fee collection. This subject was on the agenda for the June 10th E&F Committee meeting. However, that meeting was not broadcast on YouTube as advertised, which is a violation of Sunshine Laws. As such, any vote on this issue could be invalidated. Also on that night's agenda was general budget discussion. Any other topic that was deliberated on that night would also be subject to invalidation. Thank You, Alisa

Clerk Allen - The next e-mail I received this evening at 4:17 p.m. from the Goodman's 20201 Glen Russ Lane. Good Evening Council, Truly, we are in no way experts on these 2 items, but we have concerns that hopefully will be explained during the legislation discussion. First, Item #9 - We acknowledge that escrow could be a hindrance to young potential buyers; but in order to make sure that people who buy homes in Euclid, can afford them, we wonder if this is a wise move. Under current legislation does escrow apply to both the buyer and/or the seller? Item #10 - The elimination of contractor bonds - Could the removal of the bond requirement for contractors be an inducement for deceptive and or dishonest contractors flooding our City? We may want to revisit the amount of the bond required; but we are not sure that eliminating bond will work for the benefit of the citizens. What other requirements would the City impose to somewhat guarantee work paid for is work received? Thank you.

Clerk Allen - The next comes from, I'm sorry arrived at 5:00 p.m. this evening from Mr. Milner, Lew Milner at 19711 Edgecliff Drive in Euclid. Item # 9, removing escrow requirements. It is noted in the legislation that the escrow requirement is an inhibitory factor in promoting the sale of properties in Euclid. I expect the issue is the buying having enough funds to be placed in escrow in order to complete the sale. But, even with the escrow requirement removed, the buyer is still responsible for correcting all the class A and class B deficiencies within 90 days from the date of the sale. If the buyer's funds are not available for the escrow account at the point of sale, is it likely instead that such funds would be available to pay for all the upgrades required during the 90 days after the sale? The original legislation notes, still notes that if the repairs are not completed within the 90 days, the buyer may be subject to prosecution and penalties as noted in Section 1709.99 of City of Euclid Ordinances. What are the details of this "prosecution" and what are the "penalties"? If the penalties are financial, is this not going to put the buyer in a worse position to afford the corrections needed? Seems like this could lead to a never ending downward cycle. The legislation indicates the buyer MAY be subject to prosecution and penalties.

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Who and how will it be decided if the matter goes to prosecution and penalties? Is there enough staffing to do all the follow-up required at the 90 day period and to possible move to prosecution and penalties? Obviously there will be more prosecutions and penalties processed. Might this have a greater negative affect than requiring the original escrow? What safeguards are in place to make sure we don't have homes sold with deficiencies that end up never getting corrected? Thank you.

Clerk Allen - Council President I have one more, it arrived today at 5:50 p.m. from Ms. Pearletha Taylor at 195, 1495 East 193rd Street, Euclid, Ohio. Why so many parcels at once? I believe she's referring to item number 1, yes, ordinance 060-20. The Sale of properties to developers. Again, why so many parcels at once? Why only on the north side? Will they all sold or rented? Do you build AFTER you get an offer? Will you use minority black owned companies and lastly I went on the County Court website and 18 cases against this Company, what were they for? Also why Euclid land bank do not have any parcels on the SOUTH Side for sale? I have asked about buying the property next door to me for over 6 years, and nothing has happened.

Clerk Allen - Council President that's all I've received today.

President Mancuso - Thank you. So that concludes our legislative committee of the Whole before we actually get into our legislative agenda, I'd like to make a statement. As we begin the legislative agenda tonight I want to clarify some process's we as council are going to use during our discussions based on our codified ordinances and Robert's Rules of Order. Following the last Council meeting I was asked by several councilmembers to refresh with them the process we should be using routinely during a meeting. While I have not had to expressly define these processes in the past I do believe the public should be aware of how we are going to process legislation. No member of council or administration is permitted to speak longer than 5 minutes on any legislation, each council person may speak twice only on the same item within the 5 minute timeframe but only after any other member who wishes to speak has done so, so for example you may hear tonight that Councilwoman Brown has two minutes left, as she speaks for the second time. The councilmember will then be made aware when they have used their time allotted. I hope this will help those watching to better understand our process's as we will be following them closely as we move forward. And with that, I would ask the Council Clerk to read our first agenda item please.

Council Clerk - Thank you.

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LEGISLATION

1. **Ordinance 54-2020 (060-20) Sale of 644-18-024, 025, 026, 275 E. 246th Street; 644-018-018, 303 East 246th Street; 645-27-042, 6471 Mallard Avenue; 645-17-019, 392 East 266th Street; 648-18-032, 360 East 266th Street; 644-19-052, 276 East 248th Street**

An emergency ordinance authorizing the sale of the following Permanent Parcel Numbers listed below from the Euclid Land Bank, to applicant MAGAAS, LLC, for the amount of One Dollar (\$1.00) per parcel as authorized by Ordinance Nos. 98-2010 and 101-2011: 644-18-024, 025, 026, 275 E. 246th Street; 644-018-018, 303 East 246th Street; 645-27-042, 6471 Mallard Avenue; 645-17-019, 392 East 266th Street; 648-18-032, 360 East 266th Street; 644-19-052, 276 East 248th Street.

President Mancuso – Thank you. I'll entertain a motion for passage to begin discussion. So moved by Councilwoman Cavines; seconded by Councilman Jarosz.

All in favor

Yeas: Unanimous

Those opposed: Seeing none.

We will go to Director Holody to begin discussions.....

Director Holody – Thank you Madame President, this ordinance will authorize the sale of 9 parcels from our land bank for \$1.00 per lot, for the construction of 7 new detached single family homes within one year of transfer of the property. This sale was review and recommended for approval by the Planning and Zoning Commission at its meeting on June 9th as councils aware the construction of new infill housing is one of the main goals of the recently adopted Euclid Master Plan so this proposals very much in line with that plan. The developer MAGAAS, LLC is owned and represented by Mr. DeNunzio, I believe he's going to be, or I believe he's on the call with us this evening, Mr. DeNunzio was part of the development team that recently completed the construction of two new houses in Ward 4, those houses turned out very nice and so it's exciting to be Mr. DeNunzio pursuing the acquisition of more parcels from our land bank for the construction of more new houses. I just to answer briefly a few of the questions that resident raised at the beginning of the meeting, these houses are all being built for, for sale, owner occupancy so that's the model that Mr. DeNunzio and his team will be following, we do have land banks, land bank lots available throughout the entire city in all Wards, those are promoted on our City website in this case Mr. DeNunzio has selected the parcels located in Ward 6 and 7 and I think what's exciting about this is these are within walking distance of our Waterfront Improvement project so I think there's some really great synergy in terms of what we're doing and what Mr. DeNunzio and his team are proposing, we are recommending approval of this item this evening particularly recognizing that the development teams still have to go through our architectural review process and obtain their permits through the building department, so there is still a number of steps that have to happen and but we would certainly recommend approval of this piece tonight so they can proceed with more investment and new construction in our community. I'll be happy to answer any questions you may have.

President Mancuso – Thank you sir. And would we like to suspend the rules to bring Mr. DeNunzio in front of us for questioning to answer any questions, so moved by Councilwoman Caviness; do I have a second? Second by Councilman Jarosz.

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All in favor.

Yeas: Unanimous

Opposed: Councilman Epps

One nay

Before we actually get started with questions Mr. DeNunzio. Director Holody, would you please reach out to Ms. Taylor and confirm with her about the lot she was talking to about that is next to her.

Director Holody – Yes

President Mancuso – so that she gets some resolution to that one way or the other? Thank you.

I will now turn it over to my council colleagues for questions or discussion. Councilwoman Caviness.....

Councilwoman Caviness – Thank you Madame Chair. Mr. DeNunzio, I'm sorry I hope I can see him on here, but if he can hear me that's fine. I know that Mrs. Taylor asked a question and one was would he be using black sub-contractors to assist in the building of these homes?

President Mancuso – Mr. DeNunzio.....

Mr. DeNunzio – Yes, we do employ some black employees.

Councilwoman Caviness – Okay for every home that you're building or.....

Mr. DeNunzio – always.

Councilwoman Caviness – Do you make all the homes that you build you, you will include black sub-contractors or employees?

President Mancuso – Mr. DeNunzio.....

Mr. DeNunzio – Sub-trade, I only have one employee.

Councilwoman Caviness – Okay, alright

Mr. DeNunzio – It's my secretary, and myself but, I have many sub-trades.

Councilwoman Caviness – Okay.

Mr. DeNunzio – That I've been working with for 25 years.

Councilwoman Caviness – Okay and I know that it, it just depends on what exactly you're building for you to reach out to that person who has the expertise in that trade and that area. So I was just wondering just to make sure that you include African Americans, Black in this process. The other thing is that I did view the, the Planning and Zoning meeting where you spoke about these particular plots of land, I noticed that you said that for the, the first one the 64418024, 25 and 26 you're going to combine all three into one and then split it in two will that be equally split and/or how would you, how will you do that?

Mr. DeNunzio – Well I'll probably equal split, we want to see where our tie-in are and such like that to, depending on where your water tie-ins, or sewer tie-ins and such so it, it, you know one lot could be a few feet bigger than the other but in the grand scheme of things it would be better if they were even but you also, we also gotta figure out where we're going to pick up our sewer and water lines.

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Councilwoman Caviness – Okay and I did pass by the house on Pasnow today and it really looks nice, I can understand what Councilman Wojtila said in the meeting, P & Z meeting about just beautifying the garage a little bit more so that it stands out a little bit more, but when you are building these homes, I wasn't very clear on this, do you build and then you build to suite after you get a, a shell of a home and then you get a buyer or how, what is the process in this that you use.

Mr. DeNunzio – Well we had, you know we tread, we tread lightly because we wanted to see you know what we were going to get in Euclid but we did build a show house and we got some great report hence the reason why we're very excited about moving forward with some other units and yes, obviously when we do walk in with people and they say oh, you know I want a little island over here and I want a deck off the back and I want of course, we accommodate them with what they ask for you know, for the most part as long as we can do it you know, so a, but yeah we, we do kind of customize the house after but it starts with one, you know house, yeah so

Councilwoman Caviness – Okay and one last thing Madame Chair, to Mr. DeNunzio what is the asking price for the majority of the homes that you're looking to sell?

Mr. DeNunzio - \$209,000 – 204,000, you know \$204,000 – 209,000

Councilwoman Caviness – Okay, thank you Madame Chair, thank you Mr. DeNunzio.

President Mancuso – Thank you.

Mr. DeNunzio – Thank you.

President Mancuso – Other discussion? Councilman Wojtila.....

Councilman Wojtila – Thank you Madame Chair. It's exciting that we'll have 7 new homes built in Euclid, if, if this were to pass. I think it's important to recognize that of the 7 lot, or of the 10 lots, there will be 7 homes built and 4 of those maybe 5 will be built on properties that exceed 10,000 square feet which means the minimum house size will be 1,500 square feet and then the other 3 homes will have to meet the 1,250 square foot minimum. I think that Ms. Taylor had a question, is there a limit on the number of homes that a purchaser can acquire. Director Holody.....

President Mancuso – Director Holody.....

Director Holody - There is not, the main condition is that the buyer start construction on a home within 1 year, of taking possession of the lot, so you know certainly we want to take a look at applications and try to see if a developer is, is getting overextended but you know in this case, this developer has proved that they're serious about building in Euclid so this is a reasonable request but there, there is no limit currently in place other than you know what we would determine you know on a case-by-case basis.

Councilman Wojtila – Thank you. Again I'm encouraged about 7 new homes being built I know previously we looked at updating our land bank policies Councilman Jarosz's is that something that your committee is going to be revisiting?

President Mancuso – Councilman Jarosz.....

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Councilman Jarosz – Yes, Madame Chair that’s absolutely one of the litany of things we’ll be discussing in committee within the coming months.

Councilman Wojtila – Thank you I have nothing else.

President Mancuso – Thank you any other discussion? Councilman Jarosz.....

Councilman Jarosz – Thank you Madame Chair, I would just like to add a couple comments that the city for quite a long time was unable to really do anything with our land bank properties, you know the housing crash in 2008 really kind of left things in disrepair and a lot of folks frankly weren’t looking to Euclid to buy new homes let alone build new. We tried to break that cycle a few years back by starting a few, with a few lots in Ward 4 and Mr. DeNunzio and his partners I think have done a very excellent job with the lots they had. Euclid has the pleasure of tour the one on Pasnow, and I think this is sort of exactly the type of an investment we need, that is encouraging and I just look forward to more people wanting to buy new homes and moving in to Euclid and, and it’s good to see that there is demand out there, so I look forward to, to more, to more of this happening. Thank you.

President Mancuso – Thank you, any other discussion? Councilman Epps.....

Councilman Epps – Thank you Madame Chair. I have a couple of questions, Mr. DeNunzio, if you could tell me is it two or three properties that you’ve already done, did new construction on here in Euclid already?

Mr. DeNunzio – Two sir.

President Mancuso – Mr. DeNunzio.....

Mr. DeNunzio – Two sir. Two councilman. Yeah.

Councilman Epps – Okay, and no, and of those two properties have both of them been sold?

President Mancuso – Mr. DeNunzio.....

Mr. DeNunzio –Yes, councilman.

Councilman Epps – Both of them have been sold, they’re owner occupied folks.

Mr. DeNunzio – Yes sir.

Councilman Epps – Okay, thank you and then that is awesome and very exciting I want to echo my colleague’s comments about how exciting it is to have this number of new construction, properties within the City of Euclid that is very encouraging, I’m excited and I think the price point for properties that are with that type of access to the lake is very exciting and encouraging as well. I, if there is, maybe this is a question for Director Holody are you, are we, is there a limit to the amount of money that we can charge for these land bank properties, is that something that we, not with it the dollar number per parcel number come from?

President Mancuso – Director Holody.....

Director Holody – Thank you, there is a set of price, there’s a pricing policy that council, our previous council adopted and so when we’re speaking with buyers we refer to them the pricing policy and that pricing policy for lots that are being purchased for new construction establish a purchase price of \$1.00 so this is consistent with that pricing policy.

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Councilman Epps – Okay, is that something else that we can as a council look at again, and then if you could also for the sake I had a question that came in from a resident about the, where does this \$1.00 go, like where does it, the money goes to the land bank is it Euclid that managing who gets this money for these parcels?

President Mancuso – Director Holody.....

Director Holody –Yes, the \$1.00 does come to the City of Euclid and I believe since we eliminated the endowment fund, I believe the funding just goes into the general fund.

Councilman Epps – Okay and Mr. DeNunzio, with that information would you if these parcels where a \$1,000 would you still be interested in them?

President Mancuso – Mr. DeNunzio.....

Mr. DeNunzio – Am I up now?

President Mancuso – Go ahead.

Mr. DeNunzio – So, possibly yes, I gotta be honest with you, yeah, you can't really go to much more because the cost of building is really expensive now so and, and we also have issues with sewer ties, and some other things where we're actually boring on the road but I'd be honest with you, yeah we'd be interested at \$1,000, way to put me on the spot councilman. Thank you.

Councilman Epps – No thank you, to be honest with you Mr. DeNunzio, thank you for being frank and being honest about that.

Mr. DeNunzio – Yeah

Councilman Epps – When we hear the price point of \$204,000 and \$209,000 I'd imagine as a business guy myself \$1,000 you'd still be open so Madame Chair if you could tell me what it is we have to do to make a motion to change this to make these parcels a \$1,000 from the developer that he has no problem paying that price, so we can get \$10,000 as opposed to \$10.00 do I need to make a motion?

President Mancuso – We would have to change our own policies councilman, and that would be a discussion I believe with Director Holody and our Law Director Ms. Sweeney I think Mr. DeNunzio has agreed to purchase these at the price that is set right now so we would have to change our own policies first.

Councilman Epps – So can I make a motion then that we hold off on this legislation until the next meeting so we can do what we need to do considering once again we have a developer here who's saying that he'd pay \$10,000 as opposed to \$10.00, I think it would be irresponsible on all of our parts to move forward with the legislation right now knowing that, and I once again thank you to Mr. DeNunzio for being honest and saying that you would be interested in them in that price, I think in these times with all the talks of fiscal concerns we have this is something that we definitely need to do, Director Holody, if or Madame Chair can you I don't know how you want to do that, but I'd like to make a motion to push this off or make this a first reading so that we can fix what we need to fix so that we can get \$10,000 instead of \$10.00.

President Mancuso – You can make that motion sir, we need a second to make this just the first reading. Seeing none. Motion fails.

Councilman Epps – Stranger

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President Mancuso – Any other discussion for Mr. DeNunzio? Thank you sir for joining us. Look forward to working with you. Is there any other discussion, Councilman Jarosz.....

Councilman Jarosz – I would just like to make a motion to close debate.

President Mancuso – Thank you sir, do we have a second? Seconded by Councilwoman McIntosh.

All in favor.

Yeas: Unanimous

Opposed: Councilman Epps (nay)

President Mancuso – Two against 6 – 4 so debate is closed. I will now entertain a motion to suspend the rules to forgo the second and third reading, so moved by Councilman Jarosz, seconded by Councilman Moore.

All in favor

Yeas: Unanimous

Those opposed: Councilman Epps (nay)

President Mancuso – One opposed, motion carries.

Madame Clerk would you please call the roles on the merits of the ordinance.

Clerk Allen – Roll call – Yes: Moore, Jarosz, McIntosh, Wojtila, Jukic, Caviness, Mancuso

No: Epps

Resolution, or I'm sorry Ordinance Passes.

Thank you. Madame Clerk would you please read the second agenda item into the record.

2. **Ordinance 55-2020 (042a-20) Amending Panhandling, Chapter 545**

An ordinance amending Section 545.19 “Panhandling” of Chapter 545 Peace Disturbances, of the General Offenses Code of the Codified Ordinances of the City of Euclid, to eliminate potential constitutional violations in the code but create sections that provide for the health and safety of the community

President Mancuso – Thank you. I'll entertain a motion for passage to begin discussion. So moved by Councilman Jarosz; seconded by Councilman Wojtila.

All in favor

Yeas: Unanimous

Any opposed: Seeing none

President Mancuso - Councilman Epps this is your legislation, would you like to speak to it first?

Councilman Epps – Thank you Madame Chair, I actually just if we could open the floor to my colleagues, the reason why I tried to have this pushed off was to give folks an opportunity to do further research and come up with any alternatives that you think we need to have to move forward with this I think we've been working on it for quite some time so if my colleagues have any

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changes I welcome them, in the absence of our Law Director, who has directed us to speak and deal with this obviously with Assistant Law Director Rubadue but I'm prepared on my end, I didn't hear anything from anyone else to support and move forward with this tonight, finally but again the purpose was to get my colleagues an opportunity to chime in if there was any, anyone who was uncomfortable with the language in the ordinance. Thank you.

President Mancuso – Thank you. Discussion by council? Seeing none. I'll entertain a motion, who, who, who, who, who, who are you pointing at? Somebody to raise their hand?

Councilwoman Caviness – That's okay.

President Mancuso – Who was that you Councilwoman, I can't yeah I can't see you at all, I'm sorry, I'm sorry, go ahead.

Councilwoman Caviness – Okay thank you Madame Chair. I just wanted to say that I did review, I was one of the persons who initially was a part of this, one of the four, and Councilman Epps went ahead and moved forward with a lot of energy to get it all together, I agree with everything is hear and that we should, I am in favor of voting for it tonight, I think that we need something in place to deal with the panhandling, the one issue that I had was distribution and now that it's solicitation it, it just makes it, makes better sense to use that term than distribution. And I am in favor of this particular ordinance. Thank you.

President Mancuso – Thank you. Assistant Director Rubadue, do you have anything else to add? I know we're working with our amended piece from last time which everybody's had a chance to look at.

Assistant Director Rubadue – Yes, thank you Madame Chair. I really don't have anything additional to add, other than the fact that this is the second reading amended piece and as a Councilwoman Caviness did indicate that the wording has changed in several parts, the word solicitation was added instead of the word distribution, we added the section blocking pedestrian in vehicular traffic, added the section about soliciting on private property without permission of the owner and then we also added a provision that prevents aggressive solicitation. We think that this is going to meet the constitutional mandates as well as the needs of the City of Euclid, oh, in addition we did extend the amount of distance from the ATM to allow some ATM privacy and that has been extended to 20 feet, so we hope that this amended piece is satisfactory to the council and I'm happy to answer any questions that anybody may have. Thank you.

President Mancuso – Thank you. Any other discussion by council members? Seeing none. I'll entertain a motion to close debate. So moved by Councilwoman McIntosh, seconded by Councilman Moore.

All in favor

Yeas: Unanimous

Any opposed: Seeing none, I'll entertain a motion to suspend the rules to forgo the third reading. Do I have a motion, so moved by Councilwoman Caviness; seconded by Councilwoman Jukic.

All in favor

Yeas: Unanimous

Any opposed: Seeing none.

Madame Clerk please call the roll on the merits of the ordinance.

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Clerk Allen – Roll call – Yes: Epps, Jarosz, McIntosh, Wojtila,
Councilwoman Jukic?

President Mancuso – Unmute Councilwoman

Clerk Allen – Roll call – Yes: Jukic, Caviness, Moore, Mancuso

Ordinance Passes.

Thank you, would you please read the third agenda item into the record.

3. **Ordinance (056-20) July and August proposed Special Council meetings**

A resolution to hold special council meetings in July and August 2020 with specific dates to be determined in order to continue to conduct the business of the Euclid City Council during the Covid-19 pandemic

President Mancuso – Thank you. I'll entertain a motion for passage to begin discussion. So moved by Councilman Epps; seconded by Councilman Wojtila.

All in favor

Yeas: Unanimous

Opposed: Seeing none

President Mancuso – Councilman Epps would you like to begin?

Councilman Epps – Thank you Madame Chair. I think we hashed out all the details of this at the last meeting, once again this was pushed off to give Council and opportunity to look into it further themselves if my colleagues are comfortable in the middle of a Pandemic and you know, not having this on the books to allow us to have these special meetings, knowing that this is temporary this has nothing to do with next year, this is all for this year which we've been doing with a lot of other legislation, if you're comfortable with that obviously as one vote I have no control over that, but I want to make sure that the folks at home understand that we, I understand the importance of this and that's the reason why this legislation was sponsored I am available for you at all times, 24/7 as many of you already know, and whether it's a city council meeting or not I will be working for you, I think that with as my final plea to my colleagues that with knowing that when we come back from the summer recess all the time there's a ton of legislation at those first one or two meetings because we're in a Pandemic, because we don't know where we're going to be financially in 30 days from now, exactly 30 days now, from now actually, I just think that this is an important precautionary measure and making sure that the people's business is taken care of in the middle of this Pandemic so, whatever you guys decide we as residents will do what we always do and just take it, but this is something important and I hope you all feel the same. Thank you.

President Mancuso – Thank you sir. Discussion? Councilman Wojtila.....

Councilman Wojtila - Thank you Madame Chair. I, I will vote no on this, I'm comfortable that if we need Special Meetings that Special Meetings will be held that's happened in the past right now these are it's unclear when the meetings would be so I really don't know that it helps us and I know that we're going to be having budget meetings on the precursor like we did last month, so every meeting we have in July and August we will also have the budget meeting like we did last month, so I'm comfortable with that for that reason I'll be voting no.

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President Mancuso – Thank you sir. Any other discussion? Councilwoman Caviness.....

Councilwoman Caviness - Thank you Madame Chair. I gave this more consideration and as you know I definitely don't have any objections to meeting at any time and I know in previous years, we've met whenever any thing called for us to meet, but when looking at it I thought about it and I said we're meeting the third Monday of each month in July and August, the third would be the 20th of July and 17th in August, if we decided to meet, we the city the one reason why we decided that we would even have summer meetings was because the city never shuts down, the city continues to roll on and business continues to move on, and if we had more established dates to meet then we also have more of a situation to approve and craft legislation if need be and I would not be opposed to having a meeting on the first Monday of July which would be July 6th if we want to add that, and the first Monday in August as August the 3rd. That would not have any objections to that and I don't because we also will be meeting I, I assume by Zoom so wherever we would be we can meet, so I would not have any objections to that at this time. Thank you.

President Mancuso – Thank you ma'am. Other discussion? Councilwoman McIntosh.....

Councilwoman McIntosh – Thank you Madame Chair. To Mayor Gail, with the Pandemic do you still hold like Executive Powers because of the Public Health Crisis? Wasn't there something declared in, in back in March that gave you the authority to make decisions kind of outside the regular routine and, and process? Can you just refresh my memory at least for that and perhaps others?

President Mancuso – Mayor Gail.....

Mayor Holzheimer Gail – Thank you Madame Chair and to Councilwoman McIntosh, yes earlier in March I did declare an emergency that lasted for 30 days, it was renewed once and I have, we have not really had to use it so I did not extend it, that primarily because you know, we've been able to function with the meetings that we have in place, we also have the opportunity to call a special meeting anytime we need it, so I don't believe we need to schedule one when we have the ability to have one should we need one and should the opportunity come up. A special meeting is called because you have a purpose, it's kind of contrary to call a special meeting without knowing we have an action item to speak to.

Councilwoman McIntosh – Thank you for that response, I didn't realize that it had lapsed or had even been renewed but thank you for clarifying that. I certainly understand the intention behind this and I, I agree with Councilman Wojtila at this point that without knowing what we'll be discussing I'm not sure I can support this at this time, however any three, any three members of council can call a meeting so I am, I am confident that if business arises that all of us will rise up and be able to handle that by calling that special meeting, the administration has also proven that they've, they will do that as well in years past so again I appreciate the intent behind it, but at this time I will not be supporting it.

President Mancuso – Thank you. Other discussion? One moment Councilman. Is there anybody else who has a comment on this before we go back to Councilman Epps? Because this will be his second time speaking. Seeing none. Go ahead Councilman.....

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Councilman Epps – Thank you, I just want to, two things, one I believe that one of the original reasons why we didn't have the dates scheduled into the legislation and my conversations and talks with Law Director Sweeney on August the 3rd I believe all of city council excluding Councilwoman Jukic as well as myself have some trial or something like that on August 3rd, but I also understand that those trials are not being conducted right now and that is probably not going to take place and so for that reason I would not be opposed to what Councilwoman Caviness was suggesting was actually going through and putting those two dates on, I also want to point out because it keeps being loosely mentioned that three city council members could at any point call a Special Council meeting, in fact we've already had a scenario when three city council members attempted to call a Special Council meeting and it didn't happen. And so I just want to point that out, is that though that is the law that is on the books it doesn't mean that it will be honored and that actually will take place, so I just want to make sure that the public understands that though that is on the books in, if this legislation does not pass tonight, and it does not look like it will, that we will move forward as three councilmember to call these meetings anyway, and when you don't see them happen know that it's not because we didn't try, but because it's not being honored. Thank you.

President Mancuso – Thank you. We have a motion to close debate, so moved by Councilman Jarosz; seconded by Councilman Moore.

All in favor
Yeas: Unanimous
Those opposed: Seeing none.

Madame Clerk please call the roll on the resolution.

Clerk Allen – Roll call –
Yes: Caviness, Epps
No: Jarosz, McIntosh, Wojtila, Jukic, Moore, Mancuso

Resolution Fails.

President Mancuso – Thank you, Madame Clerk, would you please read the fourth agenda item into the record.

4. Ordinance 56-2020 (061a-20) Amending Section 121.06 Introduction of Legislation

An ordinance amending Section 121.06 "Introduction of Legislation" of Chapter 121 "Council" of the Administration Code of the Codified Ordinances of the City of Euclid to provide for additional time for the law department to prepare legislation in order for Euclid City Council to receive the Agenda with sufficient time to review before the Council meeting

President Mancuso – Thank you. I'll entertain a motion for passage to begin discussion. So moved by Councilman Epps; seconded by Councilman Jarosz.

All in favor
Yeas: Unanimous
Any opposed: seeing none.

I'll go to our Assistant Law Director Laura Rubadue to begin.....

Asst. Director Rubadue – Yes, thank you Madame Chair. The Law Department makes every effort to get legislation done in a very timely fashion and get council

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the agenda by Wednesday to give them more time to review all the matters. As such the Law Departments requesting that the deadline for legislation submission be moved from Tuesday to Monday to ensure that a Wednesday agenda, can, they, distribution can take place on Wednesday as it's currently done. I have nothing further.

President Mancuso – Thank you, Councilman Epps.....

Councilman Epps – Thank you Madame Chair. I just, a little background about how this came about on the agenda. The, our laws here in the City of Euclid say that the, any legislation put forth by a councilmember that the want to have on the agenda I would image that it also speaks to the administration pretty much any legislation that they have as well, but anything for the agenda needs to be submitted by noon on Tuesday. The practice of this administration has been to require council to submit that stuff by Monday which is against our city code and against our law and we are now, it was brought up by the Law Director why not mention that that we need to be able to be following the law and we should be giving councilmembers until Tuesday at noon that maybe we should change the law and that's my suggestion as well that's why you see my name on here as a co-sponsor, I don't have a problem with it being Monday if that is what it is, but I do have a problem with the law saying that it's Tuesday and the is administration given us Monday as a requirement so, I am happy to support this legislation tonight so that the administration can have the time that they say they need and the Law Department has the time that they need in order to craft legislation or prepare legislation for the agenda for city council and that's the reason why this again the background behind this is the reason why you see me as a sponsor because I do support this, I don't have a problem with a Monday, I don't have a problem with Sunday if that's what the deadline is. I just want to make sure that we keep within the law, so, thank you.

President Mancuso – Thank you. Other discussion? I would like to add a, make a motion to add an amendment if I could. When we are in the first section that ends in, it's the second sentence, it says by noon on Monday before a regular meeting. Much as we do with our regular council meetings, I took the language from 121.01 time of meeting, I think it would better clarify as this is, this is a housekeeping type legislation to further clarify if we would put after that, in the event the Monday deadline is scheduled on a Legal holiday as defined by the Ohio Revised Code or by any other ordinance enacted by Council the legislation submittal deadline will be the next succeeding day at noon. Does that make sense? So I will make that motion. Is there a second the amendment? So moved by Councilwoman Caviness. Any further discussion on the amendment? Councilman Epps.....

Councilman Epps – Thank you Madame Chair, just for a matter of clarity, this is Monday at noon or we changing it from Tuesday to Monday at noon?

President Mancuso – Yes, there was it will be just the way it is in the legislation but I would add this sentence that deals with the holiday.

Councilman Epps – And, I appreciate that, that was not something that obviously I thought of, so I appreciate that Council President, I also would like to if possible if council does not have a problem with it making sure that we still want to give the administration the time but being that we're talking about Monday if we could change that to the end of business, I don't know if Law Director, Assistant Law Director Rubadue you would not be opposed to that if we could make it by 5:00 on Monday. It still moves things us for you to the point that you have everything you need by the time you come in on Tuesday morning as opposed to

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thinking things still might be looming but then it doesn't take all the time away from city council either. Is that something you'd be open to?

President Mancuso – Law Director, Assistant Law Director Rubadue.....

Assistant Director Rubadue – Yes, if the, if council would like to make it 5:00 p.m. on, on Monday then the Law Department would not, would have no objection to that.

Councilman Epps – Thank you and Council President I think to your point and then making sure that we're still not gonna push this back further for the Law Department can we still make it, if it falls on a Monday the deadline is still noon on Tuesday?

President Mancuso – So we have two different amendments here, lets deal with the first one, first, the first one would be adding the sentence that takes it, if there is a holiday taking it to noon on the following on the Tuesday, the exceeding day. So that motion is on the floor. Do I have a second on that, okay, we've had second by Councilman Jarosz. We had discussion, Madame Clerk please call the roll on the first amendment.

Clerk Allen – Roll call –

Yes: McIntosh, Wojtila Jukic, Caviness, Moore, Epps, Jarosz, Mancuso

President Mancuso – Thank you. And then our second amendment would be in the second session, in the second sentence excuse me, no legislation would be on the agenda of a regular meeting unless this preparation is requested by end of business day on the, on the Monday before a regular meeting. I'll make that motion, do you want to second that? Yes.....

Assistant Law Director Rubadue – Excuse me Council President, if there is no objection I think for clarity purpose a time be placed on that, if nobody has an objection because like people end their business days at various times.

President Mancuso – Sure, what time would you like?

Assistant Law Director Rubadue – I would recommend 5:00 p.m. if that's acceptable to.....

Councilman Epps – I would, I would even just if you don't mind Madame Chair for the sake of argument even make it 4:00 p.m. then that way you know you have it before you leave on Monday.

President Mancuso – Alright so we have a motion and a second on the floor to make it by 4:00 p.m. on the Monday before. Discussion about the amendment. Seeing none, Madame Clerk would you call the roll on the amendment.

Clerk Allen – Roll call –

Yes: Wojtila Jukic, Caviness, Moore, Epps, Jarosz, McIntosh, Mancuso

President Mancuso – So both amendments have passed. Is there any further discussion on the ordinance? Seeing none, I'll entertain a motion to close debate. So moved by Councilman Wojtila; seconded by Councilman Moore.

All in favor
Yeas: Unanimous

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Any opposed: Seeing none. I'll entertain a motion to suspend the rules to forgo the second and third reading. So moved by Councilwoman Caviness; seconded by Councilwoman McIntosh.

All in favor

Yeas: Unanimous

Any opposed: Councilman Epps

President Mancuso – One opposed, Madame Clerk please call the roll on the merits of the ordinance.

Clerk Allen – Roll call –

Yes: Jukic, Caviness, Moore, Epps, Jarosz, McIntosh, Wojtila, Mancuso

Ordinance Passes as amended.

Thank you, Madame Clerk would you please read the fifth agenda item into the record.

5. **Ordinance 57-2020 (058-20) Condemning Norfolk Southern Corp.**

A resolution condemning Norfolk Southern Corporation for rerouting daily trains carrying highly toxic flammable crude oil and ethanol through the City of Cleveland, without public notice; strongly urging Norfolk Southern Corporation to immediately cease this rerouting; urging Norfolk Southern Corporation to withdraw its request to the Federal Railroad Administration to reduce the rail and traffic handling capacity of the only reliever route between Chicago and Pittsburgh, thus causing more traffic through Cleveland; and further urging that all hazardous materials shipments not originating or terminating in the City of Cleveland be moved to less populous routes.

President Mancuso – Thank you. I'll entertain a motion for passage to begin discussion. So moved by Councilwoman Caviness; seconded by Councilwoman Jukic.

All in favor

Yeas: Unanimous

Any opposed: Seeing none

Who would like to speak to this first, Councilwoman Caviness.....

Councilwoman Caviness – Yes Ma'am thank you Madame Chair. I have really actually mimicked what the City of Cleveland has produced in terms of a resolution, I heard about this resolution a few weeks ago that they introduced to their city council and thought about the dangers and the necessity of Cleveland here but it really actually includes Greater Cleveland, the dangers of moving highly toxic crude oil and ethanol throughout our city and one is, is that and I'll back up for a moment. Norfolk Southern actually had another route where they encompassed probably about 9 counties in all, where they routed the, and they were not heavily populated areas and they re-routed these trains into a more populated area 12 counties included, one Cuyahoga County, to, to carry these toxic's, toxic materials through this populated area and as the trains travel through the area, through Greater Cleveland and then Greater Cleveland encompasses all of the surrounding sister suburbs of Cleveland we have to understand that the rail road trains travel over several of the rivers that feed into

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our Lake Erie and into the mouth of Lake Erie. The water, the trains also travel over Cuyahoga River and as we know if you've been down there we know that there's a lift bridge that they have to travel over which is quite dangerous at times I mean it could be a cause for a trail derailment in that case but also as the they move through Cuyahoga River, through the Lake Erie area they are traveling also through one of the most populated areas when it comes to even our water supply. If there should be a derailment at any point in time there, it can pollute our water supply and that's a supply through the Greater Cleveland area. So another concern that I had that I read about was the fact that trains travel on tracks adjacent to the, the what do you call the, the RTA, and they travel without a barrier if there's any type of derailment at all it can run right into our Rapid Transit System as well that is heavily used. So I thought about it and I said this is something that we really need to support our sister city in so that we can actually benefit from the fact that they're asking to reroute these trains back to where they were not, keep them where they are now in our area and help to, to make a healthier Cleveland and a healthier Greater Cleveland. Thank you.

President Mancuso – Thank you, other discussion Councilwoman McIntosh.....

Councilwoman McIntosh – Thank you Madame Chair and thank you so much to Councilwoman Caviness for bringing this to our attention and for, for getting this resolution drafted with the Law Department and asking for my co-sponsorship as the Sustainability Chair, just a few little tid-bits about train derailments, so most of the train cars are while some may have extra protective features such as thicker shells, extra protective shields, top fittings these are not regulated by the Federal Government and they did not prevent a spill in 2014 in Lynchburg, Virginia 13 to 14 cars derailed draining oil into the James River. Within that city a 20 block area was evacuated that city has approximately 77,000 people and flames reportedly reached to the 19th story of an office building that had to be evacuated. As Councilwoman Caviness had stated in as the resolution shows these trains carry they cross over several rivers that enter Lake Erie so our water supply is threatened also that human error and tracks defects cause more than 2/3 of all train accidents including those not involved involving hazardous materials and that's according to the Federal Railroad Administration. And lastly Ohio ranks 3rd in serious hazardous material spills during transport according to the U.S. Department of Transportation Pipeline and Hazardous Material Safety Administration, Texas leads at 600, California at 364 and Ohio at 256 so you know we often I don't know don't think about the trains as their passing by unless your maybe living next to one, but these can cause some serious damage to our communities should, should one of those issues arise. So thanks again, hoping for everyone's support on this.

President Mancuso – Councilman Epps.....

Councilman Epps – Thank you Madame Chair. Thank you to Councilwoman Caviness for bringing this to our attention for sure, and especially to you Councilwoman McIntosh for those statistics. I think they sum this up and make this all something that should be very easy for us to support. So I think you guys for that, look forward to supporting tonight.

President Mancuso – Thank you. Seeing none, I'll entertain a motion to close debate. So moved by Councilman Jarosz; seconded by Councilman Moore.

All in favor

Yeas: Unanimous

Any opposed: Seeing none, Madame Clerk would you please call the role on the resolution.

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Clerk Allen – Roll call – Yes: Caviness, Moore, Epps, Jarosz, McIntosh, Wojtila, Jukic, and Mancuso

Resolution passes

President Mancuso – Thank you, Madame Clerk would you please read the sixth agenda item into the record.

6. Ordinance 58-2020 (062-20) Racism a public health crisis

A resolution declaring racism a public health crisis

President Mancuso – Thank you. I'll entertain a motion for passage to begin discussion. So moved by Councilman Moore; seconded by Councilman Jarosz.

All in favor

Yeas: Unanimous

Any opposed: Seeing none

Councilwoman Caviness would you like to begin.....

Councilwoman Caviness – Thank you Madame Chair I really would I'm going to read what I have written on my fact sheet because it's hard to figure out where I should begin with this. You know as African Americans as Blacks we have encountered racism for over 400 years in this country and even when I read and no offence to you Mayor Gail, but when you read the little card from State Representative Smith, what stood out most that I think we need to consider is that when you said American Ideals because we have never fit into that American Ideal, and that's the thing that I think that causes a major issue with us as Blacks in America and you, we can say American Ideals all day but what are they and how do we fit in, but I'll read this for a moment. Racism has been declared a Public Health Crisis. It is not only, it not only has fueled police violence but has also contributed to the adverse socioeconomic conditions that contribute to certain health issues within the Black communities. While we cannot find a resolution for this epidemic in the country, however, we can take steps necessary to resolve this issue with our own community. The murder of Mr. George Floyd was the catalyst to recognizing the decades of discrimination that have affected African Americans in this country. It is encouraging to see our brothers and sisters of various ethnic groups come together in support. But we know that we cannot stop with just the rallies and the protests. We must not let the momentum die. More has to be done. I urge my colleagues on City Council to acknowledge and declare that Racism is a Public Health Crisis. I urge you to support this resolution in response to this crisis within our own boundaries. We cannot let the call for "Justice" fade away. We must take a closer look at how our ordinances and policies can affect this change. This resolution is just a start. Thank you Madame Chair.

President Mancuso – Thank you, I would like if there are councilmembers who would like to join me in being a sponsor.

Councilwoman Caviness – Yes, please.

Councilman Jarosz – Yes

President Mancuso – So all of council will r ow sponsor this, thank you any other discussion. Councilman Moore.....

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Councilman Moore – Thank you Madame Chair. To Councilwoman Caviness, I appreciate your comments about America and the American Ideals but when I heard the statement it is very true that African Americans and other people of color were not necessarily included in the original American Ideals, so that turned itself sometimes can be very offensive to those who bore the brunt of creating America but not necessarily fully benefited from it. But I do appreciate the sentiment that, it, that it tried to portray but I would like to help craft something to that effect based on that original statement from 20 years ago, I think that's at least a good start and I also very much appreciate Councilwoman Caviness for bringing this legislation forward, this resolution forth, I think it's very needed and timely in this day. So thank you very much I appreciate it.

President Mancuso – Thank you, any other discussion? Councilman Epps.....

Councilman Epps – Thank you Madame Chair. I also want to thank Councilwoman Caviness again for bringing this legislation forth. As an African American man who grew up here in Euclid, I have endured as many African Americans around across this nation I've endured racism on every level that you can imagine. And even today, even in some compartment of our own City Council we don't always as individuals who are not of color don't understand how the implications of some of our comments, some of our actions and some of our agendas even have and how it may feel to make African Americans in particular feel especially when certain pieces of legislation come forth that are specifically directed to helping quality of life issues for African Americans in the community. So this is something that I agree that it would be nice to see and everyone added their names to it so I'm sure this will pass, I think it will send a strong message to folks here in Euclid that we agree as a city council as a whole with the nation in declaring this an emergency and racism is something that like I said is something that I've endured, I think African Americans endure everyday, throughout their lives whether it be professional or personal and I just challenge my colleagues not only in your support of this legislation tonight but to just be a little more mindful of a lot of different things that we all do that come off racial even though that may not have been your intent, so I think that right now everyone in the country is working hard to try to find that balance and where you fall on either side of that spectrum in your dealings in life, and I applaud as my colleagues have already folks for the efforts already taken but we've got to do more because they're not only issues that we deal with, with our police dealing with racism here in Euclid but a lot of our policies as well. So I challenge everyone to open their minds, open their hearts and be considerate of African Americans especially knowing now that that is the majority population, the majority demographic here within our community. So thank you.

President Mancuso – Thank you. Any other discussion? Councilwoman Jukic....

Councilwoman Jukic – I would also like to thank Councilwoman Caviness for bringing forward this legislation and I am happy and honored to co-sponsor her along with the rest of my colleagues on council and I agree that stating something in this format is very important I agree that it's a first step and I commit myself to the suggestions made by my colleagues of reviewing the way we act and speak and make policy and I am happy to _____ you and all of us in working on a truce. Thank you.

President Mancuso – Thank you. Any other discussion? Seeing none, I'll entertain a motion to close, who, I'm sorry, Councilwoman McIntosh.....

Councilwoman McIntosh – I'm sorry I was just going to interject for Mayor Gail, she had her hand raised.

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President Mancuso – Oh, I didn't see your hand raised my dear. Mayor Gail, sorry.....

Mayor Holzheimer Gail – Thank you, if Councilwoman Caviness would approve I would like to add my name along with all of Council and I, I did just want to, I don't want to belabor it but the statement that I read was from 20, from the year.....

Councilwoman Caviness – Yes

Mayor Holzheimer Gail – 2000 and so I absolutely.....

Councilwoman Caviness – Yes

Mayor Holzheimer Gail – know that the language needs to be updated, that's why I, I don't want to just resign this because I think you know we've also had the discussion here with even the term equal vs equitable, and there's lots of things that need to be changed, I think our commitment to work against racism is very clear we all want to do that you have my full commitment, all of council we, you know we will and the administration together there's lots of things we still need to address and so I look forward to doing that with all of you.

Councilwoman Caviness – Thank you Mayor.

President Mancuso – Thank you, alright we have a motion and a second to close debate.

All in favor

Yeas: Unanimous

Opposed: Seeing none

Madame Clerk please call the role on the resolution.

Clerk Allen – Roll call – Yes: Moore, Epps, Jarosz, McIntosh, Wojtila, Jukic, Caviness, Mancuso

Resolution Passes.

President Mancuso – Thank you, Madame Clerk would you please read the seventh agenda item into the record.

7. Ordinance 59-2020 (059-20) Alternative Tax Budget
Alternative Tax Budget Information

President Mancuso – Thank you. I'll entertain a motion for passage to begin discussion. So moved by Councilwoman Jukic; seconded by Councilman Moore.

All in favor

Yeas: Unanimous

Any opposed: None

Director Smith.....

Director Smith – Thank you Madame Chair to Council, so this is a piece of legislation we put on every year it's required of us by the Cuyahoga County, what this piece of legislation does it allows us to set our property tax to the County to

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set our property tax for the next year for distributions to the city, it allows us to collect our share of the local government fund and it allows the county to provide us a Certificate of Estimated Resources, which they give us around December, so this piece of legislation and this budget is based on estimates from the 2020 budget, we are not obligated to appropriate any funds within this, this document but it does allow the county to establish a way to provide us our funds. So again it's something we do every year it does have to be to the County by July 20th so I, so we need to pass this this evening. Other than that I will answer any questions you may have.

President Mancuso – Thank you. Discussion by my colleagues? Seeing none, I'll entertain a motion to close debate. So moved by Councilman Moore; seconded by Councilwoman Jukic.

All in favor
Yeas: Unanimous
Opposed: Seeing none.

I'll entertain a motion to suspend the rules to forgo the second and third reading. So moved by Councilwoman Caviness; seconded by Councilman Jarosz.

All in favor
Yeas: Unanimous
Those opposed? Councilman Epps

One nay, Madame Clerk would you please call the role on the merits of the ordinance.

Clerk Allen – Roll call – Yes: Epps, Jarosz, McIntosh, Wojtila, Jukic, Caviness, Moore, Mancuso

Ordinance Passes.

President Mancuso – Thank you, Madame Clerk would you please read the eighth agenda item into the record.

8. Ordinance 60-2020 (063a-20) Funds from State of Ohio CARES Act

A resolution affirming funds from the State of Ohio Coronavirus Aid, Relief, and Economic Security Act (CARES Act) allocated to the City of Euclid will be spent according to the applicable regulations and guidance from the Department of Treasury

President Mancuso – Thank you. I'll entertain a motion for passage to begin discussion. So moved by Councilwoman Jukic; seconded by Councilman Moore or Councilman Epps.

All in favor
Yeas: Unanimous
Those opposed: Seeing none.

Mayor Gail.....

Mayor Holzheimer Gail – Thank you Madame Chair and members of council this resolution would allow us to receive CARES money from the state that has been allocated to local governments. So when the Federal CARES Act was passed it, it sent us several billion dollars to the state, the state has authorized most

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recently through what was originally introduced as Senate Bill 310 and then was amended and approved ultimately as House Bill 481, the authorization or allocation of \$350,000,000 million dollars to Ohio Local Governments following what's roughly similar to the local government fund allocation. In order to receive those funds, council has to approve a resolution affirming that we will spend the, these funds according to Department of Treasury's guidelines, those are written in this resolution which basically means or agrees to that the expenditures have to be related to fighting the Coronavirus, they could not have not been accounted in our budget that was approved in March of this year and they need to be incurred the expenses need to be incurred between March 1st and the end of the year. This begins the process so there's a couple things that will have to happen after but this is what's recommended by the office of Budget and Management in order to get the process started in order for us to receive the funds. So we would encourage your passage this evening, I do have one small amendment, Director Sweeney sent this out earlier, when the, when the legislation was initially drafted it was based on Senate Bill 310 ultimately there were some amendments and the Bill was passed as House Bill 481, so a new draft was provided from the office of Budget and Management which basically just removes the language or the reference to Senate Bill 310 and just talks about the General Assembly process and passage, so that's a new version 63a was provided to you but the only change really in it is that it removed the reference to Senate Bill 310. So would ask for your adopting that amendment and passage tonight so we can hopefully get some of this money beginning to come into the City of Euclid.

President Mancuso – Thank you and I will make a motion for that amendment. Do we have a second? Councilman Epps are you seconding? Okay. And discussion, that will be discussion of the amendment. Is there any discussion?

Madame Clerk please call the role on the amendment.

Clerk Allen – Roll call –

Yes: Jarosz, McIntosh, Wojtila, Jukic, Caviness, Moore, Epps, Mancuso

President Mancuso – Thank you we will now go back to the resolution itself. I would also like to ask if all of council would like to put their names on this resolution. Anybody opposed, no, alright we will add all of council's names. Other discussion on this resolution? Councilman Epps.....

Councilman Epps – Madame Chair I'd just like to make a motion to close debate.

President Mancuso – So moved, is there a second? Seconded by Councilman Jarosz.

All in favor

Yeas: Unanimous

Any opposed: Seeing none.

Madame Clerk please call the role on the resolution.

Clerk Allen – Roll call –

Yes: McIntosh, Wojtila, Jukic, Caviness, Moore, Epps, Jarosz, Mancuso

Resolution Passes as amended

President Mancuso - Thank you, Madame Clerk could you please read the ninth agenda item into the record.

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9. **Ordinance 62-2020 (029-20) Amending Section 1759.04 Statement of Certificate of Inspection**

An ordinance amending Section 1759.04 "Statement of Certificate of Inspection" and Section 1759.05 "Escrow Agent; Disbursal of Funds Without Statement Prohibited" of Chapter 1759 "Certificates of Inspection" to remove the escrow requirement when purchasing a house.

President Mancuso – Thank you. I'll entertain a motion for passage to begin discussion. So moved by Councilman Moore; seconded by Councilwoman Caviness.

All in favor

Yeas: Unanimous

Any opposed: Seeing none.

Councilman Jarosz would you like to begin.....

Councilman Jarosz – Actually Madame Chair I'd like to defer to Assistant to the Mayor Grida at this point.

President Mancuso – Assistant to the Mayor Grida would you like to begin.....

Assistant to the Mayor Grida - Sure, thank you so much. There have been some housing situations that have brought into question the purpose of obtaining funds in escrow as you may know our current assumption process that accompanies a property transfer can result in an escrow requirement. These funds along with proof of financial ability are met to ensure the new homeowner has the wherewithal to fix assumed violations. I want to quickly review kind of the point of sale process just to try to answer the resident's questions from this evening. So most of you know if you want to sell a home in Euclid you have to take a point of sale, and you get an automatic inspection. At that point our current practice is you can fix all those violations so that you can sell your property violation free or you can leave those violations unfixed and then you can find a buyer that wants to assume those violations. So the assumption from the new, from the purchaser has to be purchased through the city and then they assume those violations, we do have to look at financial capacity and then the clock starts ticking as Lew Milner had said this evening, you get 90 days to fix those violations in some instances you might get 6 months depending of course on the time of year. So that's sort of the process we're talking about right now on our books is to in addition collect some escrow funds based on a percentage of the inspections that need to get done. The reason I brought this to the Housing Committee to discuss is that there has been situations recently in the last 6/7 months that came to my attention pretty repeatedly where there was a home that the violations weren't being fixed by the new owner and rather than it going through this prosecution process that I will discuss in a moment, they really didn't understand why we couldn't take that escrow money and then fix it ourselves, so it could be timely. It became an eyesore in the community. One such example was actually in Councilman Wojtila's Ward and he graciously hosted a meeting that was pretty full in his living room with a lot of residents that were just frustrated by the process, and so this happened repeatedly I felt like you know we are being dis-in-genuine with the residents, they really felt like we should be able to use this escrow money and fix it and we can't, it really does not move the needle in that respect. Yet we still have these processes in place to make sure that people do fix their violations. To go into the prosecution once the due date comes for folks who have assumed violations, if they don't pass that inspection then it does forward to our prosecutors office actually, Assistant Law Director Rubadue is the go to person for that and she meets with the owners and

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you know we're all about compliance, we're all about trying to make sure that folks get their properties fixed, so she hears their case and she may come up with a different compliance timeline, she may require to see a copy of a contract, there's several different things that she can do. If there is abstinence or if there, if the compliance due date comes up and they're not done and then she can entertain opening up a court case and taking it to courts. So there are process's in place to go to court those are the prosecution details, I'm just looking down my notes, Council President to make sure, oh the other question that a resident brought up was, what if the violations never get fixed and then that owner that hasn't done the assumption appropriately wants to sell the property? We don't allow that to happen. Title companies need to see a clean certificate from cities and we don't offer that, they do have to fix those violations so that doesn't happen. So basically we would like to remove the escrow requirement it is a deterrent for a lot of young homeowners, the realtors that were the guest's at the meeting as Councilman Jarosz said in his summary brought us a list of potential listings that different buyers look at and they, there are so many available properties that they kind of steer away from cities that have escrow and we are one of a few that still do have escrow because they want to make sure that the monies that they have beyond the purchase can go directly to the repairs, not repairs plus escrow, so I will be happy to answer any questions and I look forward to your support. Thank you.

President Mancuso – Thank you Councilman Jarosz.....

Councilman Jarosz – Thank you Madame Chair. I think very simply we want to encourage homeownership in the City of Euclid. That is absolutely a goal of ours, it's in our Master Plan, we talk about it all the time and earlier this, earlier this meeting we actually had a you know some more encouraging signs that people want to build new homes. But a couple things about the escrow, first of all it is a deterrent, the folks in the market, the brokers spoke very clearly that at the meeting that sometimes prices people out of Euclid because of that escrow is a little bit extra money, but also too, the thought that we're, we leave people with it, hey even if these violations aren't fixed we could use that escrow money to fix things up, well we can't so it's something that we have on the books that we can't use, as well as a deterrent for new homeownership so it just seems to make a lot of sense that you know this no longer is a valid ordinance on, nor is it one that kind of achieves what we, what the original intent was either. So again I think you know we talked about you know smoothing out ordinance's we removed the 2000 square foot minimum requirement, we keep working our way through, how's it easier for somebody to move in to Euclid and maybe they can just move into their first house by the skin of their teeth, maybe escrow is a _____ but then they can grow into it, they can get a new job, they can get married, they can get promotions, we want people to kind of grow and make Euclid a place where people live instead of temporary stay. So with that I hope we can get support and, and move this forward. Thank you.

President Mancuso – Thank you. Councilman Wojtila.....

Councilman Wojtila – Thank you Madame Chair. I brought up at the Committee meeting and I'd like to bring it up again to the rest of my colleagues the idea that I had, it's a, I'm afraid we're swinging too far you know from the one side, right now we require 50% of the approved estimate and that they have a 20% down payment be approved by 25% of the approved estimate. My idea would be to not have a third party escrow but have the city hold an amount, I'll call it an assumed violation assumption surety and that would be the amount \$500 or a \$1,000 for assumed A violations and \$500 for assumed B violations. I know in talking with Ms. Grida today that as part of, we're looking at upgrading, updating our whole housing section that A and B violations would most likely if, if Planning and

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Zoning and City Council approves would go away so I would support \$500 per violation with a maximum of \$1,500 and the idea would be at that time the violations are assumed by purchaser that they would enter into a violation assumption agreement with the city so it says that the agreement would say that the city will hold this money so it could be \$500, and it could be up to \$1,500 and it would be a 90 days to get the work completed and it's really an incentive to get that money returned to the seller. So we, we, we hold the money and we release the money once the works complete so I think it's important that you know a lot of the calls that I get is you know from the houses that are deteriorating and even if there's a sale there's repairs not done, so I would ask my colleagues to consider an amendment it would have to be re-written but asking the Law Department to draft up a different version which would again require that assumed violations are the property owner or the purchaser enter into a violation assumption agreement capping at \$1500.

President Mancuso – Thank you. Let me ask a question of our Finance Director and our Assistant Law Director, do we have a mechanism to be able to hold this money in the city from different people purchasing homes as Councilman Wojtila's talking about? Director Smith.....

Director Smith – Madame Chair to council, we do, we have what's they're called agency funds on the books, and basically there, they're money that we hold for different reasons that aren't the cities money and then we return then at the time they need to be returned. So.

President Mancuso – Thank you. Other discussion? Councilman Moore.....

Councilman Moore – Thank you Madame Chair. To Councilman Wojtila, although I appreciate what, the idea of what you're trying to accomplish, I would you know first look at the younger buyer, new family who is moving into Euclid has he ware with all for the down payment and some repairs, but possibility of holding for instance \$1,500 could amount to a stove and refrigerator, it could amount to other things that are necessary for them to move in and move forward and I think that would be a deterrent for many people regardless of the amount so at this time I would be in favor of not doing any restrictions and removing the requirement for escrow.

President Mancuso – Thank you. Councilman Epps.....

Councilman Epps – Thank you Madame Chair. I want to applaud obviously the administration for bringing this forward, if, I don't know if any of you remember but years ago this was something that I actually brought to the council floor and advocated pretty aggressively to have done and so this was something that you know obviously in the spirit of the legislation at that time was something that I felt like we needed and I needed to attempt to try and curb some of these violation issues that we have and with grass cutting and the burden that was placed on the community or on the city for some of these things so I want to say that you know being understanding now listening to both Ms. Grida as well as Councilman Jarosz and looking through some of the information that I have, my team actually dug up for me this is something that has been talked about as a huge deterrent, I don't think we should be doing and deterring folks and considering that the spirit of the original legislation, the spirit of the original code was to that we're not able to actually enforce what it is that we're trying to enforce anyway and we definitely need to take this to turn off, so I'm going to be happy to support this tonight, even though again, this was something that initially I had brought to the city council floor with the purpose of trying to help with some of, getting some of these violations and stuff cleaned up so, I thank you all for this, and this is another example of how you can evolve on things, try things and

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if they're not working you go back and you change your mind and you support the idea of changing it to make sure that it can work better for the community so this is another one of those examples for me, so I'm glad to support this tonight.

President Mancuso – Thank you, other discussion? Seeing none. Councilman Wojtila are you asking, are you making a motion to send this to another reading? Or no, Councilman Wojtila.....

Councilman Wojtila – No, I'll make a motion to send this back to the Law Department with the request that we maintain the escrow account, escrow account held by the City of Euclid it's \$500 per violation with a maximum of \$1,500 and it's returned the escrow amount is returned to the purchaser once the violations are clarified or corrected. If the violations aren't corrected then the city retains the surety amount.

President Mancuso – So we have a motion on the floor. Do we have a second? Law Director Rubadue.....

Assistant Director Rubadue – I just want to interject and ask a question to if you don't mind to Councilman Wojtila. Just to be clear, when you indicated that the surety of \$1,500 would be kept by the city if the repairs were not made, what would be the deadline for that so obviously as Ms. Grida indicated there is a timeline for compliance and of course the goals always compliance but I have concerns with the city keeping this dollar amount indefinitely as Ms. Grida indicated and the Law Department would share with you that we do not have an intention of hiring trades people to go and do the work or utilize that money to benefit the property, so what, what in your, are you contemplating would be done with the \$1,500 if those homebuyers were not _____ for 9 months, etcetera?

President Mancuso – Councilman Wojtila.....

Councilman Wojtila – Thank you Madame Chair. The surety amount is an incentive amount to get the work completed, to get the violations corrected. So if the violations aren't corrected the city retains the amount of money that's being held, the surety amount and it's a cash surety amount that the city would hold and that, it's forfeited if violations aren't corrected timely, again it's an incentive it's not necessarily that the city's going to correct the violations we cut grass which is a violation so it would be something like that the city could make the determination at that time if we want to use the money but the goal wouldn't be to start repairing and correcting violations it's really more of an incentive to get the work done.

Assistant Law Director Rubadue – May I respond Council President. I, with all due respect, to this suggestion, there is as, as Ms. Grida indicated I prosecute these cases and I meet with homeowner every, everyday, I'm on the phone right now but in the past in person, and the biggest issue that these owners, be it an LLC who is owning a rental property or a homeowner who is an elderly person in, in their home, is I cannot afford this and I cannot make these repairs. So I am constantly making judgement calls and trying to give incentive to or I'll provide resources to people who need extra money to make the repairs to the house. So obviously when people buy a new home they're paying a down payment they have the closing costs and everything like that, and they the cash that could be used to repair that sidewalk that they have assumed is one more thing on their list of things to do. I don't know off the _____ research if we can legally just keep the money, it's, it's not passing my personal sniff test that we could just hold on to that money and just never give it back to the people and I think that would be some kind of taking that we would not be authorized to do

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so I would have some concerns and would definitely research it further. That's all I have on that matter.

President Mancuso – Thank you. Councilman Wojtila.....

Councilman Wojtila – Thank you Madame Chair. There would be a surety agreement with the city and the homeowner so it, it would be a standard agreement but if it's forfeited if the works not completed. I don't think we need to over complicate it.

Assistant Law Director Rubadue – Well, and if I may Council President. With all due respect to that idea the contract is with a person who is attempting to buy a property for the first time and when then assumed the violations they're assuring us that they're going to complete those violations and obviously that's everybody's goal, I don't know that that would be like a meeting of the minds where they understand that if I don't do this within a period of time that that would be an agreement to give up this funds and the idea that if a person realized that say I'm putting up \$1,500 to guarantee that I will do this the city might keep that money I think that would go to Councilman Jarosz's point is that maybe a deterrent for people to purchase in the city. Again we would definitely research it and we would definitely assist in drafting a contract but these are my concerns that are coming off the top of my head as you introduce these ideas that I don't know that it would be a meeting of the minds where they understand and what they are getting, bargaining for when then make that agreement. Again we always hold your criminal prosecution tool that we use all time where the individual or LLC would go to court they're a misdemeanor penalties if they fail to do the repairs and that is a very big incentive for people to make those repairs that they bargained to do because they're before the court with criminal charges pending and therefore again as Ms. Grida says it's compliance is always our goal so these misdemeanors and first degree will sometimes be reduced once the compliance is obtained so that's the incentive and that's the negotiation factor but there are always going to be court costs and fines and penalties at that end for, if it gets that far in the process.

President Mancuso – Councilman Wojtila do you still have your motion on the floor? Is that a yes?

Councilman Wojtila – Yes, yes.

President Mancuso – Alright, so we need a second on that motion. Councilman Epps, are you seconding the motion?

Councilman Epps – Yes

President Mancuso – Alright, any further discussion on the motion which is Councilman Wojtila's wanting to go back and draw up a different type of contract? Councilwoman McIntosh.....

Councilwoman McIntosh – Thank you Madame Chair. I would not support that amendment I think saying that it's an incentive, it's not going to be an incentive it will be a deterrent for sure, I mean just speaking from personal experience having purchased my home 5 and a half years ago my first home which is a very complicated process for someone who's never had to go through that before I dealt with escrow issue, my husband and I were one of those families that scraped by to purchase our home and grew into it. So we have continuously made repairs to it and I would really, really discourage placing any more road blocks ahead of homeownership if that is our ultimate goal then we need to do

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all we can to open ourselves up to homeownership and I think that this legislation as brought forward does just that. Thank you.

President Mancuso – Thank you. Other discussion on the motion and the second. Seeing none. Madame Clerk would you please call the roll on the motion on the floor?

Clerk Allen – Roll call –

Yes: Wojtila, Epps

No: Jukic, Caviness, Moore, Jarosz, McIntosh, Mancuso

President Mancuso – Motion fails.

Clerk Allen – Motion fails.

President Mancuso – Alright we will go back to our original document and if there, is there any further discussion on the document on the ordinance? Seeing none, I'll entertain a motion to close debate. Did you have something to say or are you closing debate, Councilman Wojtila?

Councilman Wojtila – Something to say.

President Mancuso – Go ahead.

Councilman Wojtila – Letter C9 should be stricken, should it not?

President Mancuso – I'm sorry say that again. Go ahead councilman.....

Councilman Wojtila – Subsection C9 appears, Subsection C9 appears to need to be stricken as well.

President Mancuso – Ms. Grida, do you want to respond to that?

Mrs. Grida – Yeah, actually no that one doesn't, that one's applying to the assumption process which will still exist it's just the escrow that we're getting rid of so the Housing Manager will still look at the application to assume the violations, he does need to approve that.

Councilman Wojtila – Okay, well I, I, I guess you'll fix the numbering or the lettering cause it's out of sequence then.

Mrs. Grida – Yes, for sure.

President Mancuso – Now do I have a motion to close debate? So moved by Councilman Moore; seconded by Councilman Epps.

All in favor

Yeas: Unanimous

Opposed: seeing none

I'll entertain a motion to suspend the rules and forgo the second and third reading. So moved by Councilman Jarosz; seconded by Councilwoman Jukic.

All in favor

Yeas: Unanimous

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Any opposed? Councilman Epps (Nay)

One opposed. Madame Clerk please call the role on the merits of the ordinance.

Clerk Allen – Roll call –

Yes: Jukic, Caviness, Moore, Epps, Jarosz, McIntosh, Mancuso

No: Wojtila

Ordinance passes as amended.

President Mancuso - Thank you, Madame Clerk, Madame Clerk please read the tenth agenda item into the record

10. **Ordinance 62-2020 (030-20) Amending Section 1705.01 Registration Required Contractor Defined.**

An ordinance amending Section 1705.01 “Registration Required; Contractor Defined; Compliance Bond” and Section 1705.10 “Firm or Corporation Installing Work for Which License is Required” of Chapter 1705 “Registration of Contractors” of the Building and Housing Code of the Codified Ordinances for the City of Euclid to remove the requirements of obtaining a compliance bond

President Mancuso – Thank you. I’ll entertain a motion for passage to begin discussion. So moved by Councilman Moore; seconded by Councilman Jarosz.

All in favor

Yeas: Unanimous

Any opposed: Seeing none.

Who’s going to begin, Councilman Jarosz or Mrs. Grida?

Councilman Jarosz – Deffer to Mrs. Grida.....

President Mancuso – Mrs. Grida.....

Mrs. Grida – Thank you real quick Council President may I ask I, I think the last vote, Council Clerk said it passes as amended? But it wasn’t’ amended, correct.

President Mancuso – It was not amended

Mrs. Grida – Okay I just wanted to make sure, okay. Thank you so much. So this one is a, very similar to the same reason why we looked at removing the escrow, I did give to all of council the whole contractor registration packet of what contactors need to meet to be registered in the City of Euclid. So they do have to be licensed a current license in their trade, they do have to carry the insurance as you saw, current insurance policy. The other piece that we still require is the bond. Our Certified Building Official Steve Vogal from SAFEbuilt did come to the council committee meeting and he did talk about the fact that we are one of the very few, I think 3 in the State of Ohio that still requires this bond. A lot of other cities have already gotten rid of it and again same situation we have homeowners that get permits out, hire a contractor and then if that contractor has a bond and the homeowner is, does not like their work, doesn’t believe that it’s good workmanship they want the city to go after the bond for them and we can’t do that obviously it’s a civil contract between the resident and the contractor, we can do the inspection which we do and in some of those cases the work doesn’t pass that failed inspection report becomes a piece in their court case should they want to go after the bond themselves, that is a big proof. Our Certified Building Official will also write a letter to the resident to testify to the

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fact of the licenses that our inspectors have that they're current, that they are definitely licensed to pass or fail the inspection, so we do support in that way but we can't go after the bond and again I think it gets a little miss leading for residents if we have this bond and it's not really doing anything to help them. Getting a registered contractor with the City of Euclid deals, does still help your process because you can be guaranteed that they are licensed and they do have the insurance so we're looking to just remove that one requirement that again we seem to be one of the few cities that do still carry that, happy to answer questions and I look forward to your support tonight.

President Mancuso – Thank you. Councilman Jarosz.....

Councilman Jarosz – Thank you Madame Chair to just kind of reiterate once again you, essentially we have a bond which we can't use and it puts the city in between two private parties agreements, just seems like we really shouldn't have, we really don't have a place in that and that it's best for us to do our work the best we can and then provide you know support through the inspections and whatever but there's just no value for or reason for us to hold the bond which we can't do anything with so again just kind of stream lining it, cleaning some things up. Thank you.

President Mancuso – Thank you Councilman Wojtila.....

Councilman Wojtila – Thank you Madame Chair. And just so if residents are listening we're not saying that if your hiring a contractor not to get a bond, we're just saying that the City's not going to be holding the bond, so you know you listen to commercials on the TV or radio and you always hear licensed, insured and bonded so if you enter into a contact with someone doing work at your property or doing any work and they are bonded you would want the bond to be benefiting you so we're not saying don't do that residents, but we're saying we're not going to require the city or the contactors as part of their registration process to be bonded. Thank you Madame Chair.

President Mancuso – Thank you. Other discussion? Councilman Epps.....

Councilman Epps – Thank you Madame Chair, sorry about the delay and the mutes, I have a couple of different screens so I pulled over in order to do that. I just wanted to know if Ms. Grida, and I'm sure you're probably prepared address that if possible, what was the spirit behind this one we had in the first place. We're never, we shouldn't be getting in the middle of this you know, can you speak to how it come about, I just want to make this not something that is crucial that we're missing by doing this.

Mrs. Grida – Yes, thank you for asking. I actually did provide a little white paper for you guys that I had originally given to Councilman Jarosz in preparation for him and entertaining this in his committee and in there I did kind of give a little historic perspective, I did look, this was passed in 1970 and thank you to Council Clerk Barb Allen for getting me the verbatim minutes of that meeting because I did want to see what the intent was, that happened to be the year that the entire Housing code was adopted so it was just in everything, so there was nothing to speak specifically to that intent so unfortunately I, I'm not really quite sure, I apologize.

President Mancuso – Thank you. Other discussion? Seeing none, I'll entertain a motion to close debate. So moved by Councilman Moore; seconded by Councilman Jarosz.

All in favor

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Yeas: Unanimous
Any opposed: Seeing none

I'll entertain a motion to suspend the rules to forgo the second and third reading.
So moved by Councilman Jarosz; second by Councilman Wojtila.

All in favor
Yeas: Unanimous
Any opposed? Seeing none.

Madame Clerk please call the role on the merits of the ordinance.

Clerk Allen – Roll call – Yes: Caviness, Moore, Epps, Jarosz, McIntosh, Wojtila, Jukic, Mancuso

Ordinance passes.

President Mancuso - Thank you, Madame Chair would you please read the eleventh item into the record.

11. **Ordinance 63-2020 (064-20) Solid Waste Collection Fee renewal**
An ordinance authorizing the continuation of the solid waste collection fee for residential accounts for the years 2021 and 2022.

President Mancuso – Thank you. I'll entertain a motion for passage to begin discussion. So moved by Councilwoman Jukic; seconded by Councilman Moore.

All in favor
Yeas: Unanimous
Any opposed? Seeing none.

And I will turn this over to the Mayor, Mayor Gail.....

Mayor Holzheimer Gail – Thank you Madame Chair and to members of council, we discussed this briefly at the last Executive and Finance Committee meeting. We began assessing residents for garbage collection beginning in 2010, unfortunately at that time the city was faced with major cuts to its budget including millions from the local government fund, the loss of the state tax and this was one way that we could increase revenue in order to be able to continue to provide the core services that our residents expect. We have not, so we have been charging \$9.00 per month for each residential parcel that does use our garbage service, we do have a senior or persons with disability discount that is \$5.00 per month, I shared information from the last 10 years basically of what the cost of the services is and what the fee's collected cover, as one might imagine the cost for our garbage collection has gone up each year, and the fees have stayed the same, so in this legislation we are at, requesting a \$2.00 per month increase for residents that would help us cut the loss of what we are currently losing in the difference of what we collect vs. what Kimble's contract costs and help us make up a little bit of that although we are not asking for all of it. So certainly happy if this is a first reading tonight just wanted to get it in front of council we know it is always difficult to consider raising fees I would remind council that we have a budget deficit and if we do not find a way to bring in additional revenue we will be faced with you know further cuts we will have to make next year, so I would ask for your consideration and certainly happy to answer any questions that you have.

President Mancuso – Thank you.

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Mayor Holzheimer Gail – Oh, I’m sorry, there was a question at the beginning of the meeting from a resident around this item on the Executive and Finance Committee agenda, there was three items posted on that agenda, one of them was the garbage fee renewal, there was no decision made so and there was also not a violation of the Sunshine Law, the meeting was announced publicly the meeting was available live on cable, ECTV both on Spectrum and AT&T. We typically do broadcast it live on YouTube as well and unfortunately, that night there was a glitch that Matt Mizak was trying to fix but we are not quite sure what happened so he believes it’s corrected but that is not a violation of the Sunshine Laws because it was available and it is always available after the fact. If you have any questions, yeah.

President Mancuso – Thank you.

Mayor Holzheimer Gail – Thank you, I’m happy to answer any others.

President Mancuso – Thank you. I’d, just like to clarify that the increase would be to \$11.00 for residents per household, the seniors and those on disability remain at \$5.00 for me that’s speaks volumes while we are trying to assist our folks that are on a fixed income so I would be willing to support this this evening. And I will turn it over to my colleagues for further discussion. Councilman Wojtila.....

Councilman Wojtila – Thank you Madame Chair. Mayor at the committee meeting I asked a question about the making some, if we were to consider making some changes to our the way we collect our waste, specifically yard waste, would that require we open up our agreement with Kimble, have you had a chance to look into that?

President Mancuso – Mayor Gail.....

Mayor Holzheimer Gail – Thank you Madame Chair to Councilman Wojtila, any change to the contract would require us to open the contract. I did look at and, I can send this information to you, I haven’t had a chance to send it to you yet, I did look at the cost of our tonnage and so if the city wanted to make an administrative change so not in this specific contract but if we wanted to ask you know, say to residents please don’t put out your yard waste and we might see a, would potentially see a reduction in the tonnage. The tonnage is roughly a third of the cost of the monthly of what we pay per month so it ranged from 80,000 which is the tonnage component, roughly 45 – 80, 0000 depending on the month, obviously it’s summer time is when you have some of the yard waste and other things and the household cost is roughly 148,0000 per month so I’ll send that information to you there could be a small decrease in the tonnage if we change administratively so we would not change the contract if we do any change in the contract that would require us to open the contract and as you said when you looked at what other communities were paying our contract is very favorable.

President Mancuso – Thank you. Other discussion? Councilman Moore.....

Councilman Moore – Thank you Madame Chair. I think this is, I have it in front of me some information that we got at the E & F meeting, and we have it in our packets today, and I don’t believe we went over this information specifically it’s the garbage history that the Mayor provided for us, and what I’m looking at is in 2010 the collection fee, the cost to collect is \$2,084,380 I’m sorry, it’s almost \$2.1 million dollars in 2010, it’s \$2.6 million we had budgeted roughly, in 10 years we have not increase the fees for garbage collection and what I’m getting

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from my residents is that this fee was supposed to be temporary so I realize that and theirs some, some angst between I think the City and the resident because it was supposed to be temporary but it is not temporary. But what I also want to say is that in 10 years we have not raised the fee and right now we're proposing to raise it \$2.00 to residents and not changing anything for our seniors and with that we're still, well, if we, if we do nothing we're standing to lose \$798,000 almost \$800,000, raising it \$2.00 per person, not including seniors that's an additional \$24.00 per month we're still only adding \$380,000 in revenue, so we're still having a short fall by just raising it by \$2.00 so in my opinion although I am not a fan of more taxes, more fee's whatever you want to call it, this is something that's necessary for our city to get partially out of some of the hole that we're in, and hopefully our residents won't feel that it's too much being that it's only \$2.00 or \$24.00 per year, I just wanted to make that comment. Thank you.

President Mancuso – Thank you. Other discussion? Councilman Epps.....

Councilman Epps – Thank you Madame Chair. I, I just want, I'm not sure if this is going to be a first reading tonight or if the rules will be suspended so I wanted to make sure that I get my 2 cents in on this, on this particular issue. As I stated at the E & F meeting, and anytime that anyone has ever heard me speak on any issue like this, there is no way I would be able to support anything like this. I am not comfortable with what happens way too often in politics and in government is where something is sold as one thing, and then we move forward later as government and do something different. This is exactly what that is. I am willing to bet you that this is something that would have never even passed and I have no way of knowing but it's very possible that this never would have passed in the first place if it would not been mentioned that it was going to be temporary and so by all means right now we should not be cutting or eliminating those fees for folks right now especially with the budgetary concerns that we have and some of the fiscal issues that we have, but the idea that we're going to now play a part in that process and, and we're going to raise these fees it's just not something that I'm comfortable with as a legislator and I, I will not be supporting this tonight or any other night, I think that we need to spend more time in trying to look in house and find more cuts, I do applaud this administration for some of the moves that they have made in, in ways of cuts and in ways of trying to be more frugal and more responsible fiscally but we have not gone nearly, this administration has not gone nearly far enough in, in that regard and for that reason I'm just not comfortable with us doing the easy thing which is what I feel we're doing right here and I suggest we go back to the folks for more money. Not something that I'm ever going to support, so, thank you.

President Mancuso – Thank you. Councilwoman McIntosh.....

Councilwoman McIntosh – Thank you Madame Chair to the Administration, either Mayor Gail or Director Smith, can you explain a little bit more or go into more depth regarding our deficit budget situation and if we are not able to start balancing that out and get our self out of the hole that we are in what type of repercussions that would have, I understand, not only you know monetarily but what happens to the community as a whole if we don't increase the garbage collection fee to at least catch up a little bit you know what other, what other things may suffer community wide?

President Mancuso – Director Smith.....

Director Smith – Madame Chair to council, that's a loaded question. As we talked about at budget time, during budget time, I believe we are about 2 million dollars in the red at our current budget. So in working forward to next year, cuts may be made, it's early to do that pretty early to do that, we haven't started on that

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2021 budget so off the top of my head I can't really say what we would have to cut or where we would find that additional money but I think our intent was to find little bits here that we, that we're, there's certain things that we can change and there's many things that we can't change so you know we can't change property taxes a lot of things are inhibited by revenue in the city, this is one of those areas that we can make up a little and that's the Mayor and I's intention was to do here so again loaded question, little early to be talking about it with you know exactly what moves we would need to make because we haven't got there yet, but Mayor Gail if you'd like to add to that.....

President Mancuso – Mayor Gail.....

Mayor Holzheimer Gail – Thank you Madame Chair, you, you know it is, it's the point is we've been in you know for those of you who have been on council for a couple years or and watching for a couple years, you've seen every budget we've had for the last several years has been a deficit budget so we're not making headway in that certainly we are some of our larger businesses are helping us but ultimately it will come down to impacting service and you all were part of the budget hearings the last, you know, this year the majority of our, of our general fund pays for salaries and half of our, you know general fund are police and fire, I think everyone of us would you know, love to hire more staff to provide more service to our residents, many of us would like to pave roads, all of us would like to you know, provide more programs, we are you know at such a point where we are at a limited, limited in what we've been able to do and we've cut back everywhere that we can, we have to assume that there will be a salary increase next year as there is every year, we have had zero increase in healthcare for two years, three years, you know we have to assume there's going to be an increase in healthcare at some point. The cost of doing business has gone up in everything you know, the example in your packet that Councilman Moore gave is the garbage collection cost has gone up \$600,000 in 10 years and so nobody likes to raise fees, nobody likes that but I think that's appropriate to ask for a small increase this year because it will help us, it's part of the general fund so if we had to, we may still have to cut next year, we, we don't know that but I think it's likely that we will and so that impacts everyday service and you know, you know, I think when this was first put in place we were being faced with cuts as I said earlier, local government fund, the state tax, several things the hope was those would get restored, and we might not have to continue to do this, you got, you know we talked about this before, many cities around us have had safety levy's have increased their income tax, has increased you know their property tax for some specific purpose. We have not done that and this was the one fee that was instituted and it isn't permanent, I mean council could make the choice, we've never asked that it be, I've never asked that this be permanent, it is a temporary thing that's why council approves it every two years is what is being proposed right now, you know that's why we want council to have to approve it every two years so that it is, that we don't view it as permanent but we have not had the ability, it would not have been wise to, you know take what is it, 1.8 million dollars out of our budget, that would have drastic impact.

Councilwoman McIntosh – Thank you Mayor and thank you Director Smith for providing that I know it, and I apologize for the loaded question but I'm just trying to look at this in a big picture situation rather than narrow it down to just this, cause whatever decision we make here will affect obviously just like the decision 10 years ago to make this adjustment will affect people today and it will continue to affect so just trying to get a better sense of where we're heading as we consider these types of changes, so thank you.

President Mancuso – Councilwoman Jukic.....

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Councilwoman Jukic – I have four questions and then three comments. Should I ask all the questions?

President Mancuso – Go ahead.....

Councilwoman Jukic – Alright I'm going to ask all the questions. Who, who is taxed? Is the owner or is it the person cause we've _____ the language interchanably. How is it going to be collected? Like how? When will it start and when will the first bill come?

President Mancuso – Councilwoman Jukic, would you repeat your second question, you're breaking up.

Councilwoman Jukic – Who is being taxed the owner of the property with the residential account?

President Mancuso – We got that.

Councilwoman Jukic - There are different terms here in our discussion, how is this fee going to be collected? When will the increase start and when will the first bill come?

President Mancuso – Thank you, Mayor Gail.....

Mayor Holzheimer Gail – Yes, the property owner is charged, it goes on their property tax as an assessment, this increase would be for 2021 and 2022 so I'm gonna have Director Smith correct me if I'm wrong, but it would come with your tax bills in 2021 which the county sends out in January and July so it would not start until January of 2021.

President Mancuso – Okay. Did she answer all your questions?

Councilwoman Jukic – Yes thank you. And if I may, I don't remember the history of 2010 or why it was implemented, all I know is looking at the budget this year going through this process for the first time I don't recall seeing any wiggle room and if we did my colleagues on council identified many of _____ for a lot of detailed about can we cut this line and can we cut this position, I don't recall any wiggle room in the budget and I think that a reason, a small increase is reasonable after 10 years of not having an increase, so those are my comments, thank you.

President Mancuso – Thank you, other discussion? Councilman Jarosz.....

Councilman Jarosz – Yes, thank you Madame Chair just a small comment as well I think one of the things to realize we're putting it in context, so if you go from 2013 the city garbage costs are about 2.1 million this year it's a little over 2.6 million that's an increase of roughly 23%. During that same period we haven't collected or raised fees during that whole period. This \$2.00 increase is frankly, is essentially 22% so all we're really doing is kind of keeping it consistent with the overall increase and cost of the service itself and you know it is worth pointing out to that in 2016 on I believe it was your legislation Council President Mancuso we did reduce it for seniors and those with disabilities and that, that move while was the right thing to do we all supported it did take the hit to the city as a loss to the city \$375,000 to roughly \$625,000 so it, you know those reductions have, you know do have financial consequences and we are already looking at a loss of over \$800,000 from because of the increases in garbage in a overall budget where the, where the you know shortfalls roughly 2 million. So you know this is I think it's one of those where it's a relatively small increase and a reasonable one but it is a large a sizable benefit to the city, I don't, you know

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it's not particularly agreeess especially with the safe guards we've put in trying to protect our seniors and those with disabilities so with that I am comfortable with supporting this tonight. Thank you.

President Mancuso – Thank you. I know Councilman Epps you had your hand up, is there any other speaker before we go back to Councilman Epps, seeing none. Councilman.....

Councilman Epps – Thank you Madame Chair. I just want to point out that we all, this administration and all of council except for myself if I'm not mistaken, we just allowed a developer who was in our meeting trying to purchase land bank properties to who said he would pay \$10,000 for 10 parcels, we just allowed this man to walk away and pay \$10.00 even though he had admitted that he would pay \$10,000 and then you want me to agree to raise taxes on residents after you just, they just watched you walk away from \$9,990, I, I just want to make sure that I point that out to you all as well as point that out to the folks at home that you know we, we say this and say that it's relatively small but it can make a big impact this that and the other, yes we're talking about \$10,000 and your raise with this I think it gets us somewhere around \$300, but still in every penny counts and there's no wiggle room in the budget as Councilwoman Jukic pointed out as well, then why was, why are we all so comfortable in walking away from again a developer who stands to make thousands, tens of thousands of dollars in profits possibly six figures in profits walk away when he flat out said that he was willing to pay that money and so I just want to make sure that everybody at home, it seems that this council is in, overall consensus that they're going to be raising the garbage fees on you all, this is not something I'm going to support especially when my colleagues are being irresponsible and allowing almost \$10,000 to walk away. Thank you.

President Mancuso – Thank you, any other discussion? Councilman Wojtila....

Councilman Wojtila – Thank you Madame Chair. I was going to bring this up at the end at Councilman's Comments, but I'll bring it up now. I'd just like to quickly address Councilman Epps comments, when you asked the question of Mr. DeNunzio I think he was talking about for future and that my first comment was to Councilman Jarosz, when are we going to be looking at our policy because our policy, if, if we need to, if we want to start charging a \$1,000, I think our policy needs to change. I, I think the policy is written and you know we go through it that way, I don't think he was responding to, I think he was talking about future projects, not these projects, I just wanted to add that. And I was going to bring it up at the time, that's why I voted no on the end of debate question. Thank you.

President Mancuso – Thank you. Can I have a motion to close debate? So moved by Councilman Jarosz; second Councilwoman Caviness.

All in favor
Yeas: Unanimous
Any opposed: Councilman Epps (Nay)

One opposed. I'll entertain a motion to suspend the rules to forgo the second and third reading. So moved by Councilman Jarosz; seconded by Councilman Moore.

All in favor
Yeas: Unanimous
Opposed? Councilwoman McIntosh, Councilman Wojtila

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So we have three opposed. So we need 5 of 8, so we have 5 of 8 correct. All those who say Yeas: One more time, 1, 2, 3, 4, 5 Okay. So we have 5 of 8 so Madame Clerk would you please call the roll on the merits of the ordinance.

Clerk Allen – Roll call –

Yes: Moore, Jarosz, McIntosh, Jukic, Caviness, Mancuso

No: Epps, Wojtila

Ordinance passes.

President Mancuso - Thank you, Madame Clerk would you please read the final agenda item into the record.

12. **Ordinance 64-2020 (065-20) Street lighting assessment renewal**

An ordinance enacting a special assessment upon all property within the City of Euclid to be used for the payment of street lighting within the City.

President Mancuso – Thank you. I’ll entertain a motion for passage to begin discussion. So moved by Councilman Moore; seconded by Councilman Jarosz.

All in favor

Yeas: Unanimous

Any opposed: One opposed

And we will go to Mayor Gail.....

Mayor Holzheimer Gail – Thank you Madame Chair. This is similar to the garbage at the, in 2010 we also instituted a lighting assessment this is an assessment for properties for the cost of street lights. This is being proposed at the same level again to renew it for 2021 and 2022 and the cost is I believe roughly \$4.00 I’m going to look to Director Smith to correct me with this but we’re asking that to stay the same as what it already is. I’m happy to answer questions.

President Mancuso – Thank you Director Smith.....

Director Smith – Madame Chair to the Councilwoman and with the Mayor’s comment, I don’t know off the top of my head, I don’t have my paper in front of me I apologize.

President Mancuso – Thank you.

Director Smith – It is based on the assessed value of the property.

President Mancuso – Alright, discussion? Seeing none, I’ll entertain a motion to close debate. So moved by Councilwoman Caviness; seconded by Councilman Moore.

All in favor

Yeas: Unanimous

Any opposed: Mr. Epps, Councilman Epps opposed, I’ll entertain a motion to suspend the rules to forgo the second and third reading, so moved by Councilman Moore; seconded by Councilwoman Caviness.

All in favor

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Yeas: Unanimous
Those opposed? Councilman Epps (Nay)

Madame Clerk please call the role on the merits of the ordinance.

Clerk Allen – Roll call –
Yes: Jarosz, McIntosh, Wojtila, Jukic, Caviness, Moore, Mancuso
No: Epps

Ordinance passes.

COMMITTEE OF THE WHOLE – PUBLIC PORTION

President Mancuso – Thank you. We will now go to our second Committee of the Whole the Public Portion where I will ask our Clerk to read in any other commentary or questions that we may have received while we were meeting this evening. Madame Clerk.....

Clerk Allen – Thank you Council President. I have an e-mail here that I received at 1:07 p.m. this afternoon from Raymond Johnson at 24455 Lakeshore Boulevard. To whom it may concern, First let me say that it kind of bothers me that I am being forced to write a letter instead of being allowed to speak for myself like we usually do. I know you are trying to socially distance but there is no reason I shouldn't at least be able to call in to speak for myself. That said, I wanted to reach out because all of the news lately about police brutality made we wonder what is going on with some of the Euclid cases from the past few years. For one, what is going on with the case with the Officer who was charged with assault for beating up that guy in downtown Euclid in 2017? I heard the trial was indefinitely postponed due to COVID-19. Do you have any updates on that? For the most part, I support the police. At the same time, sometimes things go too far. In those cases, we have to hold people accountable. Thank You.

President Mancuso – Thank you, did you want to respond Mayor Gail?

Mayor Holzheimer Gail – Thank you Madame Chair. That case was originally scheduled I believe the end of April, April 30th perhaps, but the court was closed at that time, that is being heard by a visiting Judge and I don't believe a new date has been set yet. I would not say that it was postponed indefinitely, there will be a date set but I don't know what that date is.

President Mancuso – Thank you. Madame Clerk.....

Clerk Allen – Yes the next one comes, came in today at 2:50 pm from Dee Beachman, Beachman of 25 East 217th Street. Barb Allen, Clerk of Council The pledge, comments for the council meeting this evening she says the pledge would be for Mayor Holzheimer Gail to commit to the following actions.

1. REVIEW our police use of force policies. 2. ENGAGE our community by including a diverse range of input, experiences, and stories in your review. 3. REPORT the findings of your review to your community and seek feedback. 4. REFORM your community's police use of force policies. Everyone can support this effort—and I hope that our mayor would take this pledge without hesitation or reservation. It is time to end our current strategy of hoping we won't be the next headline and committing to transforming how we police in our city.

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President Mancuso – Thank you, Mayor Gail?

Mayor Holzheimer Gail – Thank you Madame Chair. For those who might not know what those that pledge was that is the Mayors Pledge from the Obama Foundation and I think all of those are things we've probably done. I'm glad to say, so happy to pledge to review our use of force policies, we do that regularly. Happy to engage the community, we regularly do that we are actually we record our findings we are actually working on and as you might guess several conversations with the Police Chief, Captain, many of the Captains, but Captain Houser particularly who as you know is now leading the new community services division. Through many of the conversations and a lot of the I've gotten several, you know many e-mails over the last couple of weeks, NAACP has some recommendations, the Obama Pledge is in place, there's the 8 can't wait, there's several recommendations that are being asked of communities we are looking at them, discussing them I'm proud to say and I know, you know I think the Chief and Captain Houser you know would agree at several of these things we proactively have done over the last 3 years. I talked about 3 or 4 years probably, I talked about some of those in my statement 2 weeks ago at the council meeting but we regularly and certainly are committed to continuing to improve the Euclid Police Department, all of our services in a way we work with the community. The Euclid Police Department works very hard to protect and serve our community, they do so and, and continually to want to improve and so I, I know Councilwoman Caviness has a Safety Committee coming up and that might be a great place to really provide this progress report, I don't know that we need to wait until then but we're working on you know a report to the community that really details some of that progress that's been made in terms of use of force, in terms of our training and in terms of our diversity and hiring in terms of our commitment to community policing and interacting and building strong relationships with the community. All that being said of course, we have you know it's a continual process and more to do, but we have a lot to be proud of of the work that's happened over the last several years in building those strong bridges and making some changes to the police department.

President Mancuso – Thank you. Council Clerk.

Clerk Allen – The next comes from Dr. John Koch at 3:04 today, this afternoon at 314 East 195th Street. Dear Euclid City Council, it has come to my attention that several unprofessional and egregious circumstances have arisen due to the actions of the Euclid City Council. As a lifelong resident of the City of Euclid, I have a vested interest to see the City prosper and regain its status as a leading community in Northeast Ohio. I believe that it is incumbent upon the City to foster communication between the citizens of Euclid and the City's council. I wholeheartedly understand that we are all facing a challenging time due to the covid-19 pandemic. However, the Euclid City Council should strive to develop means to provide residents with the ability to have direct input during Zoom meetings of the City Council. Furthermore, conflict of interest scenarios should be recognized by members of City Council and acted upon accordingly. How can City Council President blatantly disregard a very obvious conflict of interest with regard to the newly constructed Lake front footpath This demonstrates to the residents of Euclid either incompetence on the part of the Council President or a disregard for professionalism or both. Moreover, the 2017 election of officers and council members was marred by the appointment of a Ward 5 counsel member with disregard to existing Sunshine laws. How does the Mayor and City Council justify their actions by functioning outside the existing rules and regulations governing general elections? These are

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additional examples of blatant violations of law. I believe more residents of the City of Euclid should be aware of the misconduct of the City Council. I have recently been elected to a third term serving on a board that governs the functioning of a local Yacht Club. We follow Robert's Rules when conducting business related to our Yacht Club. I can say with utmost confidence that our Yacht Club adheres to Robert's Rules and we are never in a position to be criticized for conflicts of interest and election misconduct. Why can't the City of Euclid function at least as well as a local yacht club? I understand that the city is facing very changeling times due to the recent pandemic and financial hardships. I believe the City of Euclid in response to these challenges should be functioning in a very professional manner to ensure that it can move forward in the best possible way. Sincerely.

President Mancuso – Thank you. I will briefly handle the comment about Council President. I am more than willing to talk to this gentleman at length the statement that I will make here that I have been and has always followed the Council that I have been given by our Law Department and private attorneys. There is no conflict of interest here. But I would be happy to discuss it at length with this gentleman, I will allow our Assistant Law Director to talk about the Sunshine Laws, if she would.

Assistant Law Director Rubadue – Yes, it is our position that we follow all the laws related to Sunshine we do have pending litigation that we will not comment on however, we, we do follow the laws and we will continue to follow Roberts Rules and the Sunshine Laws.

President Mancuso – Thank you, any more Council Clerk?

Clerk Allen – Yes, ma'am. I received this one at 3:20 p.m. from Mike Oliver, 154 Sunnyclyff Drive, in Euclid. I want to begin with a focus on George Floyd. A name now emblazoned on the minds of most Americans. Killed by a white cop while 3 other cops stood by and watched. We see that, and we think to ourselves, that's awful. It has happened here. Luke Stewart is another in the long list of unarmed black men killed by police sworn to protect and serve. The police are quick to blame the men they kill. If only he had just surrendered peacefully. If only he hadn't resisted. If only he hadn't run. We never hear the police and the enabling administrations become introspective. What could we have done differently in this situation? What are the contributing factors in our community that cause these situations to continue to result in black men being killed? We hear, our policies are fine, yet there is no justice for Luke Stewart and Richard Hubbard. We hear, we have great relationships with the black community, but we have yet again used tear gas on our youth at the roller rink. If we don't change, things won't change. We can expect more of our youth getting tear gassed. We can expect more young black men and women being beaten by officers. And yes, there is no reason to believe our police force won't kill another unarmed black man because he feared for his life. The time to change is now. Research shows that more restrictive use of force policies can reduce killings by police and save lives. I call on Chief Meyers and the city council to immediately convene and by the end of the month incorporate the following into the Euclid Police Use of Force Policy: 1. Ban the use of chokeholds and strangleholds: Allowing officers to choke or strangle civilians results in the unnecessary death or serious injury of civilians. Both chokeholds and all other neck restraints must be banned in all cases. 2. Require De-escalation: Require officers to de-escalate situations, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force. 3. Require warnings before shooting: Require officers to give a verbal warning in all situations before using

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deadly force. 4. Require officers to exhaust all alternatives before shooting: Require officers to exhaust all other alternatives, including non-force and less lethal force options, prior to resorting to deadly force. 5. Duty to intervene: Require officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor. 6. Ban shooting at moving vehicles: Ban officers from shooting at moving vehicles in all cases, which is regarded as a particularly dangerous and ineffective tactic. While some departments may restrict shooting at vehicles to particular situations, these loopholes allow for police to continue killing in situations that are all too common. 62 people were killed by police last year in these situations. This must be categorically banned. 7. Require Use of Force continuum: Establish a Force Continuum that restricts the most severe types of force to the most extreme situations and creates clear policy restrictions on the use of each police weapon and tactic. 8. Require comprehensive reporting: Require officers to report each time they use force or threaten to use force against civilians. Comprehensive reporting includes requiring officers to report whenever they point a firearm at someone, in addition to all other types of force. I call on our city to take this action now, in hopes that our police force doesn't take yet another young black man's life.

President Mancuso – Thank you.

Clerk Allen – The next.....

Mayor Holzheimer Gail – Madame Chair.

President Mancuso – Yes, Mayor Gail.....

Mayor Holzheimer Gail – If I could just comment, so again some of this I just addressed in the last, in my last comments but those particular items if I'm not mistaken are campaign zero's 8 can't wait, so again another group that has, you know, has, has, is getting some national news or opportunities to provide some advice to police stations and many of those we already have in place. The Chief has banned chokeholds, they you know for years have trained not to use them, they have not been part of our training but just to reinforce that the Chief recently did make that a policy. We require and train on de-escalation regularly, in, in really a lot much more than other departments I believe, we have a use of force continuum that is trained and as you all know we do, I'm not going to go through all of them, but again to Councilwoman you know potentially and to Councilwoman Caviness's committee we continue to look at their several models that are being suggested and communities look at many of them we have in place already, you, you all know that we are very strict and very comprehensive in our response to resistance or use of force documentation and that it gets reviewed at multiple levels including a monthly use of force review committee. So you know I, happy to, you know continue to look at all of these there's certainly some you know additional suggestions that are coming out nationally you know US Conference of Mayors has, is looking at a committee looking, you know of Mayors looking, working with police Chiefs I, I think at every level everyone is committed to looking at modern policing and how we improve things and so I want to you know our police officers have a very difficult job to do but they also have a very important job to do in our community. So, you know I, I as many of these items that are being suggested I'm very proud that a number of them have already been put in place and you know the commitment is there both from Chief and the Administration level myself, and I know council, so you know look forward to continuing to have these discussions and continuing to look at ways that we can improve the way that we're policing and interacting with our community.

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President Mancuso – Thank you. Next.....

Clerk Allen – The next one comes in at 3:30 this afternoon from Alisa Boles, at 35 East 202 Street. Good evening, I am sitting at my computer watching this meeting and I hereby request that Council send a link to this email address for me to join this meeting and allow me to speak for myself. If access is allowed, I will read the rest myself. If access is denied, please read the following. I hereby request to have my letter read in its entirety even if the Council Clerk cannot read it in 5 minutes. I was able to read it in 5 minutes when I read it myself.

PUBLIC ACCESS TO VIRTUAL MEETINGS At the last Council meeting, there was an emergency ordinance on the agenda that addressed public participation during these virtual meetings we are having during the pandemic. State law allows for us to hold virtual meetings, but this does not negate our right to speak at Council meetings under local law. It was agreed that the legislation addressing this would be placed on an Executive and Finance Committee agenda, but this has not yet occurred. Each meeting that takes place without addressing more options for public participation is another meeting that occurs in which free speech is unduly suppressed. Moreover, the last E&F meeting was not made available on YouTube as advertised in violation of Open Meetings laws as those of us without cable were essentially denied access to the meeting. This situation is quickly going from bad to worse and requires immediate action.

OTHER CIVIL RIGHTS ISSUES Police Brutality In light of the recent reignition of concern over police brutality, I wanted to remind the public that a group of Euclid citizens implemented, with my support, a little-used Ohio law to peacefully push for criminal charges arising from a 2017 incident after the City had fired the Officer, but then hired him back. As a result of the citizen action, the officer was criminally charged in 2019. According to the Court docket, however, the jury trial has now been postponed indefinitely due to the coronavirus pandemic. Is there any other insight you can offer as to when this trial will move forward? The Officer deserves due process and the citizens of Euclid need closure.

LGBTQ Cleveland's 2020 Pride parade has been rescheduled for September 20th due to the pandemic. Pride parades occur annually in June in cities worldwide in commemoration of the Stonewall uprising in New York City in 1969, when LGBTQ people rioted following a police raid on the Stonewall Inn, which was a gay bar. Back then, it was common for cities to perform "sweeps" to rid neighborhoods, parks, bars, and beaches of gay people. Yes, even in New York City. We have made a lot of progress since then, but it has only been 10 years since gays could openly serve in the U.S. military and only 5 years since gays nationwide won the right to marry. Laws prohibiting private homosexual activity between consenting adults were not held unconstitutional until 2003. Due to this historic mistreatment that continues on varying levels to this day, members of the LGBTQ community often need additional support. For access to resources, please contact the LGBT Community Center at (216) 651-5428 or visit them online at lgbtcleveland.org. For solidarity and encouragement to others, people sometimes choose to announce to others that they are a member of the LGBT community, or in other words, "come out". Although I do not like labels, I myself am a member of this group. This announcement would be more meaningful if I could be making it with my own face and my own voice. Your current policy to ban this type of access makes that impossible. At any rate, to all members of the LGBTQ community, and to everyone else for that matter, I send you much love. Love for all, after all, is the spirit of the Pride movement. Sincerely.

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President Mancuso – Thank you, next.....

Clerk Allen – The next comment came in at 4:42 pm again this afternoon, from the Goodman's at 20201 Glen Russ Lane. Good Evening, Council. As the Governor is slowly reopening our State and small groups of people are now allowed to gather, we think, especially after the last confrontational council meeting, that the Council should consider in chamber meetings. Certainly, Council itself can spread out between current council seats and the seats in front. Hand sanitizer could be provided at the podium. People would be required to socially distance with the exception of those who come together. Certainly you should be able to provide cautionary measures like those at restaurants. Wearing of masks should be encouraged and worn unless that person comes to the podium to speak. We see this being done every day. If it would make everyone feel more at ease, you would encourage, no, you could arrange to have temperatures taken upon entering the building and a notification that if your temperature is not normal, entry would not be permitted. Secondly, we think that the Mayor and the Council should consider the reopening of the Memorial pool and the Splash Park. It has been reported that some cities are reopening. Children need something to do to relieve their built up tensions and boredom. They need physical activity. We realize that precautions again have to be taken; but possibly the Mayor could inquire of those cities whose pools are reopening, what policies have been put into place? Lastly and most importantly, the City is running out of time in making a final decision on Pla-Mor. We cannot have children being put in harm's way as well as groups, whether they live here or not, coming into our City to wreak havoc. We 100% support every peaceful protest going on in our City as well as the nation. But violence, destruction and mayhem are not acceptable! If parents cannot control their children, why must it become the responsibility of our police? As reported, we had to call in reinforcements from other cities to quell what could have become a major disaster to businesses, property and life in our City. The Mayor has given every opportunity for Pla-Mor to comply and work with us. They have refused. They even opened before they were allowed to. It's time to end the talk and walk the walk. They are not an asset in our City under the current management.

President Mancuso- Thank you. Did you want to respond? Hang on a minute. Did you want to respond Mayor Gail?

Mayor Holzheimer Gail – Certainly, I can ask Assistant Law Director Rubadue to update us on Pla-More, I can add a little bit but certainly we have tried to work with the owner of the business and we are looking at our many options to correct the problem, there certainly has been, it was fine for a while when he agreed not to have youth events, but unfortunately he went back on that did have a youth event that was very dangerous for those who attended as well as the business's in the area and the community so we are here working on a number of fronts, one looking at the, you know, certainly following up the condition of the building, they are in the prosecutors office, we're following up on that he, the business has been declared a nuisance and so additional nuisance charges and the fine that goes with that are being assessed. The police detectives in that particular instance are investigating the assault and expect charges to be filed, the Board of Health is aware and they're some confusion of whether he was allowed to open or not, we feel that he was not, that is the Board of Health's jurisdiction and there was some change in the Governor's order May 29th that was confusing, I guess to say the least, so the Board of Health is looking at that. As you know we do have an agreement in

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place with Pla-More where he has, the owner has not followed that agreement. I spoke with him on the phone he did have another event it was an adult event last Friday that we had additional police overtime, and there were no issues because we had people there. It's not fair to I don't believe our tax payers, to our residents to the citizens that we have to spend those resources, he will be billed for the time of the police that were there and we will continue to talk with, with him, you know unfortunately people think we have the ability to just go shut down a business and we do not, that is through a court process and the courts, not local court, common pleas and you have to have specific guidelines and restrictions. We are concerned about the behavior and the safety issues that are, that are being caused there, we are just are looking at what the most appropriate step to make sure that we can address that issue. That being said that you know, he, when he follows the rules he has events that do not cause problems, and so on the other hand he has not been trustworthy with the agreement, so I don't know if I said too much, if Director Rubadue, sorry if I did, but I, believe me I hear we hear from the residents their concern we are working with Law Director Sweeney and Assistant Director Rubadue to address the issues on a number of different fronts so that you know we're all for safe activities we just need to make sure that can be done safely.

President Mancuso – Can we, did you have anything to add, Assistant Law Director?

Assistant Law Director Rubadue – Yes we had, I think the Mayor covered everything and I think I would like to reiterate that we are looking at all the legal avenues from the prosecutors office as well as resorting to common pleas court as well further discussions, we do have pending, or we have a memorandum of understanding and like we said the owner has complied in the past however, at some point maybe a decision was made that he did not chose to comply and again it, it exhausted a lot of the cities resources to try to address some of the problems that were caused as well as too you know a young person became injured because of some of the events that took place. So obviously we take that very seriously but we're going to pursue this on many different levels and we are working closely with the, the Chief of Police, as well as Law Director Sweeney and the Mayor to try to remedy this situation so that businesses can continue to flourish especially surrounding business's that they don't have to be in fear of another event that occurs that causes either harm to their business or just interference with the business.

President Mancuso – Thank you Mayor Gail.....

Mayor Holzheimer Gail – Madame Chair, there were a couple other comments I wanted to address as well and one was around the pools and the splash park I believe, I'm in regular, we have a regular conversation with most of the east side communities so Cleveland Heights, South Euclid, Beachwood, Lyndhurst, no I'm sorry, University Heights, those cities have all closed their pools Shaker Heights are not planning to reopen them to my knowledge, many other cities you know Lyndhurst included, Richmond Heights, Willowick, North Ridgeville, Broadview Heights, many others have not. While the Governors says we can open them, the requirements to do that safely really are very difficult to meet and both for the safety of the community and the Lifeguards that we employ it's just not doable for us right now. That being said at the beginning of the meeting I did talk about some of the new programming that the Rec. Department is planning, there's additional ones and I know there's, I'm sure

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Councilwoman McIntosh will talk about this at the end, Sunshine Yoga some walking and running kind of classes that were geared towards adults lots of activities, not as many as normal, I think we're all craving activities and the opportunity to come together as a community. I, I have not heard most of the cities that I've been in communication with are not opening their pools and so that's, that's where we are at the moment. But you know, please do continue to watch the website for opportunities for other, for activities.

President Mancuso – Thank you. Do we have any more?

Clerk Allen – Yes, Council President, the next one came in at 5:57 pm from Lew Milner at 19711 Edgecliff Drive. Does the Use of Force Guidelines for the Euclid Police..... 1. Prohibit the use of force that results in choking by altering air or blood flow in the neck area or covering the nose/mouth. If yes, are fellow officers required to report such use of force by another officer? If no, will such a restriction be considered in the near future and does the Police Union have to agree to such a change? 2. Prohibit the use of force that results in preventing adequate ventilation (breathing in and out) For an extended time because of pressures on the chest if in a supine position or on the back if in a prone position? If yes, are fellow officers required to report such use of force by another officer? If no, will such a restriction be considered in the near future and does the Police Union have to agree to such a change? Thanks.

President Mancuso – Thank you. Mayor Gail.....

Mayor Holzheimer Gail – As I commented on earlier the police department has trained for years against using those type of chokehold and things and I don't know if that's particular to what Mr. Milner is talking about, I'm guessing it is. They have trained against that for years, they're, it is now a formal policy in place. I don't know that I'm going to have to check with the Chief and find out whether other officers duty to, duty to report that I don't know that I will find out and I don't believe that well we don't have to change the policy cause the policy's already there, I'll find out about the duty to inform and I don't believe that would be in the Collective Bargaining Agreement I believe that would be a policy which the Chief has the ability to put in place.

President Mancuso – Thank you. Any others.

Clerk Allen – Council President, I did have a couple come in during the meeting tonight, one came from Ms. Taylor, Pearletha Taylor who had a comment earlier she's at 1495 East 193rd in Euclid. She added to her questions regarding the contractor, Will the LLC Developer, hire any MINORITY Contractors? That was her only question.

President Mancuso – Thank you, I think that was answered earlier, I think, Councilwoman Caviness, asked that same question.

Clerk Allen – Okay

President Mancuso – And it was in the affirmative for Mrs. Taylor.

Clerk Allen – Okay, my next one came in at 6:56 during our meeting from Susan McGinn, 141 Sunnycliff Drive. Thank you for the opportunity to share my thoughts. I would like to start by saying how proud I am to have participated in two separate, peaceful protests recently here in our community. Those protests proved that the citizens of Euclid want and can work together for justice and improved relationships. Thank you in particular

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to Mayor Gail, Councilman Moore and Chief Meyer for your words and your leadership. With the recent murders by police officers of George Floyd, Breonna Taylor and now this past week-end, Rayshard Brooks, we, the citizens of this country can no longer look the other way. And as proven by the unrest worldwide, we will not. I am recommending to council, administration and the residents of our city, please do all you can to bring about change and eliminate the systemic racism so prevalent today. Please review the recommendations by the Obama Task Force on 21st Century Policing. This task force was comprised of police chiefs, sheriffs, mayors, community leaders and others. This group collaborated and identified best practices and strategies to enhance public safety while building trust in communities. Please join CampaignZero.org a group that works on policy solutions to improve police and community interactions and ensure police accountability. Please join ColorofChange.org an online organization which moves decision makers and governments to create a more human and a less hostile world for black people in America. And for my white brothers and sisters-please educate yourself on White Privilege. It's real. We all have benefited from it. Read the many books now available on the topic. There is no longer time for sitting on the sidelines. Thank you for any changes you have made and thank you in advance for future changes you need to and will make to save black lives. Enough is enough.

Clerk Allen – And lastly Council President I just want to mention during my reading of Alisa Boles statement apparently I, she wrote me and said that I stated the wrong date for the Pride Parade, it's the Cleveland 2020 Pride Parade, has been reschedule September 20th.

President Mancuso – Thank you.

Clerk Allen – Apparently I must have read the wrong date into the record.

President Mancuso – Any others

Clerk Allen – And that will be all.

COUNCILMAN'S COMMENTS

President Mancuso – Thank you. We will now go to Councilman's Comments, Councilwoman Caviness.....

Councilwoman Caviness – Thank you Madame Chair, just as a point of order.

President Mancuso – Yes

Councilwoman Caviness – The Goodman's also asked a question about reopening the Chambers.

President Mancuso – Oh

Councilwoman Caviness – As well

President Mancuso – Oh, oh, oh, oh, you're right, you're right, you're right. I'm so used to Mayor Gail saying that we have to follow the Governor, it just went through. Mayor Gail you want to address that? Sorry.

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Mayor Holzheimer Gail – I, the next scheduled meeting is in July the 3rd Monday, unless we have a Special meeting prior to that, that gives us a month so we will continue to watch the Governors guidelines as we're all aware things are opening so if, if we feel like we can do that safely and council is ready to do that we can make that change and will stay in touch with council and make sure the community knows. That decision has not been made yet.

President Mancuso – Thank you.

Councilwoman Caviness – Thank you.

President Mancuso - Councilman Epps, I think we begin with you tonight, sir.

Councilman Epps – Thank you Madame Chair. I want to start tonight by thanking Nick who is our Assistant Service Director who in Director Knechts absence responded expeditiously to some pot-hole complaints that I had from residents on 276th. I was told by him that they were going to be in my area that particular week and my phone blew up from my residents on that street the very next day letting me know that, that it had been taken care of, so I appreciate you all for doing that as well as the calls I received from other folks in my area who did in fact get pot holes taken care of during that time, so thank you. I also a quick question for I believe this is a question for Mayor Grida, I mean for Kristal Grida, the Lake Erie Lodge status on that particular project we were told that early spring, here we are now in the second half of June and nothing has been done on that, I'm not sure if I imagine maybe due to obviously the pandemic we have going on but folks are blowing me up about it as well, so if you can address that I would appreciate it. And then I also Mayor Gail, I just want to point out to you, you know when asked about and I, I, again I am very proud to say that this campaigning can't wait that to hear our Mayor say, that many of those things are policies that we already had in place prior to this, I'm very proud of that but then when the one comment about policy the response was that our Chief is the person who would deal with that Mayor Gail you're the Safety Director here in our city and the idea that you don't know if officers have to report and then to go back and say that it's the Chief who would implement those policies it doesn't show a bit of leadership on your part on this issue and so I want to point that out as well as if you could you mentioned that you we have taken care of some of these 8 issues but there, you're not going to go through all of them, I'd ask you on behalf of the African American community if you could go through all of them, this is a huge conversation that's happening between or please on behalf of folks of all races to community leaders in most communities and this is the opportunity right now to do just that and go through all of them so if you could do that I'd appreciate it and because I had a question about some but I don't want to ask that question without knowing where we are and what we have not already done. So if you could do that I'd appreciate it. Also these things that Mr. Oliver talked about I'm just curious as to the process is and trying to make sure that we are on board with all 8 to say that we've done a lot of them, I'm glad that we were proactive in that regard, reactive to personal situations that we had in that regard I will say but I want to make sure that we get them all right. What's the reason why we're not going to take the extra step to get the rest of those in place? Also the Pla-More issue I will reserve my comments for finding out the details to this but if you could also explain Mayor Gail what was it in the Governors change that took place on May 29th where the discrepancy was, I immediately came out against Pla-More as a business for what happened, the recent events that happened with our young people outside of, whether they're from here or not I agree with the resident who mentioned that but we want to make sure that the reason for me being against it was that you know they weren't supposed to be open, so I would like to know what that particular Governors changed was that they're sighting if you could address that to, I'd appreciate it and then prior to I'm going to read something as well, but prior to do that really

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quick I want to also just point out that once again you know, we, we started our meeting with Roberts Rules, about making sure that you know, in an effort to make sure that we keep folks in line and we don't have the catastrophe that we had at the last meeting but many of those rules were still broken and none of them were called out or enforced tonight at no point when there were three people who went over 5 minutes, at no point was the two minute rule given when they got to their 3 minute portion at all, and so I just want to know if these are policies that we're gonna start enforcing straight across the board or are these going to be policies that we have in place just to use as tools against folks that we want to use them against? And then I will I want to address the comments and the letter that was sent in after the last meeting by the by Audrey Kaplin-Goodman and I in the record I actually submitted an e-mail response and I just want to make sure if all those folks that I've been accused of not responding or addressing, that I do so, as always I'm open to the opinions and feedback from any and every one that has well intentions, this is especially true when it comes to our residents and those we serve so I appreciate the provided opinion as well. Let me be clear that I will never apologize for fighting for regular folks that is my only agenda and how dare anyone who does not know me colleague or not, speak to my agenda. I seem to think your agenda is clear, Mr. Moore but because I don't know anything about you, I would not do so and shame on you for not being as considerate to me. We have Americans in uproar all over this Nation and.....

President Mancuso – Councilman, Councilman Epps, just a moment. I'm going to put out a warning here we really should not be speaking about anybody else on Council as we don't want our residents to be doing that either, we should not be calling out anybody on council, so if you would reframe from doing that and continue your remarks.

Councilman Epps – So, so I will once again and I appreciate that warning, once again now the only person that has been any of the rules have been enforced on this floor tonight in this meeting has been me. I've watched my colleagues go speak more than twice on a particular issue, I've watched my colleagues speak over 5 minutes on a particular issue, excuse me.....

President Mancuso – Finish sir, finish.....

Councilman Epps - And here we are yet again, enforcing those rules only on the folks who want to enforce them on, we have Americans in uproar all over this nation today even in our community this was at the time when I wrote this letter, the protests that for whatever reason resulted in riots in the words of Dr. King, the voices of the unheard, this what you all expect me to do right now, just because my colleagues chose to take whatever it is that they get when dealing with our particular leadership does not mean that I have to do so, the law provides a vehicle to override or object to the decisions that are made on this floor and if a motion is made and seconded by another member of council which happens quite often it must be voted on, and no one has a right to have the final say. I also will without going through this whole particular comments because I don't want to break those rules, it's important that we try to stay within them, but what is not appropriate is for them to be enforced when you want to enforce them. So I will not is the spirit of knowing that I'm not probably at my time I will take anymore.....

President Mancuso – You are.

Councilman Epps – I will not take up more time and read that further in, but I will just point out there are a lot of rules that have been pointed out and there are a lot of rules that have not as well and we're not following all of them, so I just

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want to let residents at home know when you see certain things that happen in these meetings, I understand many of these rules and when you don't understand then and then you put your opinion in it kind of complicates the situation and I also want to in closing point out yet again, I am not to make these comments but yet we can break the rules and allow folks comments to come in and talk about my all you want. I will not stand for it or allow for injustices to be happening against me and if I have to take legal action I intend to do so. Thank you.

President Mancuso – You were over, you were about 6 minutes over sir and I let you finish, I will go if you don't mind, Mayor Gail I will finish, I will start at the end and then you can answer the other comments that haven't already been answered. We did time everybody this evening, nobody went over 5 minutes.

Councilman Epps – Not true.

President Mancuso – Nobody, so you are incorrect.

Councilman Epps – Not true.

President Mancuso – If somebody per chance spoke more than twice it was probably because they were in the middle of a question answer piece but when you go away and then you come back that's what I mean by the 5 minutes, nobody went over 5 minutes, I did that specifically so that nobody could say they were not being treated fairly, everyone here is being treated fairly, everyone here is going to follow the rules and the processes of this City Council and I'm sorry you don't feel that applies to you but.....

Councilman Epps – I appreciate that.

President Mancuso – all I'm going to say to this issue please do not interrupt your time is over. Mayor Gail did you want to respond to this Councilperson?

Councilman Epps – To this Councilperson. So ignorant and disrespectful.

Mayor Holzheimer Gail – Thank you Madame Chair. And to Councilman Epps thank you for you know, again I, I can run through the 8 and address them quickly I don't think that gets to the root of it, yes we've banned chokeholds, we have trained against them and there is now a policy a formal policy against that, we do require de-escalation and train for that. I think 3 is require a warning before shooting, certainly that is recommended but I don't know that that's always possible, so I don't, that's something we'd have to look at, requiring all alternatives before shooting, of course we have a use of force continuum in place and that is we always try to use the least that, officers always try to use the least force possible. The duty to intervene is one that of course is trained on, again that's one we have, I don't know that we have a formal policy for, banning shooting at moving vehicles, trained not to do that and not allowed from the standpoint require that we do have a use of force continuum and we follow the standard one that many, many departments follow and require comprehensive reporting is one I've touched on already, we do that, and Mr. Oliver that brought this up knows that because what unfortunately, what has happened is our use of force numbers are high because we report everything from showing a taser, showing a gun, not having physical hands on but any, we're very strict with what we consider use of force which sometimes means we have higher numbers. I also want to be clear that a use of force is not always an excessive use of force, we have criminal activity and behavior in our city sometimes in order to enforce the law the officers are required to use force, they use the least amount that they can and in order to effectuate the arrest or get the problem handled and again

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you now, we think this is worth much more time and much more detailed discussion but you know again there's you know, I went through those very quickly certainly the police chief and the captains would you know would be happy to be part of this conversation and I look forward to continuing to do that because I do honestly believe that we have worked very hard put some good changes in place and again there's more to do, there's always more to do but we have made great progress in that.

President Mancuso – Thank you we will move on to Councilwoman, Councilman Jarosz, sorry, your, you need to unmute Councilman we can't hear you.....

Councilman Jarosz – How about now.

President Mancuso – There you go.

Councilman Jarosz – Hear me now?

President Mancuso – I can hear you now.

Councilman Jarosz – Okay, sorry about that. Thank you Mayor for the Pla-More update as obviously residents are very concerns about the incident that was, that we saw at, at, Pla-More and the video, you know quite disturbing as well so I think it's one of those that you know, you want to be as business friendly but I also think you know the safety for our citizens is paramount as well as them being cognizant of what the impacts of things like that has on the other business's within the Shore Center and around our community. Also there will be a, another Business Development, City Planning and Housing Committee meeting on July 8th, we're gonna handle some lakefront issues there, we should, you know, and I'm debating what else to add to that committee because we're gonna have to have a lot of these committee meetings because we need to handle the property management legislation go through that, but I also think tonight we also discussed the land bank policies and you know to, just a quick comment on land bank policies remember these land banks where a burden and a cost on the city right, we have to pay to have them cut, maintained, etcetera. So we developed policies years ago, especially get them off our books, we want them in productive hands back on tax rolls, and they were, the, the dollar pricing was done by size and for years, years and years we couldn't get anybody to touch them. We couldn't get any development at all and now we're starting to see some progress so probably does make sense to review that, but, but I don't think you know we're doing a lot to kind of remove the unnecessary bureaucratic red tape we did that today, we're trying to look to remove barriers to development barriers for home ownership and we're working our way through that process. But I think also as we do this I think it's important that we guard our reputations with the business community that's why I was not in favor of addressing any changes in pricing at this point in time because we policies in place, we have terms in place and to simply say hey, if you're willing to pay more, you know let's put you on the spot and force that, I don't think that was particularly appropriate from a business perspective and I don't think it was you know frankly changing the rules of the game just because somebody may or may not want to pay more it's not right but it does make sense to review the policy terms as we go forward should we change pricing based upon intent, right, if it's for development maybe that's a different price, if it's just for yard expansion, maybe that's a different price, you know these are all things we could hash out in committee as we move forward but I am definitely glad to see development to you know, people wanting to come to Euclid and do business on the home development side as well as seeing the fact that you know, when you're getting new homes, being sold north of \$200,000 I think that should be encouraging to us all so with that again July

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8th will be another committee meeting, we'll talk about the agenda in more detail at that time, but there will be some lakefront stuff on there and with that goodnight. Thank you.

President Mancuso – Thank you. Councilwoman McIntosh.....

Councilwoman McIntosh – Thank you Madame Chair. Thanks to everyone for their comments this evening. I want to first also thank the organizers of the Faith in the City Rally for Change event, my husband Steve and I were able to attend and it was very moving and a lot of much, much, much more to think about change and, and improve. So you know obviously we have a lot of citizen requests for information regarding policing and you know, there seems to be a disconnect and I think that's probably you know has been long standing disconnect between the police and the community and you know there have been calls past and present for a Citizens Review Committee of some sort maybe not necessarily regarding use of force but just to strengthen ties between communities so I would absolutely support something like that moving forward. I think that would be really important to do because, to further connect the community to and the police so we all understand each other better also regarding the Pla-More you know I've, I have been involved in some of these conversations and I do support the efforts of the administration to, to eliminate these issues that have been ongoing at the Pla-More but I also, I want to be sure that any action that we take as a city reinforces and encourages growth in our Downtown District which will also spread to the rest of the community, we need to ensure safety of our residents, safety of business owners, safety of visitors coming to our city and just make sure that any action has the best interest of everyone in mind and you know unfortunately, Councilman, you know Councilman Jarosz mentioned it we cannot let the action of one business you know ruin it for the rest of the community so we have to strengthen, be firm in how we move forward with this issue I had emails from you know downtown businesses they are scared when they have to lock down their business, residents are scared to be in those business's when they're locked down, if they don't feel safe in downtown they are not going to frequent those businesses. What are we going to do then, so we need to be firm and fair with this issue? So just want to reiterate all of that and you know commit to being a part of that and I'll leave that there. On a lighter note yes, Sunshine Yoga summer session outdoors begins this Saturday June 20th at Sims Park at 8:00 A.M. we will be physically distanced on the beach I will be yelling very loudly with instructions and it will be very low impact practice but we've also added an evening class, so that's June 25th at 6:00 P.M. and that's in Memorial Park, so near the garden kind of by the back, across from the basketball courts in that big grassy area we'll be holding an evening session same thing, physically distanced, low impact, so I hope that people join I will be meet those but also interested in any other Yoga or fitness instructor that wants to perhaps volunteer their time to introduce a new program and I know the Rec. Director Mac Stephens is supportive of that as well. And I think I'm probably at my time, but I did also want to give a shout out to Director Stephens because he was referenced in a Plain Dealer article last week about, I apologies I don't have it on hand, but about a building bridges program that he does as a coach and I think that really says a lot about his commitment to do the youth, not only in our community but elsewhere, so with that I will say goodnight. Thank you.

President Mancuso – Thank you, Councilman Wojtila.....

Councilman Wojtila – Thank you Madame Chair, I would just like to thank Faith in the City for the rally last week and in particular all the speakers including our own Councilman Moore, Mayor, Police Chief all the speakers, it was, it was, for me it was a, I'm doing a lot of listening right now and great to listen to these

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phenomenal speakers and you know, there's a lot to take away to me one of the most sailing points was that this is not a moment, but a movement and to whatever we can do, again I'm doing a lot of listening a lot of reading right now but whatever we can do to, to further the movement and not just make it a moment I know I'm committed to it. Hopefully all of us are. With that I'll say goodnight. Thank you.

President Mancuso – Thank you. Councilwoman Jukic.....

Councilwoman Jukic – I have no comments this evening. Thank you.

President Mancuso – Thank you. Councilwoman Caviness.....

Councilwoman Caviness – Thank you Madame Chair. I'd like to begin by thanking Nick and his staff at the Service Department they, they noticed that there trucks, quite a bit of dips in Grand Boulevard on the street near the wall after the extreme overflow that we had from a water main break and they took the time to actually make all the repairs on June the 9th and 10th and had to close the street everyone was very happy to see that these repairs are being made so I want to thank them for their efforts. I'd like to also mention that I was at the, at Shore for the Faith in the City Rally, at the beginning I was quite impressed with the number of people that were there and the mixture of people who were there I unfortunately, could not participate in all of it but I did go online and if anyone's interested and they could not participate you can go on the Faith in the City Facebook page and you can find the recording of the speakers and thank you Mayor Gail, thank you Councilman Moore and Former Councilperson Hill for speaking and your support and the efforts that we had in dealing with the issue of racism within our own city. I did not make that particular walk and attend the rally at City Hall because I was actually a participant in a surprise drive-by Birthday Party so I had to go from there to the.....

President Mancuso – We lost you.....

Councilwoman Caviness – my phone just rang. I'm sorry my phone just rang I had to go there and it was just one of the most wonderful things that I think I participated in because this was a young lady who just turned 60 but she was raised on Blackfoot when there were sheep, her dad and her uncle built the first couple homes on Blackfoot. So that was in the works for almost a month prior to that so I participated in that. I'd like to say also that I'd like to extend, I'd like for everyone to pray for the Woodmansee family, you know, Mo Woodmansee has always been visible at our meetings in the chambers and I just found out this evening that he was rushed to the hospital on Friday night. So he's in the hospital, he's hospitalized now, I'm not at liberty to share his condition but just need to extend some prayers to he and his family. And lastly I'd like to mention that there will be a Public Safety meeting held on June the 29th at 6:30, it will be by Zoom and originally it was to talk about the deer the next steps for the deer. I would like to actually open it up also to include on the agenda the policing and the next steps that we need to take, but that is June 29th at 6:30 PM and that is all for me this evening Madame Chair.

President Mancuso – Thank you.

Councilwoman Caviness - Thank you.

President Mancuso - Councilman Moore.....

Councilman Moore – Thank you Madame Chair. First and foremost I'd like to thank the.....

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President Mancuso – Councilman Moore, may I interrupt you for a second. You're breaking up.

Councilman Moore – for the turnout for change that we had pastors, I really appreciate Rev. Cammeron _____

President Mancuso – Councilman Moore, you're, you're breaking up, can you still hear us

Councilman Moore – Can you hear me okay now.

President Mancuso – You're still breaking up Councilman Moore, this is why we need to be together. Any better?

Councilman Moore – Okay, well I'm gonna

President Mancuso – Can you hear us, no.

Councilman Moore - _____ and still see you. Can you hear me?

President Mancuso - We can hear you but you get kind of long and drawn out like a long pause.

Councilman Moore - _____. Okay.

President Mancuso – Do you want to try again?

Councilman Moore – I see everybody still, however I see.....

President Mancuso – We can see you but you're, your face is frozen, nothings moving.

Councilman Moore – and then I will try to summarize my comments. Yes.

President Mancuso – So you don't think it's something you can correct? Did we lose you all together?

Councilman Moore – Still there?

President Mancuso – We're hear it's just you're in like a long pause sir.

Assistant to the Mayor Grida – He said pass no comments.

President Mancuso – Oh no comments, okay, he said, alright he said he's going to pass he has no comments.

Councilman Moore – I will say a few words and then write the rest of it and submit it for reading later. _____

President Mancuso – Councilman Moore we're really not picking up, we're not picking up your whole sentences.

Councilman Moore – February 22, 2016

President Mancuso – Are you still there?

Councilman Moore – I will _____, no comments thank you.

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President Mancuso – I’m sorry, thank you, thank you sorry for the technological delay. Alright, so I will close with we have a Commercial Development Committee meeting, we have a Public Safety Committee meeting planned so far right, we have other pieces of legislation that need to go to committee some need to be vetted a little further but then we’ll go to committee, other than that I will say I was also at the Faith in the City grouping and it was, it was wonderful to see all of us there together and it was very nice to have people actually listening to each other which doesn’t happen very often especially with topics such as this. So I was very glad I was there, I think it’s just, it’s not even the beginning, it’s like a first step so we have a lot more to do, and I’m sure everybody here knows that and will rise to the occasion to make it happen. So with that, if there is nothing else to come before this body tonight, I’ll take a motion to adjourn. So moved by Councilman Wojtila; seconded by Councilwoman Jukic.

All in favor
Yeas: Unanimous

We are adjourned.

ADJOURNMENT

Attest:


Clerk of Council


President of Council

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